

No. \_\_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES

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PERCY ALLEN STUCKS – PRO SE PETITIONER

VS.

JENNIFER J. MOORE - RESPONDENT(S)

FIRST DISTRICT COURT OF APPEAL  
STATE OF FLORIDA

---

No. 1D20-752

---

PERCY ALLEN STUCKS,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

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Petition for Writ of Prohibition—Original Jurisdiction.

September 21, 2020

PER CURIAM.

Percy Allen Stucks has filed a pro se petition for writ of prohibition seeking review of the trial court's "Order Denying Defendant's Motion to Dismiss Pursuant to Florida Statutes 776.032 Justifiable Use of Force 'Stand Your Ground.'" In case number 1D18-1460, this Court dismissed an identical petition as unauthorized pursuant to *Logan v. State*, 846 So. 2d 472 (Fla. 2003) (holding that, generally, a criminal defendant has no right to partially represent himself and, at the same time, be partially represented by counsel). When Stucks filed an original petition for writ of prohibition directly in the Florida Supreme Court, the supreme court likewise dismissed his case based on *Logan*. *Stucks v. State*, No. SC19-2067, 2020 WL 639398 (Fla. Feb. 11, 2020).

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Nothing in the current record has changed in regard to Stucks' pro se petition. Stucks still retains counsel below to represent him in his criminal case; nothing in his petition indicates he sought, or would be seeking, to discharge counsel in that proceeding as required by *Logan*. 846 So. 2d at 474. Therefore, in light of the decisions from this Court and our supreme court, we dismiss the petition with prejudice as being barred by the doctrine of res judicata. *See Fla. Dep't of Transp. v. Juliano*, 801 So. 2d 101 (Fla. 2001); *Hyland v. Inch*, 291 So. 3d 1024 (Fla. 1st DCA 2020).

DISMISSED.

RAY, C.J., and BILBREY and JAY, JJ., concur.

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***Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.***

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Percy Allen Stucks, pro se, Petitioner.

Ashley Moody, Attorney General, and Daren L. Shippy, Assistant Attorney General, Tallahassee, for Respondent.

**DISTRICT COURT OF APPEAL, FIRST DISTRICT**  
2000 Drayton Drive  
Tallahassee, Florida 32399-0950  
Telephone No. (850)488-6151

July 23, 2020

**CASE NO.: 1D20-0752**  
L.T. No.: 162016CF006391 AXXXXMA

Percy Allen Stucks v. State of Florida

---

Appellant / Petitioner(s), Appellee / Respondent(s)

**BY ORDER OF THE COURT:**

Petitioner's motion to accept the reply as timely filed, docketed June 25, 2020, is denied as moot. The Court notes that Petitioner's reply was timely filed on June 25, 2020, in compliance with this Court's order of May 22, 2020.

**I HEREBY CERTIFY** that the foregoing is (a true copy of) the original court order.

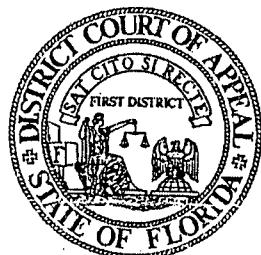
Served:

Hon. Ashley Moody, AG  
Percy Allen Stucks

Daren L. Shippy, AAG

CO

*Kristina Samuels*  
KRISTINA SAMUELS, CLERK



A-VI

# Supreme Court of Florida

TUESDAY, APRIL 14, 2020

CASE NO.: SC20-306  
Lower Tribunal No(s).:  
1D18-1460; 162016CF006391AXXXMA

PERCY ALLEN STUCKS

vs. STATE OF FLORIDA

Petitioner(s)

Respondent(s)

Petitioner's Motion for Rehearing is hereby denied.

A True Copy  
Test:

  
John A. Tomasino  
Clerk, Supreme Court



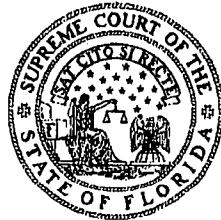
dl

Served:

JENNIFER J. MOORE  
PERCY ALLEN STUCKS  
HON. KRISTINA SAMUELS, CLERK  
HON. RONNIE FUSSELL, CLERK

A.1

EXHIBIT 3



# Supreme Court of Florida

Office of the Clerk  
500 South Duval Street  
Tallahassee, Florida 32399-1927

JOHN A. TOMASINO  
CLERK  
MARK CLAYTON  
CHIEF DEPUTY CLERK  
JULIA BREEDING  
STAFF ATTORNEY

PHONE NUMBER: (850) 488-0125  
[www.floridasupremecourt.org](http://www.floridasupremecourt.org)

## ACKNOWLEDGMENT OF NEW CASE

March 3, 2020

RE: PERCY ALLEN STUCKS vs. STATE OF FLORIDA

CASE NUMBER: SC20-306

Lower Tribunal Case Number(s): 1D18-1460; 162016CF006391AXXXMA

The Florida Supreme Court has received the following documents reflecting a filing date of 3/2/2020.

Petition for Writ of Prohibition

The Florida Supreme Court's case number must be utilized on all pleadings and correspondence filed in this cause.

tr

cc:

JENNIFER J. MOORE  
TRISHA MEGGS PATE  
PERCY ALLEN STUCKS  
HON. KRISTINA SAMUELS, CLERK

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# 4 Supreme Court of Florida

THURSDAY, MARCH 5, 2020

CORRECTED ORDER<sup>1</sup>

CASE NO.: SC20-306

Lower Tribunal No(s).:

1D18-1460; 162016CF006391AXXXMA

PERCY ALLEN STUCKS

vs. STATE OF FLORIDA

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Petitioner(s)

Respondent(s)

The petition for writ of prohibition is hereby transferred, pursuant to *Harvard v. Singletary*, 733 So. 2d 1020 (Fla. 1999), to the First District Court of Appeal. The transfer of this case should not be construed as an adjudication or comment on the merits of the petition, nor as a determination that the transferee court has jurisdiction or that the petition has been properly denominated as a petition for writ of prohibition. The transferee court should not interpret the transfer of this case as an indication that it must or should reach the merits of the petition. The transferee court shall treat the petition as if it had been originally filed there on the date it was filed in this Court. Any determination concerning whether a filing fee shall be applicable to this case shall be made by the transferee court. Any and all pending motions in this case are hereby deferred to the transferee court.

Any future pleadings filed regarding this case should be filed in the above mentioned district court at 2000 Drayton Drive, Tallahassee, Florida 32399-0950.

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND,  
IF FILED, DETERMINED.

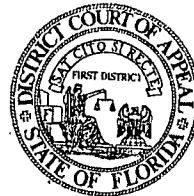
A True Copy

Test:

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1. Corrected to reflect order dated from March 4, 2020 to March 5, 2020.

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DISTRICT COURT OF APPEAL  
FIRST DISTRICT  
STATE OF FLORIDA  
2000 DRAYTON DRIVE  
TALLAHASSEE, FLORIDA 32399-0950  
(850) 488-6151  
WWW.1DCA.ORG

KRISTINA SAMUELS  
CLERK OF COURT

DANA SHARMAN  
CHIEF DEPUTY CLERK

March 06, 2020

**Acknowledgment of New Case**

RE: Percy Allen Stucks v.  
State of Florida

**CASE NUMBER: 1D20-0752**

Lower Tribunal Case Number: 162016CF006391 AXXXXMA

The First District Court of Appeal has received the Petition/Application for Writ of Prohibition filed in this Court on March 5, 2020.

In the future, all documents filed in this case must contain this Court's case number.

Per Administrative Orders 10-1 and 19-1, Petitioner must file a Docketing Statement/Notice of Appearance of Counsel ("Docketing Statement") immediately upon receipt of this acknowledgment notice. If pro se, Petitioner may file a paper Docketing Statement by mail or an electronic Docketing Statement via the Florida Court's E-Filing Portal. If represented, Petitioner's attorney must file the Docketing Statement via the Portal. A fillable form version of the Docketing Statement is available via a link on the "Documents" tab of the Portal or on this Court's website at <https://www.1dca.org/Resources/General-Information>. Opposing parties must file a Docketing Statement only if they seek to make amendments, corrections, or additions to Petitioner's Docketing Statement.

cp

Served: Hon. Ashley Moody, AG

Percy Allen Stucks

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# Supreme Court of Florida

FRIDAY, MARCH 13, 2020

CASE NO.: SC20-306  
Lower Tribunal No(s).:  
1D18-1460; 162016CF006391AXXXMA

PERCY ALLEN STUCKS

vs. STATE OF FLORIDA

Petitioner(s)

Respondent(s)

All pleadings filed in this Court must contain a Certificate of Service stating the names and addresses of those served and, if served on an attorney, the name of the party that attorney represents. *See* Fla. R. App. P. 9.420. Your letter has been treated as a motion for rehearing, and said motion will not be submitted to the Court until you have served Jennifer J. Moore, Assistant Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050, and filed with this Court a proper Certificate of Service. Failure to provide this Court with a Certificate of Service within 20 days from the date of this order could result in the imposition of sanctions, including dismissal of the petition. *See* Fla. R. App. P. 9.410.

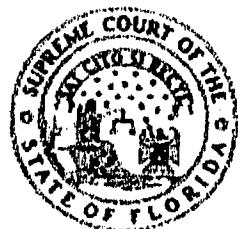
Please understand that once this case is dismissed, it may not be subject to reinstatement.

A True Copy

Test:



John A. Tomasino  
Clerk, Supreme Court



dl

Served:

JENNIFER J. MOORE

PERCY ALLEN STUCKS

A-IV

**DISTRICT COURT OF APPEAL, FIRST DISTRICT  
2000 Drayton Drive  
Tallahassee, Florida 32399-0950  
Telephone No. (850)488-6151**

May 22, 2020

CASE NO.: 1D20-0752

L.T. No.: 162016CF006391 AXXXXMA

Percy Allen Stucks

Y.

## State of Florida

**Appellant / Petitioner(s),**

**Appellee / Respondent(s)**

**BY ORDER OF THE COURT:**

No later than June 22, 2020, Respondent shall show cause why the petition for writ of prohibition should not be granted. Petitioner may file a reply within 15 days thereafter.

**I HEREBY CERTIFY** that the foregoing is (a true copy of) the original court order.

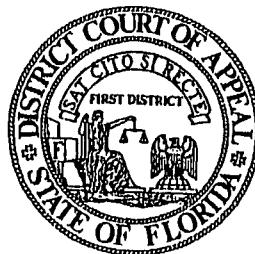
**Served:**

Hon. Ashley Moody, AG

## Percy Allen Stucks

CO

Kristina Samuel  
KRISTINA SAMUEL, CLERK



A-V

Exhibit 02  
P.S.  
P.S.

IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA

CASE NO.: 16-2016-CF-6391-AXXX

DIVISION: CR-B

STATE OF FLORIDA

v.

PERCY ALLEN STUCKS,  
Defendant.

---

**ORDER DENYING DEFENDANT'S MOTION TO DISMISS PURSUANT TO FLORIDA  
STATUTES 776.032 JUSTIFIABLE USE OF FORCE "STAND YOUR GROUND"**

THIS CAUSE came before the Court on the Defendant's Motion to Dismiss ("Motion") filed on February 21, 2018. The Florida Legislature enacted Stand Your Ground in 2005. Stand Your Ground significantly modified the common law right of self-defense by abolishing the well-established duty to retreat before using deadly force, and bestowing immunity from prosecution on a defendant who acts in lawful self-defense. While Florida law has long recognized that a defendant may argue as an affirmative defense at trial that his use of force was legally justified, section 776.032 contemplates that a defendant who establishes entitlement to the statutory immunity will not be subjected to trial. Dennis v. State, 51 So. 3d 456, 462 (Fla. 2010).

In the instant case, Defendant, Percy Stucks, shot and killed his girlfriend/live-in roommate, Dorelle D. Davis ("Davis") in their home on July 8, 2016<sup>1</sup>. The Defendant was charged by Information with one count of Second Degree Murder and one count of

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<sup>1</sup> The date of the alleged crime was July 8, 2016. The effective date of the amendment creating subsection 776.032(4) of the 2017 SYG Law was June 9, 2017. That subsection provides:

(4) In a criminal prosecution, once a prima facie claim of self-defense immunity from criminal prosecution has been raised by the defendant at a pretrial immunity hearing, the burden of proof by clear and convincing evidence is on the party seeking to overcome the immunity from criminal prosecution provided in section [776.032(1)].

Tampering with Evidence. The instant Motion seeks to dismiss the murder charge, based on the Defendant arguing the killing of Davis was justified under Florida's "Stand Your Ground" laws.

Section 776.032(1), Florida Statutes, provides in relevant part:

A person who uses force as permitted in ... F 776.012 ... is justified in using such force and is immune from criminal prosecution ... for the use of such force. ... As used in this subsection, the term "criminal prosecution" includes arresting, detaining in custody, and charging or prosecuting the defendant.

Section 776.012, Florida Statutes, provides in relevant part:

(2) A person is justified in using or threatening to use deadly force if he or she reasonably believes that using or threatening to use such force is necessary to prevent imminent death or great bodily harm to himself or herself or another or to prevent the imminent commission of a forcible felony. A person who uses or threatens to use deadly force in accordance with this subsection does not have a duty to retreat and has the right to stand his or her ground if the person using or threatening to use the deadly force is not engaged in a criminal activity and is in a place where he or she has a right to be.

The Court held an evidentiary hearing on March 5<sup>th</sup>, 2018 to consider whether the Defendant could show an entitlement to immunity. To succeed on a "Stand Your Ground" Motion, the Defendant must prove by a preponderance of the evidence that the shooting of Davis was in response to a reasonable belief it was necessary to do so to prevent imminent death or great bodily harm to him or another. See, Bretherick v. State, 170 So.3d 766 (Fla.2015); State v. Vino, 100 So. 3d 716, 717 (Fla. 3d DCA 2012) This Court must apply an objective standard in determining whether Defendant's belief of imminent death or great bodily harm was reasonable. Mobley v. State, 132 So. 3d 1160, 1164-65 (Fla. 3d DCA 2014); see also Chaffin v. State, 121 So. 3d 608, 612 (Fla. 4th DCA 2013) (applying objective standard to defendant's self-defense claim in murder case). This analysis entails asking whether, based on the *circumstances as they appeared to the defendant when he acted*, a reasonable and prudent person situated in the same circumstances and knowing what the Defendant knew, would have used the same force as did the defendant. Mobley, 132 So. 3d at 1164-65 (emphasis added).

*A/H*  
P.S.

In reviewing a "Stand Your Ground" Motion, even when there are no other witnesses to the events besides the Defendant, the court is not required to accept the Defendant's testimony in support of his Motion as true. See, Leasure v. State, 105 So.3d 5, 14 (Fla. 2d DCA 2012). The court may "consider the probability or improbability of the Defendant's credibility in light of the circumstances established by other evidence." See, Early v. State, 223 So. 3d 1023, 1025-26 (Fla. 1st DCA 2017). In a motion to dismiss for immunity under section 776.032, Florida Statutes, "[t]he trial court's factual findings are entitled to deference and must be supported by competent substantial evidence." Joseph v. State, 103 So.3d 227, 229 (Fla. 4th DCA 2012). "The trial court's legal conclusions are reviewed *de novo*." *Id.* at 230. State v. Chavers, 230 So. 3d 35, 37 (Fla. 4th DCA 2017) A denial of immunity does not preclude a claim of self-defense as an affirmative defense at trial. State v. Chavers, 230 So. 3d 35, 39 (Fla. 4th DCA 2017)(citations omitted)

#### FINDINGS OF FACT:

During the evidentiary hearing, the Court heard the testimony of Percy Stucks, Alphonso Walker, James Small, Detective E. Wells, Detective M. Chizik and the Associate Medical Examiner. The Court observed the demeanor of the witnesses and made judgments of credibility. The Court has carefully considered the Defendant's motion, all the exhibits in evidence [Attached Ex. A], and arguments presented at the hearing on March 5, 2018 and finds as follows:

The Defendant testified that he had a relationship with Davis that predated her killing by over a year. He testified he would help her to move and that he would spend nights with her at her request for her protection. The Defendant went into detail about Davis' history of drugs and mental illness and that she had in the past thrown household items at him and he would leave. He specifically detailed an evening where Davis threw a vase and vacuum at him and punched him in the mouth. She then pulled a knife and chased him. He claimed he had heard the next day she was arrested for fighting with her landlord. He testified Davis got a voluntary commitment to Wekiva Springs where he visited her numerous times. Despite these incidents, each time he would continue their relationship. He would continue to go and stay with Davis after class in the evening.

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P.S.

In late May or early June 2016, the Defendant moved into a room in Eaverson Street. Defendant testified Davis asked to move in with him and he refused. On the day of the killing, Friday, July 8, 2016, Davis happened to be staying with him. The Defendant had worked until 4:30 p.m. and arrived home at approximately 5:30 p.m. at which time he found Davis impaired. Davis was slurring her speech. He saw a crack pipe, and a syringe and an argument ensued where Davis threw college text books at him, hitting him in the nose and causing it to bleed "hard". He claimed she was unreasonable and he could not calm her down. She grabbed a regular kitchen knife and swiped wildly and missed. When she took another swipe he realized she was not going to stop, he grabbed for his gun in his bag with both hands, racked the firearm, and on her third swipe he pushed her off with his left hand and the gun which was in his right hand went off. Davis was hit and fell to the ground. The Defendant testified he put all the drug paraphernalia in a box and left it on the bed. He panicked and fled by driving to Tallahassee, where he got a room and proceeded to drink all night. The next day, at 11:00 a.m. he called the landlord, Reverend Walker, ("Walker") and asked him to unlock the room. From Tallahassee, the Defendant went to Pensacola where he testified his truck broke down. The following Monday he returned to Jacksonville, went to the room and saw the body of Davis with blood everywhere.

During the day he had a meeting with Walker, where he was questioned about why a woman was in his room and where she went. Later that night he returned to the scene and proceeded to clean the crime scene and dispose of the body. The Defendant then fled to Georgia to look for work.

The Defendant was confronted by police in Georgia and he gave an interview where he was videotaped. During the hearing, the Defendant testified he was impaired by drugs and alcohol when he talked to the police on July 12, 2016. Therefore, he did not remember much of what was said. He did admit on cross examination that on July 11, 2016 at approximately 2:30 a.m., he went to Walgreens to purchase cleaning supplies to clean the crime scene; that he used the comforter to wrap Davis's body; that he used the rug in the house to move Davis's body; that he buried her and covered her with the rug, with leaves and limbs. Defendant specifically denied that Davis ever lived there or paid him rent.

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P.S.

The landlord, Reverend Alphonso Walker ("Walker"), testified that he rented the room to the Defendant and to Davis. He confirmed that Davis lived with the Defendant in the room at 1322 Eaverson Street. He testified that on July 9, 2016 he received a text from the Defendant "when get a chance can you unlock my room I lost my key". [State Ex. 1y] Walker continued to detail the conversation back and forth via text where Defendant alternates between claiming to be at work, in the Southside area, then in Miami. The Defendant repeatedly denies knowing what is going on when questioned why the woman in the room won't answer his knock. [State Ex. 1z-1dd] Walker testified that he did not look in the room and never thought for a moment that the person was dead. On July 11, 2016, Walker went to the room and saw that the Defendant had moved his clothes, and the woman was not present so he reached out to question the Defendant as to what was going on. The Defendant and Walker agreed to meet. When asked specifically what had happened, Defendant continued to deny knowledge of anything. The next day, Walker went to the house, saw the carpet gone and the blood trail on the porch, on the threshold of the door, and bloody drag marks in the hallway. He called the police. Walker testified, at no time in his contact with the Defendant from July 9, 2016 through July 11, 2016, did the Defendant appear impaired by alcohol or drugs.

The Court heard the testimony of James Small who was also a tenant in the home at Eaverson Street. He also confirmed that Davis lived in the room with the Defendant. He further testified that the Defendant was very protective and possessive about Davis and all the men knew not to talk to Davis. He testified about seeing the Defendant with cleaning gloves, rags and bleach, cleaning blood. He confronted the Defendant who told him he had argued with Davis because she wanted to see other people. The Defendant was trying to convince him to convince Walker not to call the police and to let the Defendant take care of it. Small testified he did in fact notify the landlord, who then called the police.

The Court further heard from crime scene technician, Detective Wells, regarding the scene, the trail of blood, the bloody foot print, the diagram of the room where Davis was killed, and all the crime scene photos. [State Ex. 1a-1bbb] Significantly, she testified that there was no evidence of drugs, drug paraphernalia (despite finding the

AKT P.S.

empty wooden box on the bed), or a knife found at the scene. Detective Wells testified as to the size and dimensions of the room and the unlikelihood that the events could have transpired as detailed by the Defendant in the small confines of the room. Had Davis swung around three times as described by the Defendant, in the location described by the Defendant, and consistent with the blood location, she would have knocked over multiple items from the dresser. There was no evidence of such disarray. She further testified that upon locating the Defendant in Georgia, the Defendant's loaded gun and a gun cleaning kit were recovered from the hotel room in Georgia.

The Court heard from Detective Chizik regarding video surveillance of the Defendant purchasing the cleaning supplies in Walgreens at 2:30 a.m. [State's Ex. 2]. Further, he detailed the use of cell tower information to locate the Defendant at a hotel in Georgia. Upon being confronted at the hotel in Georgia, the Defendant initially refused to go with police but after a thirty minute conversation with the Defendant, Detective Chizik convinced him to come out of the hotel room. The Defendant gave a videotaped interview which the Court viewed which was introduced in evidence. [State's Ex. 3] The Defendant was mirandized and asked regarding the events in question. Detective Chizik testified the Defendant was not impaired and he did not smell of alcohol. Further, the Court made observations of the Defendant's demeanor during the interview and noted that the Defendant did not appear impaired. Upon being questioned the Defendant told detectives he had just woken up and was not under the influence of anything. He admitted in the interview that Davis lived with him and was paying him rent. He stated they lived together and that at one point he had been the one to move out. The Defendant told the detectives initially that on that Friday, they had argued because Davis had said she met someone else and he could leave. The Defendant in this first version claimed he grabbed his stuff and left going to Pensacola. He claimed he lost his keys so he asked his landlord to check on his room and his landlord told him a girl was lying on the ground. The Defendant said he thought Davis was still mad at him. When he came back to the room on Sunday, he saw the blood, grabbed his stuff and left again. The Court notes that the Defendant did not talk about Davis being violent or on drugs. It was actually the detective who first mentioned the victim's drinking and drugs. For most of the interview, the Defendant denies any knowledge of what

*AH*  
P.S.

happened. He claimed he always had great respect for Davis and that she was the first person to make him kiss. The Defendant then invokes his right to counsel but after some time reinitiates contact with police and agrees to talk. Finally, the Defendant states Davis was mad at him because he was always working and she wanted him to spend more time with her; that she had other people who wanted to spend time with her. He said she had a temper and had "spells". That she had been drinking and grabbed a kitchen knife. He told detectives he told her he had a gun and to calm down. Then he fired a shot to get her off. He admitted that Davis never tried to stab him; that she was just holding up the knife. He stated that Davis never took him seriously and "never respect nothing I did". He stated it was around three minutes from the time she grabbed the knife to when he shot her. After the shooting, he stated he panicked, took her clothes, the knife and left. Subsequently, he admitted cleaning the room and disposing of her body. The Court further observed photos of the Defendant taken by detectives. There are no injuries to his hands, his arms or significantly to his face.

The Court observed the surveillance video of the Defendant in Walgreens on July 11, 2016 at 2:26 a.m. purchasing the cleaning items which he used to clean the crime scene. The Court notes the entire transaction takes approximately three minutes. The Defendant brings items to the counter and, by all appearances, punches in his phone number or rewards number then pays in cash. He goes back to buy garbage bags and once again punches in his phone number or Walgreens card number and pays again in cash. At no point in the video does the Defendant appear impaired, frightened, and despondent or any of the other emotions to which he testified.

The associate medical examiner testified regarding the autopsy. Davis was killed by a gunshot wound to the back of the head. The path of the bullet was back to front and left to right and upwards. Due to the decomposition, he could not testify regarding the distance from the shooter. Tissue samples were tested and the liver came back positive for very low concentrations of alcohol and marijuana. Due to decomposition, the results and the levels are not reliable. There was no cocaine in the body.

FAVORITE

IN THE CIRCUIT/COUNTY COURT OF THE  
IN AND FOR Broward JUDICIAL CIRCUIT  
COUNTY, FLORIDA

STATE OF FLORIDA vs.

Defendant/Minor Child

CASE NO.

16-2016-CF-639

APPLICATION FOR CRIMINAL INDIGENT STATUS

I AM SEEKING THE APPOINTMENT OF THE PUBLIC DEFENDER  
OR

I HAVE A PRIVATE ATTORNEY OR AM SELF-REPRESENTED AND SEEK DETERMINATION OF INDIGENCE STATUS FOR COSTS

**Notice to Applicant:** The provision of a public defender/court appointed lawyer and costs/due process services are not free. A judgment and lien may be imposed against all real or personal property you own to pay for legal and other services provided on your behalf or on behalf of the person for whom you are making this application. There is a \$50.00 fee for each application filed. If the application fee is not paid to the Clerk of the Court within 7 days, it will be added to any costs that may be assessed against you at the conclusion of this case. If you are a parent/guardian making this affidavit on behalf of a minor or tax-dependent adult, the information contained in this application must include your income and assets.

1. I have NO dependents. (Do not include children not living at home and do not include a working spouse or yourself)
2. I have a take home income of \$ NO paid  weekly  bi-weekly  semi-monthly  monthly  yearly  
(Take home income equals salary, wages, bonuses, commissions, allowances, overtime, tips and similar payments, minus deductions required by law and other court ordered support payments)
3. I have other income paid  weekly  bi-weekly  semi-monthly  monthly  yearly: (Circle "Yes" and fill in the amount if you have this kind of income, otherwise circle "No")

Social Security benefits.....	Yes \$ <u>NO</u>	No <input type="radio"/>
Unemployment compensation.....	Yes \$ <u>NO</u>	No <input type="radio"/>
Union Funds.....	Yes \$ <u>NO</u>	No <input type="radio"/>
Workers compensation.....	Yes \$ <u>NO</u>	No <input type="radio"/>
Retirement/pensions.....	Yes \$ <u>NO</u>	No <input type="radio"/>
Trusts or gifts.....	Yes \$ <u>NO</u>	No <input type="radio"/>

Veterans' benefit.....	Yes \$ <u>NO</u>	No <input type="radio"/>
Child support or other regular support from family members/spouse.....	Yes \$ <u>NO</u>	No <input type="radio"/>
Rental Income.....	Yes \$ <u>NO</u>	No <input type="radio"/>
Dividends or interest.....	Yes \$ <u>NO</u>	No <input type="radio"/>
Other kinds of income not on the list.....	Yes \$ <u>NO</u>	No <input type="radio"/>
4. I have other assets: (Circle "Yes" and fill in the value of the property, otherwise circle "No")

Cash.....	Yes \$ <u>NO</u>	No <input type="radio"/>
Bank account(s).....	Yes \$ <u>NO</u>	No <input type="radio"/>
Certificates of deposit or money market accounts.....	Yes \$ <u>NO</u>	No <input type="radio"/>
*Equity in Motor vehicles/Boats/.....	Yes \$ <u>NO</u>	No <input type="radio"/>
Other tangible property.....	Yes \$ <u>NO</u>	No <input type="radio"/>

Savings.....	Yes \$ <u>NO</u>	No <input type="radio"/>
Stocks/bonds.....	Yes \$ <u>NO</u>	No <input type="radio"/>

\*Include expectancy of an interest in such property

5. I have a total amount of liabilities and debts in the amount of \$ 10,000.00

6. I receive: (Circle "Yes" or "No")

Temporary Assistance for Needy Families-Cash Assistance.....  
Poverty-related veterans' benefits.....  
Supplemental Security Income (SSI).....

Yes   
Yes   
Yes   
No   
No   
No

7. I have been released on bail in the amount of \$ N/A

A person who knowingly provides false information to the clerk or the court in seeking a determination of Indigent status under s. 27.52, F.S. commits a misdemeanor of the first degree, punishable as provided in s. 775.082, F.S. or s. 775.083, F.S. I attest that the information I have provided on this Application is true and accurate to the best of my knowledge.

Signed this 3rd day of November 2018.

Date of Birth 11-14-1985

Driver's license or ID number 5320-661-85-4140

*Percy Stuck Jr.*

Signature of applicant for Indigent status

Print full legal name  
Address  
City, State, Zip  
Phone number

*Percy Allen Stuck Jr.  
500 East Adams Street  
Jacksonville, Florida 32202*

CLERK'S DETERMINATION

Based on the information in this Application, I have determined the applicant to be  Indigent  Not Indigent  
 The Public Defender is hereby appointed to the case listed above until relieved by the Court.

FILED

Dated this 15 day of November 2018

NOV 13 2018

This form was completed with the assistance of

APPLICANTS FOUND NOT INDIGENT MAY SEEK REVIEW BY ASKING FOR A HEARING TIME. Sign here if you want the judge to review the clerk's decision of not Indigent.



Developed by the Florida Clerks of Court Operations Corporation

*D.W. Dinsel*  
CLERK CIRCUIT COURT

*Anne Beck*

Clerk/Deputy Clerk/Other authorized person

Approved by the Florida Supreme Court on 03/19/09

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## EVIDENCE LIST

STATE V. PERCY STUCKS  
162016CF6391

ID	EVIDENCE	EVID #
<b>PHOTOGRAPHS</b>		
A1	Photo of blue house on Eaverson St	1a
A2	Still photo of Defendant coming in door of Walgreens	1b
A3	Still Photo of Defendant with basket coming into Walgreens	1c
A4	Still photo, profile of Defendant in Walgreens	1d
A5	Photo of wooded area at night	1e
A6	Photo of trash, carpet	1f
A7	Photo, close-up of trash, carpet	1g
A8	Photo, close-up of trash and carpet from other angle	1h
A9	Photo of carpet being removed	1i
A10	Photo of foot, bedspread covering body	1j
A11	Photo of deceased victim	1k
A12	Photo of Defendant, taken July 12-13, 2016	1l
A13	Photo of Defendant's right hand	1m
A14	Photo of Defendant's left hand	1n
A15	Photo of Defendant's right arm	1o
A16	Photo of Defendant's left arm	1p
A17	Photo of Defendant's chin	1q
A18	Photo of Defendant's right side of face	1r
A19	Photo of Defendant's left side of face	1s
A20	Photo of front porch	1t
A21	Photo of hallway of blue house	1u

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ID	EVIDENCE	EVID #
A22	Photo of bathroom	1v
A23	Photo of hallway, blood spots marked	1w
A24	Photo of hallway, evidence placards 1-7	1x
A25-A35	Photos of Cell phone with text messages	1y-1ii
A36	Diagram of house and street	1jj
A37	Diagram of house	1kk
A38	Photo of boot print, Ev. 5	1ll
A39	Photo of receipt on bathroom floor	1mm
A40	Photo of Receipt from Walgreens	1nn
A41	Photo, close-up of Walgreens receipt	1oo
A42	Photo of bedroom from door	1pp
A43	Photo of floor to entrance of bedroom	1qq
A44	Photo of bed	1rr
A45	Photo of dresser with bleach bottle	1ss
A46	Photo of chair with box of garbage bags	1tt
A47	Photo of bucket with dirty Brillo pads	1uu
A48	Photo of floor, coagulated blood	1vv
A49	Photo of floor, coagulated blood (Duplicate/mistake)	1ww
A50	Photo of large knife under bed	1xx
A51	Photo from hotel, gun cleaning kit and laptop bag	1yy
A52	Photo, close-up of laptop bag contents	1zz
A53	Photo of gun	1aaa
A54	Photo of swab from gun	1bbb
A55	ME Photo: gunshot wound to back of head	1ccc
A56	ME Photo: close-up of gunshot wound to back of head	1ddd

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~~AT~~ P.S.

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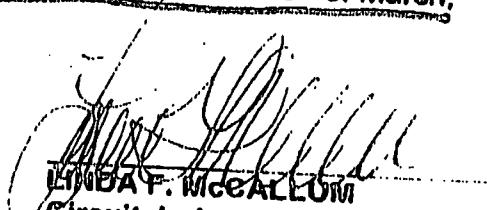
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**CONCLUSIONS:**

After reviewing the totality of the testimonial and physical evidence presented to the Court, the Court finds the Defendant has failed to meet his burden. At best, the shooting was accidental. The Court finds, however, that the evidence is beyond clear and convincing to support the charge of second degree murder. The Defendant's multiple and varied versions of the events, as well as his actions subsequent to the shooting tend to discredit the credibility of his claim of self- defense. They appear to show a deliberate attempt to establish an alibi. The Court finds it significant that the first mention of alcohol and drug usage of Davis came from the police and not the Defendant. Upon observing the Defendant's demeanor in the video and when testifying, the Court does not find credible any contention that the Defendant acted because he was in fear and felt it was necessary to prevent imminent death or great bodily harm. Finally, Davis was shot in the back of the head and the Defendant's explanation for this point of entry is totally incredible, and not consistent with any theory that she was in the process of attacking the Defendant. Defendant remains free to raise the defense of "Stand Your Ground" at trial.

Accordingly, it is hereby, ORDERED and ADJUDGED that Defendant's Motion to Dismiss is DENIED.

DONE in Chambers at Jacksonville, Duval County, Florida this 15<sup>th</sup> of March, 2018.

  
LINDA F. McALUM  
Circuit Judge

Copies to:

Office of the State Attorney  
Division CR-B

Nah-deh Simmons, Esquire  
Attorney for Defendant

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Exhibit # 2 3  
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New Felony Defender Training  
Chapel Hill, NC  
Thursday, March 13, 2008 to Friday, March 14, 2008

## **NEW FELONY DEFENDER PROGRAM**

### **A PRACTICAL GUIDE TO BRADY MOTIONS:**

**Getting What You Want  
Getting What You Need**

Ira Mickenberg  
6 Saratoga Circle  
Saratoga Springs, NY 12866  
(518) 583-6730  
FAX (518) 583-6731  
[iramick@worldnet.att.net](mailto:iramick@worldnet.att.net)

## SOME BASIC INFORMATION ABOUT BRADY CLAIMS

### I. THE PROBLEM OF "OPEN FILE" DISCOVERY

It has become custom in many courts and with many prosecutors that discovery in criminal cases operates on a streamlined "open file" process. Under the open file system, defense counsel is permitted to look at the State's file on the case, and the prosecution's discovery obligations are then satisfied.

This sounds good in theory – after all, why bother with time-consuming motions and arguments when the State is willing to let you look at everything they have?

In practice, though, every defense lawyer knows that "open file" discovery doesn't work anything like it is supposed to. The files we are shown often do not contain some police reports, witness statements, and other crucial documents. Materials that contradict the State's case or support a defense are frequently missing. Evidence that corroborates the defendant's story is mysteriously absent. Items that would impeach the police are nowhere to be found.

Not only is the discovery often empty of anything that would help the defense – prejudicial and damaging evidence that we could prepare to refute (if only we knew about it) is also frequently absent. Sometimes it seems that no trial is complete without the prosecutor producing a "surprise" witness, statement, or piece of evidence that never made it into their "open file" discovery.

The practice of "open file" discovery has become the customary way of doing things in many places not because it is good, or even legal, but because "that's the way it's always been done." Many judges and prosecutors even assume that because it has been around so long, it must be legally required. This is, of course, completely wrong. In fact, the U.S. Supreme Court, in *Strickler v. Greene*, 527 U.S. 263, 283, 119 S.Ct. 1936, 1949 (1999), explicitly held that a prosecutor's open file discovery policy in no way substitutes for or diminishes the State's obligation to turn over all exculpatory evidence pursuant to Brady.

Regardless of what customs, practices and traditions may have grown up around discovery, the fact remains that the U.S. Constitution, the North Carolina Constitution, and the rulings of the North Carolina Supreme Court all supersede local "open file" customs. And fortunately for the defense bar, all of those legal resources require that we get a lot more discovery than most "open file" policies provide. If we are to get meaningful discovery, we must use those resources to compel the courts and prosecutors to follow the law, and release the information our clients need to get a fair trial.

## II. THE DIFFERENCE BETWEEN DISCOVERY AND BRADY

It is important to distinguish between the kind of discovery we are entitled to under state and local statutes, rules and customs, and the U.S. Constitutional requirement that the State turn over to the defense all exculpatory evidence (Brady material).

Every state is free under the Constitution to establish whatever discovery rules it wants. Some states provide virtually no discovery at all. For example, New York does not even require the State to give defense counsel a witness list. This does not violate the Constitution. Other states require total discovery. For example, Florida gives the defense an absolute right to take a sworn deposition of all prosecution witnesses (including police officers and crime victims) prior to trial. This too is constitutional. The discovery rules of most states, including North Carolina fall somewhere in between these extremes. And in general, the Constitution doesn't care how a state deals with discovery.

The Constitution is concerned with only one aspect of discovery – prior to trial, the prosecution must turn over to the defense all exculpatory evidence in its actual or constructive possession. Failure to do so is a violation of Due Process Clauses of the Fifth and Fourteenth Amendments. This rule applies regardless of how a state has chosen to structure its discovery process. The main U.S. Supreme Court cases that establish this right are:

Brady v. Maryland, 373 U.S. 83 (1963)

Kyles v. Whitley, 514 U.S. 419 (1995)

Strickler v. Greene, 527 U.S. 263 (1999)

The generic term applied to the exculpatory evidence the State must turn over is "Brady material."

## III. WHAT IS BRADY MATERIAL?

Brady says that the prosecution must disclose any information or material that is:

- ◆ A. Material (and)
- ◆ B. Relevant to guilt or punishment. (and)
- ◆ C. Favorable to the accused. (and)
- ◆ D. Within the actual or constructive knowledge or possession of anyone acting on behalf of the State.

It is helpful to examine each of these factors individually, to get a clear idea of exactly what kind of material the State is required to turn over.

### A. WHAT DO WE MEAN BY MATERIAL?

Materiality is the most confusing aspect of the Brady standard. Many courts define materiality in terms of the standard the defense must meet to get a conviction reversed when a Brady violation is discovered after trial, and the issue is raised on appeal or at post-conviction proceedings. In this context, materiality is usually defined as whether there was a reasonable probability that the result of the trial would have been different if the exculpatory material had been turned over before trial.

Other courts have recognized, though, that this standard is not really appropriate as a guide for whether information must be turned over before trial. Those courts have usually adhered to the language of Brady, Bagley and Kyles, all of which speak of the obligation to turn over anything that is relevant to guilt or punishment and is exculpatory or favorable to the defense.

### B. WHAT IS "RELEVANT TO GUILT OR PUNISHMENT?"

This simply establishes that Brady material consists of anything that is helpful to the defense at either the guilt or sentencing phase of a case. For example, assume that a robbery victim identified the defendant as one of two people who robbed him, but also told police that the defendant prevented the other robber from injuring him. This would be Brady material because it is relevant to mitigating punishment – even though it actually helps establish the defendant's guilt.

### C. WHAT IS "FAVORABLE TO THE ACCUSED?"

It is essential to realize that as used in Brady, the terms "favorable to the accused" and "exculpatory" are not limited to evidence that goes towards proving that the defendant is innocent of the charges. Brady material is defined much more broadly, and the prosecution has the obligation to turn over many things that don't directly go towards a claim of innocence.

For the purposes of Brady analysis, material that is favorable to the defense is anything that meets the following criteria:

- It is exculpatory – meaning that it tends to show that the defendant is innocent of the charges. . . . or
- It may mitigate sentence. . . . or
- It can be used to impeach a state witness, or otherwise cast doubt on the prosecution case. Impeachment evidence must be turned over even if has nothing to do with the defendant's innocence.

Again, it is a good idea to look at each of these criteria individually:

## **C-1. WHAT DO WE MEAN BY "IS EXONERATORY?"**

The most important thing to understand about the term "is exculpatory," is that it is not limited to things that prove the defendant did not commit the crime. Rather, it includes any information or material that might lead the jury to conclude that the defendant should be found not guilty of any of the crimes charged.

One constructive way of analyzing whether something "is exculpatory" is to look at the different general categories (or genres) of defenses in criminal cases, and ask ourselves whether the evidence we want to discover helps establish any of those categories. These genres (within which almost all defenses fit) are as follows:

1. The criminal act never occurred. (Frame-up, for example)
2. The criminal act occurred, but the defendant was not the one who did it. (Alibi, for example)
3. The criminal act occurred, the defendant committed it, but it wasn't legally a crime. (Self-defense, for example)
4. The criminal act occurred, the defendant committed it, but it wasn't the crime charged. (Lesser included offense, for example)
5. The criminal act occurred, the defendant committed it, but he was not legally responsible. (Insanity, for example)

Any material that might help to establish any of these categories is Brady material, and must be disclosed. Moreover, it doesn't matter whether the defendant has committed to raising a defense with that information. As long as the material would help to establish a defense, it must be turned over, and it is for the defense lawyer to determine whether and how he or she wishes to use it.

Along the same lines, any material that is inconsistent with the prosecutor's theory of the case is Brady material, regardless of whether and how defense counsel is going to use that material.

Due process also requires disclosure of any evidence that provides grounds for the defense to attack the reliability, thoroughness, and good faith of the police investigation, to impeach the credibility of the state's witnesses, or to bolster the defense case against prosecutorial attacks. Kyles v. Whitley, 514 U.S. 419, 442 n.134, 445-451 (1995).

To sum up:

- Any material that helps the defense attack the reliability, thoroughness, or good faith of the police investigation is discoverable under Brady. This is a terrific tool for prying loose police reports that show inconsistent behavior or statements by police, incompetence or failure to follow guidelines or protocols for investigation, and general sloppiness in investigating the crime or in failing to follow leads or investigate anything that wouldn't help convict your client. It is also very useful

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for obtaining information about informants, deals and other crimes that may have given witnesses a motive to lie in your case, or given the police a motive to frame your client.

Even if something would not be admissible at trial, if it fits within the definition of Brady material, it must be disclosed. The key to Brady is that the defense must be given all favorable information – it is then up to defense counsel to figure out a way, if possible, to use it. Contrary to what many prosecutors believe, the fact that a document or piece of information may be inadmissible does not relieve them of their obligation to disclose it under Brady.

Even if the prosecutor thinks that the Brady material is unreliable or unbelievable, he or she must disclose it. It is for defense counsel, not the prosecutor to decide whether the Brady material is reliable enough to be used. For example: the excuse that "the other guy who confessed was crazy and unbelievable" does not relieve the prosecution from the due process obligation to inform the defense about the other guy and his confession.

## C-2. WHAT DO WE MEAN BY "MITIGATE SENTENCE?"

Information or material that mitigates sentence is:

Anything that supports any argument you are permitted to make at sentence in support of a less-than-maximum sentence.

Anything the courts in your jurisdiction have held to be a mitigating factor at sentencing.

A good technique for supporting a demand for Brady material that mitigates sentence is to cite caselaw that either:

- Has explicitly held that such material is relevant to sentence, or
- In which a court has considered such material in its sentencing determination, even if the case itself was not explicitly about that material.

## C-3. WHAT DO WE MEAN BY "IMPEACH A STATE'S WITNESS?"

Anything that is inconsistent with the testimony of a State's witness. This might include prior statements of that witness, or any other information from any other source that is inconsistent with the witness's testimony.

Anything that is inconsistent with other prior statements of a State's witness.

Any statements omitting something the witness later told the prosecutor, or

testified to. This covers the very common situation where a State's witness at trial "remembers" for the first time that the defendant confessed to him. When the witness has such a miraculous recovered memory, any prior statements the witness made that did not include the alleged confession become Brady material, and must be turned over immediately.

#### D. WHAT IS "WITHIN THE KNOWLEDGE OR POSSESSION OF ANYONE ACTING ON BEHALF OF THE STATE?"

The important thing to recognize about this requirement for Brady material is that it is not limited to things that are within the actual knowledge or possession of the individual prosecutor on the case. All of the following are included:

- Anything actually known to or in the possession of anyone in the prosecutor's office.
- Anything actually known to or in the possession of the police, even if the prosecutor doesn't know about it.
- Anything actually known to or in the possession of anyone else acting on behalf of the State, even if the prosecutor doesn't know about it.

The prosecutor is therefore prohibited from hiding behind the excuse that "I didn't know about that." If the material was within the knowledge or possession of anyone working on behalf of the prosecution, the State is considered to have constructive knowledge or possession of that material, and must obtain and turn it over to the defense pursuant to Brady..

Even better, in *Kyles v. Whitley*, the U.S. Supreme Court explicitly said that the individual prosecutor has an affirmative duty to learn of any favorable evidence known to the other people and agencies acting on the government's behalf on the case, including the police.

### II. USING YOUNGBLOOD v. WEST VIRGINIA, U.S. , 126 S.Ct. 2188 (2006)

#### A. WHAT IS YOUNGBLOOD?

Youngblood is the latest pronouncement of the U.S. Supreme Court on Brady/Kyles issues. In addition to reaffirming the rulings in Brady and Kyles, it explicitly orders the West Virginia courts to stop avoiding some of the most important provisions of Brady and Kyles. Thus it can be cited for the proposition that state court efforts to dilute the due process protections concerning disclosure of exculpatory evidence by casting them in terms of state evidentiary law will not be tolerated.

Youngblood involved a defendant accused of abducting three teenaged girls and sexually assaulting one of them. His defense was consent. After he was convicted and sentenced to 26-60 years in prison, a defense investigator discovered that the "victims" had written a letter bragging:

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about how they framed Youngblood and how the entire incident was consensual. A police officer who saw the letter before trial refused to take custody of it, and told the person who had the letter to destroy it. The defense was never told about the letter until after Youngblood was convicted. Consequently, the jury never found out about the letter, and neither the "victims" nor the police officer were cross-examined about it at trial.

The defense filed a state habeas petition, but the trial judge denied the petition, holding that the letter wasn't Brady material because it only went to impeachment, not innocence. The trial court also held that it was not Brady material because the police officer never gave the letter to the prosecutor, so the prosecution was not in possession of the material.

When the denial of Youngblood's habeas was appealed, the West Virginia Supreme Court of Appeals, by a 3-2 vote, affirmed. The majority did not address the specific Brady/Kyles claims, but merely held that the trial court did not abuse its discretion. Dissenting, two justices said that there was a clear Brady violation.

## B. THE HOLDING OF YOUNGBLOOD

The U.S. Supreme Court reversed. It made following explicit findings, and ordered the West Virginia courts to follow them:

1. Impeachment material falls under Brady/Kyles and must be disclosed, even if it does not directly go to innocence.
2. If the police know about exculpatory information (including impeachment material) it is considered to be within the possession of the prosecution and must be disclosed pursuant to Brady/Kyles, even if the police never told the prosecutor about it.
3. The prosecutor has an affirmative duty to seek out and learn of any exculpatory material in the possession of anyone else acting on the government's behalf in the case, including the police.

## III. WHAT MUST WE DO TO GET BRADY MATERIAL?

### A. HOW TO DEMAND BRADY MATERIAL

It is very tempting to store a form Brady motion on your computer, and file it in every case, just changing the defendant's name and case number. Unfortunately, the more general our demand is, the easier it is for the prosecution to weasel out of its obligations. By specifically tailoring our demand to the factual needs of our case, we make it difficult for the State or the Court to claim that they didn't know something existed or was relevant.

This does not mean that we can't use the computer, or we can't use similar language in our Brady motions. It does mean, however, that our Brady motions must contain sufficient facts

about the individual case to make our demand specific. At the very least, this means that we should include facts in our demand that refer to:

✓ The prosecution witnesses we want information about. For example:

✓ "Any and all information bearing on the truthfulness, bad character or bad reputation of State's witness John Smith, including but not limited to: complete adult criminal record; complete juvenile record; any contempt citations issued against the witness; any past instances of dishonesty, fraud, lying or violence on the part of the witness that is known to the State or its agents; any history of mental illness . . ."

✓ The specific documents (or at least the kind of documents) we want to get. For example:

✓ "The name, address and telephone number of any witness who at any time identified someone other than the defendant as the person who committed the robbery; any and all reports that mention in any way that a witness identified someone other than the defendant as the person who committed the robbery charged in this case; the name, address and telephone number of any witness who at any time stated that the defendant was not the person who committed the robbery charged in this case; any and all reports that mention in any way that a witness, whether named or unnamed, stated that the defendant was not the person who committed the robbery charged in this case."

✓ The specific evidence we think may be out there that fits within Brady. For example:

✓ "Any medical or scientific records (including but not limited to the results of any tests and the complete raw data upon which those test results were based) that indicate that the defendant was not the person who committed the crimes charged. This request is intended to encompass, but not be limited to all blood testing, DNA testing, serology testing, fingerprint testing, hair sample testing"

✓ When enumerating the things you are asking for in your motion, use the phrase "including, but not limited to" as a way of preventing the court or the prosecutor from claiming that you unnecessarily limited the scope of your request.

In order to make specific demands for Brady material, we have to do several things before writing the motion:

✓ Know your theory of defense. It is impossible to think of things that may be exculpatory if we haven't figured out what our defense is.

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✓ Investigate. Often it will be impossible to complete an investigation before motion papers are due. When that happens, do the best you can to base the specifics of your Brady motion on what you know about the facts of your case. Then supplement your requests for Brady material as you learn more about the case.

✓ Follow up on what you learn. When you get some Brady material, investigate it, and then make demands for additional material on anything your follow-up investigation turns up.

## B. WHEN TO DEMAND BRADY MATERIAL

The Brady process is not just for pre-trial. The prosecution has an ongoing constitutional responsibility to turn over all exculpatory evidence, whenever they find it. Imbler v. Pachtman, 424 U.S. 409, 427 n.25, 96 S.Ct. 914 (1976). After a conviction the prosecutor also is bound by the ethics of his office to disclose information that casts doubt on the authority of after-acquired or other evidence.

This means that demanding Brady material is something we should be doing throughout the case. For example:

- ◆ In pre-trial motions
- ◆ Just before trial begins – to make sure that nothing has come up that the prosecutor has neglected to mention
- ◆ After the prosecutor's opening – to make sure there is nothing that may be in conflict with what the prosecutor has just told the jury
- ◆ After the direct examination of every State's witness – to make sure the prosecutor doesn't possess something that contradicts the testimony the witness just gave.
- ◆ After the prosecutor's closing – for the same reason you ask for it after his or her opening.
- ◆ Before sentencing – to make sure the State is not withholding anything that would mitigate sentence.

In your pre-trial motions and prior to sentencing, it is important to make the motion in writing and to get the State's response and the court's decision (if any) in writing.

When you make Brady applications during trial, be sure to make them on the record,

and to get the State's response and the court's ruling on the record. This is absolutely essential if we are to have a remedy when we discover months later that the State lied about something.

### C. BRADY DURING POST-CONVICTION

When Brady material turns up after a defendant has been convicted and sentenced, a state post-conviction or habeas corpus petition is usually the appropriate way to raise the issue. This is standard practice. But what can be done when the Brady material is discovered after the defendant has not only been convicted, but lost his or her appeal, and lost a post-conviction case? In such cases, there are usually serious procedural problems with filing a second, or successor habeas. In particular, the defendant must show cause why he did not raise the claim in his first petition, and actual prejudice from the violation.

In Strickler v. Greene, 527 U.S. 263, 119 S.Ct. 1036, 1949 (1999), the U.S. Supreme Court held that when a defendant files a successor habeas under Brady, if he proves that the State withheld evidence, that will constitute cause for not presenting the claim earlier.

It is essential that we take advantage of this law by:

- Remaining vigilant for concealed Brady material even after conviction.
- Raising the claim even after a first habeas has failed.

### IV. REFUTING THE PROSECUTOR'S ARGUMENTS –

USING KYLES v. WHITLEY, 514 U.S. 419, 115 S.Ct. 1555 (1995)

The most significant Brady case of the past 30 years has been Kyles v. Whitley, 514 U.S. 419 (1995). The importance of Kyles lies in the fact that the U.S. Supreme Court took the opportunity to explicitly refute virtually every excuse prosecutors have traditionally used to avoid turning over Brady material at trial, and to avoid reversals on appeal and habeas corpus when they are caught in a Brady violation. It is therefore essential that we become familiar with Kyles, and use it at every opportunity to refute the State's arguments.

The following is a list of many rulings from Kyles that are helpful in refuting common incorrect arguments made by the prosecution – at trial, appeal, and post-conviction:

Materiality: The State Argues that the Withheld Material Would Not Have Resulted in an Acquittal

Kyles: "The question is not whether the defendant would more likely than not have received a

different verdict with the evidence, but whether in its absence he received a fair trial, understood as a trial resulting in a verdict worthy of confidence. A 'reasonable probability' of a different result is accordingly shown when the Government's evidentiary suppression 'undermines confidence in the outcome of the trial.'"

**Materiality: The State Argues that Even Without the Withheld Material, the Evidence was Sufficient to Convict**

Kyles: "A defendant need not demonstrate that after discounting the inculpatory evidence in light of the undisclosed evidence, there would not have been enough left to convict. The possibility of an acquittal on a criminal charge does not imply an insufficient evidentiary basis to convict. . . . None of the Brady cases has ever suggested that sufficiency of evidence (or insufficiency) is the touchstone."

**Materiality: The Prosecutor Argues on a Brady Appeal of Post-Conviction that "The Withheld Evidence Wasn't Important"**

Kyles: The U.S. Supreme Court suggests that defense counsel look to (and cite) the prosecutor's closing argument at trial to show that the State argued that the subject matter of the withheld evidence was very important. In Kyles, for example, the prosecution withheld evidence that cast doubt on the credibility and observational powers of a witness. On appeal, the State argued that this wasn't material under Brady, because the witness was not important. During closing argument at trial, though, the prosecutor had vehemently argued that those same witnesses were very important and highly credible. The Supreme Court viewed this as a strong indication that the withheld information about the witness' credibility was material.

**Harmless Error: The State Argues that Even Though there was a Brady Violation, it was Harmless Error**

Kyles: Once a reviewing court has found constitutional [Brady] error, there is no need for further harmless-error review. . . . [a Brady error] could not be treated as harmless."

**The Prosecutor Says, "I Didn't Know About that Information – the Police Never Told Me"**

Kyles: "The individual prosecutor has a duty to learn of any favorable evidence known to the others acting on the government's behalf in the case, including the police."

**The Prosecutor Says, "None of the Items We Failed to Disclose Would Have Changed the Jury's Mind."**

Kyles: Brady does not require "a series of independent materiality decisions" for each individual piece of information withheld. Rather, it requires, "a cumulative evaluation" to determine whether the cumulative effect of all the pieces of information the State failed to disclose rises to the level of Brady materiality.

Finally, Kyles determined that the following kind of information is all Brady material that must be disclosed:

- > Inconsistent descriptions by different witnesses of the criminal.
- > Inconsistent descriptions by different witnesses of the crime.
- > The fact that some of the witness's descriptions of the criminal matched the police informant
- > That there were pending charges against the police informant
- > That there was an ongoing investigation of the police informant concerning other crimes.
- > That the police informant made inconsistent statements to the police about the crime and about his accusation of the defendant.
- > That the police had other leads and information that they failed to follow up on or investigate, that could have pointed the finger at someone other than the defendant.
- > That before accusing the defendant, one of the witnesses previously said that she had not actually seen the crime.
- > That a witness's description of the crime and/or the criminal became more "accurate" and more certain after the witness met with police and/or prosecutors, or after the witness testified at a first hearing or trial.
- > That a witness's prior statements omit significant details or facts that the witness "remembered" at trial.
- > That a witness's trial testimony omitted significant details or facts that the witness mentioned in prior statements.
- > That a witness or informant made statements that incriminated himself in the crime charged against the defendant.

Please read Kyles before making your next Brady demand.

1450: I emailed an exigent request form to T-Mobile, requesting location and phone records for the cell phone of Percy Stucks (suspect).

1500: I called T-Mobile and spoke with Megan, who advised that she will send information in reference to the above phone to my email.

1511: I received the first of numerous emails from T-Mobile. All emails showed that the suspect's phone was stationary, at the Scottish Inn (3888 Highway 17), in Richmond Hills, Georgia.

1555: At the request of Detective Scott, Detective Edwards and I arrived at 2161 Kings Rd. (Dollar General) and conducted an interview of John O'Neal (witness #1). The witness stated that he is a crack cocaine addict and generally buys his drugs from a black male he knows only as "Smoke". The witness stated that "Smoke" sells his drugs from a yellow house, which is next door to this crime scene. The witness stated that he was at the above house on 07-11-16, and overheard "Smoke" speaking with another unknown black male. The witness stated that "Smoke" said that a female was saying that he sold her bad drugs and she was going to report "Smoke" to the Police. The witness stated that "Smoke" then stated that he was going to get the female "fucked up".

1630: I emailed the cell site and verbatim phone records that I received from T-Mobile to C. Rivera (Crime Analysis Unit). I requested that the above information be mapped and an attempt made to identify people that the suspect spoke with.

1800: I received the above information and forwarded it to Detective Edwards for follow-up investigation.

Note: Detective Scott and I travelled to Richmond Hills, Georgia and made contact with the suspect at the Scottish Inn. The suspect agreed to come with Detective Scott and me to the Richmond Hills Police Station and speak with us in reference to this incident.

Note: During the above interview, the suspect invoked his Constitutional Right to an attorney. Detective Scott and I immediately terminated questioning and departed the interview room. At 2336 (07-12-16), the suspect asked to use the restroom. I escorted the suspect to the restroom and then back to the room where he was interviewed. When we returned the suspect asked me if I would sit down and talk to him. I explained to the suspect that he requested to speak with an attorney and that I could not speak with him anymore. The suspect told me that he did not want to look like a monster and again asked if I could sit down and speak with him. I asked the suspect if he wanted to speak without an attorney present and he replied "Yes". I then left the room, advised Detective Scott of the suspect's statements. Moments later, Detective Scott and I returned to the interview room, and again advised the suspect of his Constitutional Rights by a standard rights form. The suspect again stated that he understood and signed the rights form, at which time Detective Scott and I continued the interview in reference to this incident.

Note: This concluded my independent investigative efforts in this case. Refer to Detective Scott's Supplement Report for any further involvement by me in this case.

#### CASE STATUS

Cleared by Arrest, over 18, by Detective.

Clearance Status: CASE NOT CLEARED	Clearance Code: NOT APPLICABLE	Date case was cleared:	Number of Cases Cleared
Case Not Cleared Type: CASE NOT CLEARED (DETECTIVE FOLLOW-UP)			

#### CRIME ANALYSIS

Aggravated Assault/Murder: ARGUMENT

Type of Weapon: HANDGUN (DISCHARGED)

Forced Entry: NOT APPLICABLE

Structure Occupancy Code: NOT APPLICABLE

Number of Premises Entered:

Location Type: Residence-Home

Incident Occurred Inside this Location

Incident Occurred In the Parking Lot at this Location: No

Number of Vehicles Recovered:

Number of Arrested:

School Name: School Number

#### MISCELLANEOUS:

Is Offense Related to Domestic Violence: No

If yes, were Children under 18 Present: No

If No is a Domestic Related: NO

Is there additional information included on a continuation report: No

Are there other Pertinent Reports: No

SUP

Page 2 of 3 Date Printed 8/3/2016

MIKE WILLIAMS, SHERIFF

2016 453875

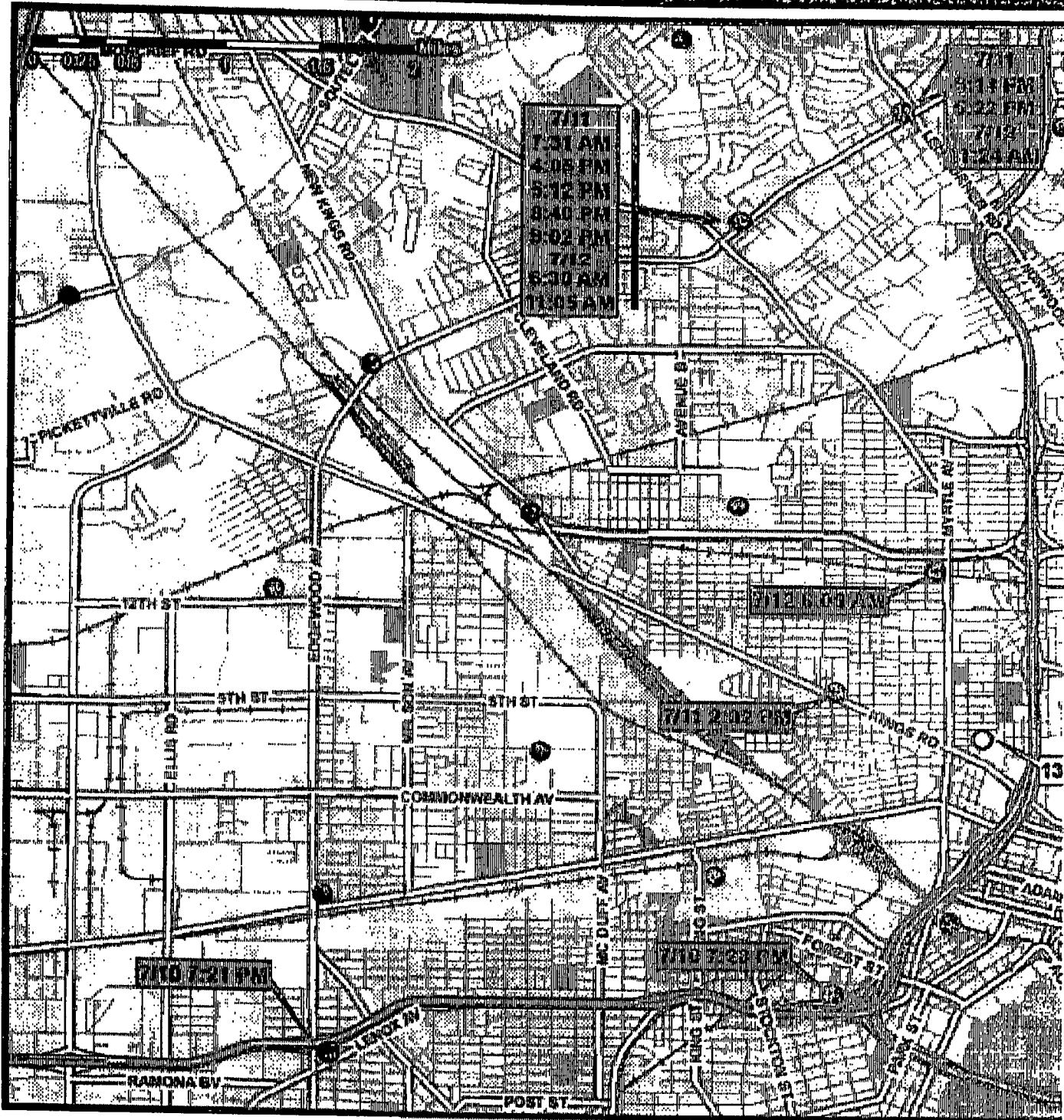
SUP

A-4



T-Mobile Cell Sites Used 904-680-8631

7/11/2016 - 7/12/2016 - DUVAL



**From:** Rivera, Coralys  
**Sent:** Tuesday, July 12, 2016 5:25 PM

Jurisdiction:

Bond/Bail Type: **Bond**

Bond Amount:

CT Location/Div

Date of Issue:

Date of Return:

Judge:

Disposition:

Disposition Date:

## Blanket Bond:

### VOP/FTA ONLY

Original Statute No.: Degree: UCR Code: Attempt Code: **Commit**

Description

### ADDITIONAL INFORMATION 1

Reporting Officer: **D.K.SCOTT 7714**

On 07-12-16, the Jacksonville Sheriff's Office responded to suspicious circumstances at 1322 Eaverson Street. What appeared to be bloody footprints were located leaving the room that the defendant rents leading out the front door. What appeared to be blood drops were located at the threshold of the front door, as well as on the front porch and the steps leading up to the front porch.

A search warrant was obtained for the room that the defendant rents inside the residence. Blood was located inside of the room the defendant rents.

On 07-12-16, I made contact with the defendant at 3888 Hwy. 17 Richmond Hills, GA. (Scottish Inn). The defendant agreed to be transported to the Richmond Hills Police Department to speak with me further.

Post Miranda, the defendant advised that on Friday, 07-08-16 the victim (Dorelle Davis) and he got into an argument while inside the room he rents. He advised that he shot the victim in the head and then fled to Pensacola, Florida. The defendant stated that he returned to the house on Sunday, 07-10-16, loaded the victim into the back of his sport utility vehicle, and dumped her in a field near the intersection of West 26th Street and Spring Grove Avenue.

The area of West 26th Street and Spring Grove Avenue was searched, and the victim was recovered in a field in the 3600 Block of Spring Grove Avenue.

On 07-13-16, the Medical Examiner's Office conducted the victim's autopsy. The manner of death was ruled a homicide, and the cause of death was determined to be a gunshot wound to the head.

On 07-19-16, the defendant was transported to Duval County, Florida and booked into the Pre-trial Detention Facility.

Transported by: **D.K.SCOTT #7714**  
Arresting Officer(s) #1 **D.K.SCOTT #7714**

Approving Supervisor: **R.A.JOHN #5655**  
#2: **#0**  
# of Cases Chaired

State of Florida, County of Duval

Arresting / Transporting Officer's Signature

Sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by

Personally Known: \_\_\_\_\_ Person I Know \_\_\_\_\_ Type of Identification presented

Print Name or Stamp: Commissioner and name of Notary Public

Signature of Notary: State of Florida Central Law Enforcement Office - Corrections Office

Drug Activity: **NOT APPLICABLE**  
Alcohol Related: **UNKNOWN (OR N/A)**

Drug Type: **NOT APPLICABLE**  
Drug Related: **UNKNOWN (OR N/A)**

**VICTIM: #1 Relationship to Suspect: BOY/ GIRL FRIEND (Not Domestic. Viol)**

Race: **WHITE** Ethnicity: **NOT OF HISPANIC ORIGIN**

Sex: **Female**

DOB: **7/30/1976** Age: **39**

Name: **DAVIS DORELLE D**

Address: **1322 EAVERSON ST** Apt/Lot #:

City: **JACKSONVILLE** State: **FLORIDA** Zip: **32209**

Lat: **120** Crossstreet: **Home Phone #** **Buy. Phone #** **Phone Ext**

Cell Phone # **Cell Phone Provider** **E-mail**

Sub Sector: **M3**

**ADLT** **STICKS PERCY ALLEN JR**

**ARREST REPORT**

P. 2 of 1

Jail # 2016018775

**ADLT**

*A-6*



**Jacksonville Sheriff's Office  
Evidence Report**

Route To:  
Intelligence  
455998  
461563

**Year: 2016 Incident No. 453875 Sup No. 2**

**Incident Information** Report Completed by: **ET**

Date/Time Assigned: **00:00** Date/Time Arrived: **00:00** Date/Time Completed: **00:00**

Location of Incident: **1322 EAVERSON ST** Apt./Lot #:  
City: **JACKSONVILLE** State: **FLORIDA** Zip: **32209**  
Taz: **120** Crossstreet:

Sub-Sector: **M3**  
Same As Victim?

Type of Incident: **Death Investigation/Uncertain**

---

**Scene Information: #2**

Date/Time Assigned: **7/15/2016 10:00** Date/Time Arrived: **7/15/2016 10:00** Date/Time Completed: **7/15/2016 13:30**

Scene Location: **1089 HAINES ST** Apt./Lot #:

City: **JACKSONVILLE** State: **FLORIDA** Zip: **32206**

Sub-Sector: **B3**

Taz: **110** Crossstreet:

Lift Cards Submitted? **NO** Elimination Prints? **NO** Total # of Lift Cards: **Lifts of Value?**

Photos at Scene? **YES** # of Photos **151** Video? **NO** Diagram? **NO**

Evidence? **YES** Evidence Delivered To: **Property Room**

---

**ADDITIONAL INFORMATION #3**

Reporting Officers: **K.A.LONG** ID# **#7239**

This report is being generated to change the date to 07/15/16, not 07/14/16.

---

Original Reporting Officer: **W.B.FLEEMAN**

ID # **60838**

Detective

ID #

Evidence Report Completed by: **K.A.LONG**

ID # **7239**

Approving Supervisor: **H.R.BROOKS**

ID # **7536** 7/15/2016 15:05

7/15/2016 15:06

10  
doors, hood, and back hatch. The left rear window was missing, but CSU Detective Bruce had placed plastic wrap over the window.

I took overall photos of the exterior of the vehicle and the evidence tape. The vehicle was unlocked and the keys were laying on the front driver's seat. I began my interior photos of the front passenger side of the vehicle. There was a white tank top resting between the front passenger door and the seat. I removed the tank top and took photos. I observed a darkish discoloration on the shirt. Detective Dunn performed a presumptive test which was negative for blood. I searched the rest of the front passenger's area and did not collect any other evidence from this area.

I took photos of the rear passenger side seat which had numerous articles of clothing and a mini suitcase. I examined each piece of clothing and the suitcase and did not locate any items with blood on them.

I took photos of the front driver's seat and interior door. I observed several small, irregular size brownish stains on the interior front driver's door. These stains were dried and were cracking. I performed a presumptive blood test which gave a positive reaction for blood. Detective Dunn collected a blood swab. The stains were difficult to remove from the door; therefore, Detective Dunn cut out a section of the door with the stains and packaged it in a manila envelope. I observed a cell phone (Galaxy) in the front driver's door pocket. I collected the phone.

I searched the clothing and items on the back seat behind the driver's seat. I observed two knives on the floorboard. One knife did not have a handle. The other knife appeared to be a kitchen steak knife with a black handle (Delco). I collected a swab from the black handle and a separate swab from the knife without a handle. I collected the two knives and placed them into knife boxes. A .380 caliber live round (HPR) was located in the back pocket of driver's seat. Detective Dunn collected a swab of the live round and packaged the live round.

I opened the rear hatch door and observed a black garbage bag and broken glass. The garbage bag contained numerous pieces of paper and socks. The trunk's grey carpet was pulled out from the edge close to the hatch door and the sides. There was a white powdery substance on the left side. The carpet was discolored like bleach had been poured on it. There was a butter knife extending out from the rear seats. Detective Dunn collected a swab from the knife's handle and collected the knife.

I used a chemiluminescence presumptive blood test (Blue Star) on the trunk carpet and received a positive reaction on the left side, trunk compartment lid, and bumper area. Photos were taken of the Blue Star reaction. Detective Dunn collected a swab from the left cargo area, and a swab from the underside of the left cargo area carpet. I removed the compartment trunk lid and observed about 1-2" of standing brown water in the compartment. A presumptive blood test of the water was negative. I collected the compartment lid.

I used the Blue Star on the interior front driver's door and driver's seat. I took photos of the positive reaction from the front right side of the driver's seat and the upper left side of the driver's door. Detective Dunn collected swabs from the two separate areas. The section of the driver's seat was cut out and collected.

I used the Blue Star on the front passenger's seat and the rear seat and obtained a negative reaction. All of the clothing was placed back into the vehicle. There was not a CSU hold on the vehicle; however, I told the warehouse personnel that the vehicle could be moved to long-term storage.

The trunk compartment lid and the cut-out section of the driver's seat were placed into a drying cabinet at the CSU office. The remaining evidence was placed into the property room.

The following evidence was placed into the property room:

knife without handle from left rear passenger floorboard  
knife-black handle from left rear passenger floorboard  
butter knife from rear cargo area  
piece of door paneling from interior driver's door-blood  
.380 auto live rounds from rear pocket of driver's seat  
cell phone with battery (Alcatel) from front driver's door pocket  
swab from rear left cargo area carpet-blood  
swab from underside of left cargo area carpet-possibly blood  
swab from right front area of driver's seat-blood  
swab from upper left interior driver's door panel-possibly blood  
touch DNA swab knife handle (Delco-black handle)  
blood swab (BS-A) driver's front door (interior paneling)  
touch DNA swab knife handle area (knife w/o handle)  
touch DNA swab HPR-.380 live round rear pocket/driver's door



**Department of  
Veterans Affairs**

PO BOX 1437  
ST PETERSBURG FL 33731

December 14, 2017

Veteran's Name:  
Stucks, Percy, Allen

# 000029964 I=0000  
  
 29964 1 AV 0.370  
**PERCY ALLEN STUCKS**  
  
 1650 W 28TH ST  
 JACKSONVILLE, FL 32209

This letter is a summary of benefits you currently receive from the Department of Veterans Affairs (VA). We are providing this letter to disabled Veterans to use in applying for benefits such as housing entitlements, free or reduced state park annual memberships, state or local property or vehicle tax relief, civil service preference, or any other program or entitlement in which verification of VA benefits is required. Please safeguard this important document. This letter replaces VA Form 20-5455, and is considered an official record of your VA entitlement.

**-America is Grateful to You for Your Service--**

Our records contain the following information:

**Personal Claim Information:**

Your VA claim number is: 593 92 5867

You are the Veteran

**Military Information:**

Your character(s) of discharge and service date(s) include:

Army, Honorable, 01-Jul-2004 - 29-Aug-2007

(You may have additional periods of service not listed above)

**VA Benefits Information:**

Service-connected disability: Yes

Your combined service-connected evaluation is: 40 PERCENT

The effective date of the last change to your current award was: 01-DEC-2016

Your current monthly award amount is: \$589.12

You should contact your state or local office of Veterans' affairs for information on any tax, license, or fee-related benefits for which you may be eligible. State offices of Veterans' affairs are available at <http://www.va.gov/statedva.htm>.

**Need Additional Information or Verification?**

If you have any questions about this letter or need additional verification of VA benefits, please call us at 1-800-827-1000. If you use a Telecommunications Device for the Deaf (TDD), the federal relay number is 711. Send electronic inquiries through the Internet at <https://iris.va.gov>.

Sincerely yours,

Regional Office Director

A-9

## HEALTH RECORD

## CHRONOLOGICAL RECORD OF MEDICAL CARE

Patient: STUCKS, PERCY ALLEN  
 Treatment Facility: Evans ACH-Fort Carson  
 Patient Status: Outpatient

Date: 09 Aug 2007 1300 MDT  
 Clinic: PSYCHOLOGY

Appt Type: EST\$  
 Provider: PALIANI,MELISSA ANNE

Reason for Appointment: CH 14-12/CPT ALLEN/338-5965  
 Appointment Comments:  
 CEC

AutoCles Refreshed by PALIANI, MELISSA A @ 09 Aug 2007 1341 MDT

## Problems

- joint stiffness of the ankle
- ASSESSMENT OF PATIENT CONDITION WORK STATUS
- visit for: ears / hearing exam
- JOINT INSTABILITY HUMERUS / ELBOW
- ADJUSTMENT DISORDER WITH DISTURBANCE OF EMOTIONS AND CONDUCT
- insomnia
- CANNABIS DEPENDENCE
- ASSESSMENT OF PATIENT CONDITION WORK-RELATED
- ADJUSTMENT DISORDER
- INSOMNIA RELATED TO AXIS I/II MENTAL DISORDER (NONORGANIC)
- joint pain, localized in the knee
- Fever
- visit for: military services physical separation
- visit for: military services physical
- foot pain (soft tissue).
- upper back pain (between shoulder blades)

Active Family History  
 • Diabetes mellitus (Mother)

Allergies  
 • No Known Allergies

## Active Medications

Active Medications	Status	Sig	Refills Left	Last Filled
Bupropion Hydrochloride 150mg, (Wellbutrin SR), Extended release tablet, Oral	Active	T1 TAB PO.BID.#60.RF3	3 of 3	20 Apr 2007
TRAZODONE HCL, 50MG, TABLET, ORAL	Active	T1 TAB PO HS	3 of 3	20 Apr 2007

A/P Written by PALIANI, MELISSA A @ 09 Aug 2007 1342 MDT

1. visit for: military services physical (TERMINATION EXAMINATION)  
 Procedure(s): -Psychiatric Therapy Individual Approximately 20-30 Minutes x 1

Disposition Written by PALIANI, MELISSA A @ 09 Aug 2007 1343 MDT  
 Released w/o Limitations

15 minutes face-to-face/floor time. >50% of appointment time spent counseling and/or coordinating care.

Note Written by PALIANI, MELISSA A @ 09 Aug 2007 1341 MDT

PT has been in treatment with DBH and diagnosed with an Adjustment Disorder. However, after careful review of all clinical information IAW AR 635-200, 1-33 this soldier this soldier's Axis I diagnosis is not unsupportable IAW AR 40-501 and therefore a medical evaluation board is not supported. Disposition through medical channels is not warranted. This soldier also reports that

Name: STUCKS, PERCY ALLEN

FMP/SSN: 20/593925867	Sex: M	Sponsor/SSN: STUCKS, PERCY ALLEN/593925867
DOB: 14 Nov 1985	Tel H: 719-761-7017	Rank: SPECIALIST
PCat: A11.2 USA ACTIVE DUTY ENLISTED	Tel W: 719-761-7017 CS.	Unit: WJAXFOFC
MC Status	SWS:	Outpt/Rec Rm: TMC 9 RECORD ROOM
Insurance: No		PCM: Tel. PCM.

CHRONOLOGICAL RECORD OF MEDICAL CARE  
 THIS INFORMATION IS PROTECTED BY THE PRIVACY ACT OF 1974 (PL-93-579) UNAUTHORIZED ACCESS  
 TO THIS INFORMATION IS A VIOLATION OF FEDERAL LAW. VIOLATORS WILL BE PROSECUTED  
 COPY MADE BY VARMC, ST. LOUIS FROM A RECORD IN VA'S POSSESSION

STANDARD FORM 600 (REV. 5)  
 Prescribed by CSA and ICMR  
 FIRM (41 CFR) 201-45.505

A-9A

# Exhibit #6

floor. I observed a bleach container on the dresser and there appeared to be blood on the cap and on the container. There was a green Brillo pad on top of the dresser that was stained with blood. A green bucket on the floor in the bedroom contained two Brillo pads in it that were saturated. There was a white stool in the bedroom that had a box of garbage bags on top of it as well as a round blood stain possibly from the bucket being placed on the stool.

The mattress was void of any sheets and blankets. There was a shoe box, a pair of shoes, and a white towel on the bed. I examined the items on the bed for blood however there did not appear to be blood on these items.

We observed small stains on the ceiling of the bedroom. The stains on the ceiling were marked with scales marked UK1, UK2, UK3 and UK4. We took photos of the stains. A presumptive test of the stains yielded a negative result. A sample of each stain was collected utilizing an individual sterile swab.

Detective Kipple and I collected evidence from the bedroom.

Once the evidence was collected from the bedroom, Detective Kipple and I sprayed the walls of the bedroom as well as the inside of the bedroom door with Blue Star/Luminol to determine if there was evidence of clean up on the walls and door. The luminol/Blue Star did react with the blood present on the floor however there was no evidence of clean up on the walls or the door. We took photos of the results of the Blue Star/Luminol.

We searched the bedroom further and moved the mattress for additional evidence. We located a machete knife under the mattress. Det. Kipple tested a stain on the tip of the knife with a presumptive blood test however the test was negative. The knife was collected.

All evidence collected was packaged and placed in the Property Room.

Det. Kipple and I concluded our investigation at this scene at 2020.

Det. Kipple took measurements of the scene to complete a diagram under a separate report.

The following lists the evidence collected at this scene:  
Consent to Search (common areas of residence)

Walgreens receipt/Wells  
Green plastic bucket w/blood/Kipple  
Bottle of Clorox bleach w/blood/Wells  
(2) Green brillo pads w/blood & hair (from bucket)/Kipple  
(1) Green brillo pad w/blood (from top of dresser)/Wells  
Box of garbage bags/Kipple  
LG cell phone w/battery (on dresser) (s/n 512VTBB361757)/Wells  
Machete-under mattress/Kipple  
Power strip cord w/blood/Kipple

## Swabs:

Control swab/Wells  
DNA Swab-blood (B) in roadway/Wells  
DNA Swab-blood (C) in gutter/Wells  
DNA Swab-blood (D) on curb/Wells  
DNA Swab-blood (E) in roadway/Wells  
DNA Swab-blood (F) in roadway/Wells  
DNA Swab-blood (G) front porch/Wells  
DNA Swab-blood (H) front porch/Wells  
DNA Swab-blood (I) front porch/Wells  
DNA Swab-blood (J) front porch/Wells  
DNA Swab-blood (K) threshold of front door/Wells  
DNA Swab-blood (L) hallway near front door/Wells  
DNA Swab-blood (M) on bathroom floor/Wells  
DNA Swab-blood (N) on bathroom rug/Wells  
DNA Swab-blood (O) on ledge of bath tub/Wells  
DNA Swab blood on white stool/Wells  
DNA Swab-blood on floor on left side of bed/Wells  
DNA Swab-blood on floor on right side of bed/Wells  
DNA Swab-blood on floor at foot of bed/Wells  
Swab of unknown substance on ceiling (UK1)/Kipple

ET

Page 3 of 7 Date Printed: 8/23/2016

MIKE WILLIAMS, SHERIFF

20164538754

ET

A-10

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## OFFICE OF THE SHERIFF

JACKSONVILLE, FLORIDA

## PROPERTY STORAGE CARD

CCR Number: 16-0453875 Submission No.: 794400

Sequence No.: 5 Signal: 5

Submit Date: 7/15/2016 3:04:00PM

Submitting Officer: 7239KAL Kim Long

Reporting Officer: 7239DKS David Scott

Detector: David Scott

Receiving Officer: 60794SLD SHAWNTHL DENMARK

Sector: N

No Prisoners Exist for this Submission

Receiving Officer: 60794SLD SHAWNTHL DENMARK

Sector: N

## Owner Information

Business

Name

JSO

Address

UK UK

501 BAYSTREET EAST JACKSONVILLE  
FLORIDA 322022927  
JACKSONVILLE FLORIDA

Submitted Items					
Item No.	Description	Qty.	Manufacturer/Model/Serial	Class	Pawn Shop Hold
1	KNIFE WITHOUT HANDLE FROM LEFT REAR PASSENGER FLOORBOARD	1.00 EA		EV	N Y
	Recovery Location: 1089 HAINES ST				
2	KNIFE-BLACK HANDLE FROM LEFT REAR PASSENGER FLOORBOARD	1.00 EA	DELCO	EV	N Y
	Recovery Location: 1089 HAINES ST				
3	BLISTER KNIFE FROM REAR CARGO AREA	1.00 EA		EV	N Y
	Recovery Location: 1089 HAINES ST				
4	PIECE OF DOOR PANELING FROM INTERIOR DRIVER'S DOOR - BLOOD	1.00 EA		EV	N Y
	Recovery Location: 1089 HAINES ST				
5	SWAB AUTO LIV ROUNDS FROM REAR PER KIT OF DRIVER'S SEAT	1.00 EA	HPR	EV	N Y
	Recovery Location: 1089 HAINES ST				
6	CELL PHONE WITH BATTERY FROM FRONT DRIVER'S DOOR POCKET	1.00 EA	ALCATEL	EV	N Y
	Recovery Location: 1089 HAINES ST				
7	SWAB FROM REAR LEFT CARGO AREA-CARPET-POSSIBLY BLOOD	1.00 EA		EV	N Y
	Recovery Location: 1089 HAINES ST				
8	SWAB FROM UNDERSIDE OF LEFT CARGO AREA-CARPET-POSSIBLY BLOOD	1.00 EA		EV	N Y
	Recovery Location: 1089 HAINES ST				
9	SWAB FROM RIGHT FRONT AREA OF DRIVER'S SEAT-POSSIBLY BLOOD	1.00 EA		EV	N Y
	Recovery Location: 1089 HAINES ST				
10	SWAB FROM UPPER LEFT INTERIOR DRIVER'S DOOR PANEL-POSSIBLY BLOOD	1.00 EA		EV	N Y
	Recovery Location: 1089 HAINES ST				

7/20/2016

Page 1 of 2

A11

(27)

1043: Detective Chizik and I arrived back at the Scottish Inn located at 3888 US-17. There, we met with Jacksonville Sheriff's Office Evidence Technicians S. Wells and J.S. Bruce. I briefed them on the investigation thus far. Also at the scene was Richmond Hill Police Department Cpl. R. Linton who was securing the scene. Cpl. Linton advised that Cpl. J. Frost and he secured the scene throughout the night.

1127: I entered the hotel room with ET S. Wells. I observed a laptop computer on the nightstand and a Metro PCS cellular telephone on the bed. I observed a box of 380 caliber ammunition on the bed. The box contained 21 live rounds. A computer bag and gun cleaning kit were located on a chair inside the room.

ET Wells opened the evidence bag that contained the handgun found under the mattress by Detective Chizik the prior evening.

ET Wells advised the gun magazine located inside the gun contained six live rounds. She further advised me that she located what appeared to be blood on the lower receiver of the gun. ET Wells tested the substance and verified that it was, in fact, blood.

Writer's note: The handgun was left in the secured hotel room overnight, so it could be processed by ET Wells at the scene.

1130: Detective Edwards was contacted by Sergeant John concerning transporting the suspect's vehicle to Jacksonville from Richmond Hills, Georgia. Detective Edwards was told that a truck assigned to the Dive Team had been arranged and a flat-bed trailer had been rented through U-Haul.

1230: Detective Silcox obtained the security video at the Walgreens from manager Bebout.

1240: I provided ET Bruce the gun magazine and live rounds removed from the pants Stucks was wearing the evening prior to be entered into the Jacksonville Sheriff's Office Property Room.

Writer's note: The gun magazine and live rounds recovered from Stucks' pants pocket the prior evening had been secured in Detective Chizik's vehicle locked trunk.

For further details of the processing of the hotel room, refer to ET Wells supplement report, and the Evidence Technician photographs.

1241: Cpl. Linton advised that he would follow the tow truck that was going to remove Stucks' Chevrolet Trail Blazer from the hotel parking lot to the Richmond Hill Police Department indoor vehicle storage to secure Stucks' vehicle.

Writer's note: ET Wells sealed and photographed the vehicle prior to it being removed from the hotel parking lot.

1243: Detective Chizik and I departed the scene.

1258: I attempted to call Joel Edwards at 912-856-3633. I did not receive an answer and left a voice mail.

Writer's note: Stucks' phone records revealed that he sent a text message to this telephone number which is listed in Richmond Hill, Georgia on 07-12-16, at 11:16 am. The records further revealed that 912-856-3633 responded at 3:10 pm. Stucks then responded again at 3:11 pm.

150: Detective Silcox obtained a fingerprint from the victim from the Medical Examiner and delivered it to the JSC Identification Unit. The victim was positively identified as Dorelle Davis by Waters #60796. Detective Silcox contacted NCIC and canceled the missing person dispatch for Davis.

150: After obtaining the truck and trailer, Detective Edwards departed Jacksonville and drove to Savannah, Georgia.

160 5: I received a telephone call from Joel Edwards (W/M, 12-03-57). He stated that he received a text message from Stucks yesterday (07-12-16). Mr. Edwards advised that he owns a landscaping company and he had placed an ad for recruiting employees on Craigslist. Mr. Edwards said the message from Stucks stated, "This is Percy. I'm college studen (sic) from out of town seeking immediate work sir. If you have any work please help me. I'm in my 3rd year in school. Just trying to make some money to get home. Do you have any opening sir. I really need the work."

touch DNA swab butter knife from rear cargo area  
control swab  
tank top front passenger seat between door & seat

On 07/16/16, I removed the trunk compartment lid and piece of driver's seat and placed them into the property room.

This concludes my involvement with this case.

---

Orginal Reporting Officer: **W.B.FLEEMAN**

Detective

Evidence Report Completed by: **K.A.LONG**

Approving Supervisor:

*ID #* **60838**

*ID #*

*ID #* **7239**

*ID #*

*ID #* **8/3/2016 14:25**

*ID #* **00:00**

# Exhibit # 14 PJS

Photos at Scene? YES # of Photos 137 Video? NO Diagram? NO  
Evidence? YES Evidence Delivered To: Property Room

## Scene Information: #6

Date/Time Assigned: 7/14/2016 12:08 Date/Time Arrived: 7/14/2016 12:08 Date/Time Completed: 7/14/2016 12:45  
Scene Location: 120 RICHARD DAVIS DR Apt./Lot #:  
City: RICHMOND HILL State: GEORGIA Zip: 31324  
Taz: Crossstreet:

Sub-Sector: OJ

Lift Cards Submitted? NO Elimination Prints? NO Total # of Lift Cards: Lifts of Value?  
Photos at Scene? YES # of Photos 37 Video? NO Diagram? NO

Evidence? YES Evidence Delivered To: OTHER SUSPECT VEHICLE TO 1089 HAINES ST

## Scene Information: #7

Date/Time Assigned: 7/19/2016 13:10 Date/Time Arrived: 7/19/2016 13:10 Date/Time Completed: 7/19/2016 13:30  
Scene Location: 500 ADAMS ST E Apt./Lot #:  
City: JACKSONVILLE State: FLORIDA Zip: 32202  
Taz: 97 Crossstreet:

Sub-Sector: A3

Lift Cards Submitted? NO Elimination Prints? NO Total # of Lift Cards: Lifts of Value?  
Photos at Scene? YES # of Photos 18 Video? NO Diagram? NO  
Evidence? NO Evidence Delivered To:

## Physical Evidence: #4

Quantity: Weight: Unit of Measure  
Location:  
Description: See narrative

## ADDITIONAL INFORMATION #5

Reporting Officers: S.WELLS

This report details my investigation of the homicide of Dorelle D. Davis on 07-12-16 at 1322 Everson Street, Jacksonville, FL in Duval County. JD# #61130

Time dispatched: 1006  
Time arrived: 1034

### Synopsis:

On 07-12-16, I took a phone call from Officer W.P. Fleeman #60838 who relayed the following information:

"I responded to 1322 Everson Street which is a boarding house. The complainant, who is the landlord, called JSO because one of his tenants, Mr. Stucks, called the complainant on Saturday 07/09/16 and advised he was locked out of his room. Mr. Stucks asked the complainant to come by and unlock the door. The complainant arrived to unlock the door, but Mr. Stucks was not present. When the complainant unlocked the door, he observed a female in the bed. He called out to the female but she did not answer. He said the female was lying with her face away from him, with sheets and a quilt. He left the room and contacted Mr. Stucks. Mr. Stucks advised he was in Miami working and his truck had broken down.

The complainant returned to the house on 07/12/16 to do some work. He noticed what he believed to be blood and drag marks on the porch. He then noticed that a large piece of carpet that was used as a hall runner was missing. Near the doorway of Mr. Stucks' room he noticed more drops of blood. He looked in the room and no one was there. He called Mr. Stucks and asked about the carpet. Mr. Stucks said he didn't know about the carpet and said he would investigate it. The complainant advised he is sure the carpet was there on 07/09/16."

Officer Fleeman further stated the female and Mr. Stucks have not been located and he observed blood in Mr. Stucks' room, in the hallway and outside in front of the residence. Officer Fleeman also stated there is evidence of clean-up and smelled bleach in the room and saw a container of bleach in the room as well.

I advised Officer Fleeman homicide should be notified and that I would respond to the scene.

ET

Page 2 of 7 Date Printed: 8/23/2016

MIKE WILLIAMS, SHERIFF

2016-453875-4

ET

A 14

# Exhibit # 15

1210: Detective Edwards arrived at the scene and spoke to me concerning the initial response.

1220: I began my interview with the complainant, Alphonso Walker inside of my city issued vehicle. Mr. Walker advised that the home located at 1322 Eaverson Street is a rooming house and he is the property manager of the residence. He advised that he received a voice mail message on Saturday (07-09-16) from Percy Stucks, who is one of his tenants that rents a room. The message indicated that he (Stucks) lost the key to his room, and he needed him (Mr. Walker) to unlock his room due to losing his key. Mr. Walker advised that he went inside the house on 07-09-16, at approximately 1615 hours to unlock Stucks' room. Mr. Walker stated that he unlocked the bedroom door and knocked on Stucks' bedroom door. After Mr. Walker did not receive an answer, he unlocked the bedroom door and opened it. Mr. Walker said after opening the door, he observed what he described as Stucks' girlfriend lying on the floor. He stated that he could only see her legs and feet due to the bed obstructing his view to the rest of her body. Mr. Walker advised that he did not go inside the bedroom. He said he called out to her, but she did not respond, so he shut the bedroom door. Mr. Walker advised that he walked outside the house and immediately telephoned Stucks, but Stucks did not answer his phone. Mr. Walker explained that a short time later he received a text message from Stucks advising that he was at work. Mr. Walker said he sent a text message back to Stucks telling him that he needs to check on his girlfriend. Stucks responded that he gets off of work at 17:30 hours. Mr. Walker said he did not hear from Stucks again on 07-09-16. Mr. Walker said he sent Stucks a text message on Sunday, 07-10-16, asking if everything is ok. Stucks responded to him, "yes."

Mr. Walker said he called Stucks on Monday, 07-11-12, and asked Stucks if everything was ok with his girlfriend. Mr. Walker explained to me that as time passed, and the more he thought about this situation, "The situation just didn't seem right." Mr. Walker said that during the phone conversation, Stucks told him that he needed to talk to him. Mr. Walker said on Monday, at approximately 1910 hours, Stucks arrived at Mr. Walker's church (Gods Walk by Faith Outreach Ministries) located at 1826 Ionla Street. Mr. Walker asked Stucks what was going on. Stucks responded to Mr. Walker that he did not know. Stucks proceeds to tell Mr. Walker that the other day his girlfriend and he had an argument, and his (Stucks') girlfriend didn't want to be with him anymore. Stucks said he took some of his clothes and left the residence. Mr. Walker said that during the conversation, he continued to become more concerned. He said he finally asked Stucks, "Is that girl dead?" Stucks responded that he did not know because he hasn't seen her in a couple of days. Stucks then stated to Mr. Walker, "Just give me some time and I can fix things, and get things cleaned up." Mr. Walker explained that during their conversation, Stucks became, "misty eyed" and he thought Stucks was going to break down and cry. Stucks then told Mr. Walker that he was going to go back to his (Stucks') house. Mr. Walker said Stucks left and he went back into his church.

Mr. Walker said today (07-12-16) he went to 1322 Eaverson Street and Stucks' truck was not at the residence. Mr. Walker described Stucks' vehicle as a dark blue Chevrolet Trailblazer with the driver's side back glass window broken out. Mr. Walker said he unlocked the front door of the residence and went inside. Mr. Walker explained that he observed what appeared to be blood at the threshold of the front door. Mr. Walker went on to say that he then saw what appeared to be blood on the front porch and on the steps leading up to the front porch. Mr. Walker advised that he then noticed that the carpet runner that he had placed in the hall way of the home was missing. He explained that the hall way runner was there when he was at the residence on Saturday (07-09-16). Mr. Walker said he observed what appeared to be bloody shoe prints leading from the room that Stucks' rents, down the hallway and to the front door. Mr. Walker said he opened Stucks' bedroom door and took one step inside the bedroom. He advised that he noticed that the majority of Stucks' clothes were gone, as well as the sheets and comforter from the bed. Mr. Walker went on to say that he observed a bottle of bleach sitting on top of the dresser and said it smelled like someone had been cleaning the room. Mr. Walker further stated that he observed what appeared to be blood on an electrical power strip that was near the bedroom door. Mr. Walker advised that he then backed out of the residence and called the police.

Mr. Walker advised that he did not have Stucks sign any type of rental contract to rent the room in the house. Mr. Walker further advised that a patrol officer pulled up a photograph of Stucks and Stucks' girlfriend and he (Mr. Walker) identified them both.

Writer's note: For further details of the photographs shown to Mr. Walker, refer to Officer W.B. Fleeman's major case addendum.

Mr. Walker said that he does not know where Stucks works but said that Stucks had told him that he was doing an internship at the Veterans Affairs (VA).

Mr. Walker provided a cellular telephone number for Stucks of 904-680-8631. Mr. Walker said Stucks has been renting the room for approximately three (3) weeks and he does not have any information about Stucks family. Mr. Walker stated that the last time he spoke with Stucks was when Stucks came to his church last night.

# Exhibit #15

1810: Detective Edwards went to 2227 W. 26th Street and attempted to contact Patricia Ross. There was no response at the door, so he left a business card. Detective Edwards also left Ross a voicemail asking her to call him.

1845: I made contact, via telephone, with Captain Sakelarios with the Richmond Hills Police Department. He advised that Stucks' vehicle is currently backed into a parking space in the parking lot of the Scottish Inn located at 3888 Hwy. 17. I advised him that Detective Chizik and I were enroute to their location, and requested that the monitor any movement of the vehicle. He agreed to do so.

2036: Detective Chizik and I arrived in the parking lot of 3742 US-17, Richmond Hill, GA 31324 (Molly McPherson's restaurant) which is located nearby the Scottish Inn. There we met with Captain Sakelarios with the Richmond Hill Police Department. Also there with the Richmond Hill Police Department were Sgt. A. Watt #816, Cpl. J. Frost #804, Cpl. R. Linton #827, Cpl. R. Acosta #829, Officer T. Getsch #808, and Officer M. Ward #830. Captain Sakelarios advised that Stucks is checked into room #118. Captain Sakelarios further advised that Stucks rented the room under his own name. He advised that Stucks' blue Chevrolet Trail Blazer is backed into a parking spot near his room at the Scottish Inn.

Writer's note: For further details, refer to the hotel guest registry which has been made a part of the case file.

2048: Detective Chizik and I, along with the officers from the Richmond Hill Police Department proceed to the Scottish Inn located at 3888 US-17, Richmond Hill, GA 31324 in our vehicles. Sgt. A. Watt, Detective Chizik and I knocked on the front door of room #118. A black male answered the door, and I requested to speak with Percy Stucks. The black male said he wasn't Percy Stucks, and shut the door. Detective Chizik was able to speak with Stucks, via telephone, and Stucks eventually exited room #118 without incident. During a pat down of Stucks, a Hi-point gun magazine was removed from his right front pants pocket.

Writer's note: I took possession of the gun magazine from Stucks' pants pocket and secured it in Detective Chizik's locked vehicle trunk.

Detective Chizik and I further spoke with Stucks in the parking lot of the hotel. Stucks agreed to be transported to the Richmond Hill Police Department to speak with us further. Stucks was placed in the back seat of a Richmond Hill Police Department marked unit driven by Sgt. A. Watts. Stucks was not handcuffed during transport to the Police Department. Prior to leaving the hotel parking lot, Stucks asked Detective Chizik to go into his hotel room and get his set of keys. Stucks further advised Detective Chizik that he had a gun underneath the mattress in the hotel room. While Detective Chizik was recovering Stucks' keys from his hotel room, I read aloud a Consent to Search form to Stucks for his hotel room, as well as his vehicle. Stucks acknowledged that he understood the Consent to Search form, and signed the form.

Writer's note: The Consent to Search forms has been made a part of the case file.

After Stucks signed the Consent to Search form, Detective Chizik looked under Stucks' mattress in the hotel room and recovered a Hi-point 380 caliber semi-automatic pistol (Model #CF380, serial #P8091909). The handgun was placed into an evidence bag and left inside the room to be processed by Jacksonville Sheriff's Office Evidence Technician S. Wells the following day.

Writer's note: Nothing was processed or removed from Stucks' hotel room, as Jacksonville Sheriff's Office Evidence Technician S. Wells was going to be arriving the following morning to process the hotel room and Stucks' vehicle. Personnel from the Richmond Hill Police Department agreed to secure the scene (hotel room and Stucks' vehicle) overnight.

220 6: Detective Chizik and I arrived at the Richmond Hill Police Department located at 120 Richard Davis Drive. Stucks was escorted to an interview room where he waited to be interviewed.

222 6: Detective Chizik and I began our interview with Percy Stucks.

Writer's note: Due to the Richmond Hill Police Department interview room not being audio/video recorded, Detective Chizik wore a camera around his neck to record the interview.

I read Stucks his Constitutional Rights, via form, which he acknowledged he understood and signed. During the interview, Stucks requested a lawyer, and the interview was terminated.

Writer's note: For further details of the interview, refer to the audio/video recording which has been made a part

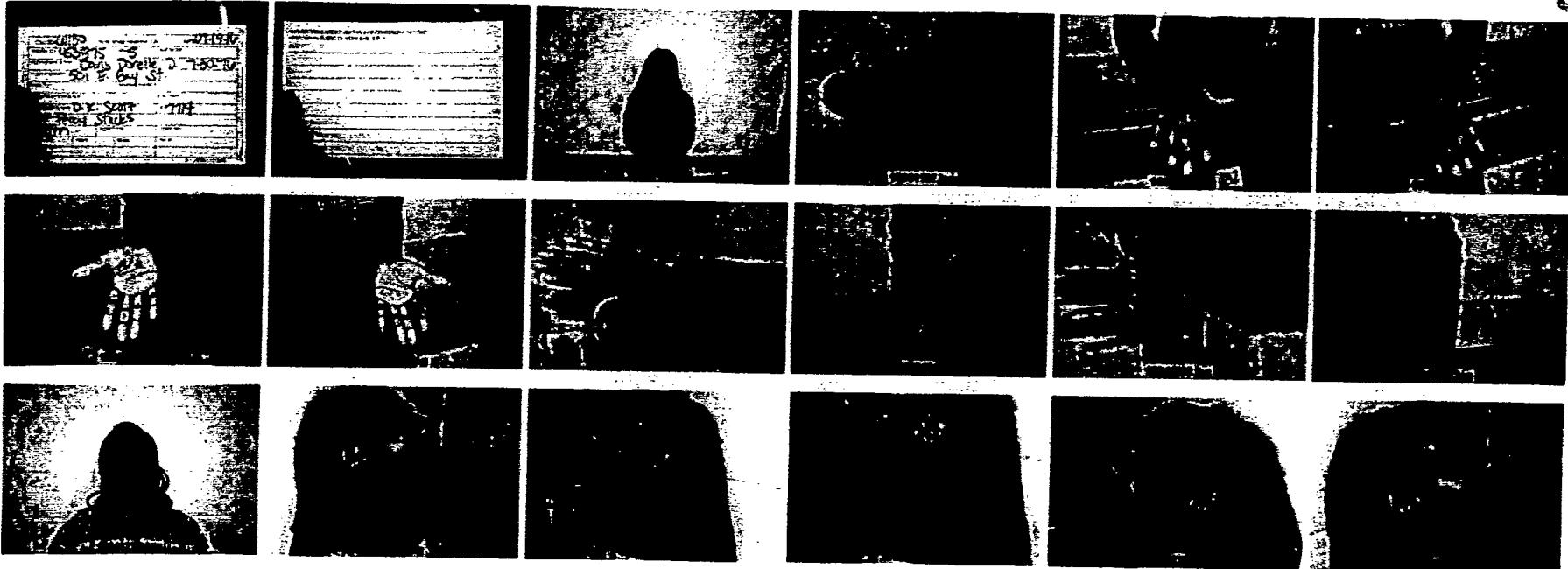
Notes:

002074

07/20/2016

1

16-453875  
CALL ID 92633



2140 S. University Street Jacksonville, Florida 32204  
Telephone 904-791-1101 • Facsimile 904-791-1102 • [www.dunlawyers.com](http://www.dunlawyers.com)  
PAGE 101

John E. Linnell, Esq.

5,000.00	\$	3.154.70
32.01	\$	
22.80	\$	
0.15	\$	
40.34	\$	
95.30	\$	
500.00	\$	
1,250.00	\$	
5	\$	

**Automobile and Cigarettes at Law**



# THE NATIONAL RIFLE ASSOCIATION OF AMERICA

Awards this certificate to

Percy Allen Stucks Jr.

for successful completion of the  
**FIRST STEPS  
PISTOL ORIENTATION**

Jacksonville, Florida

Issued at



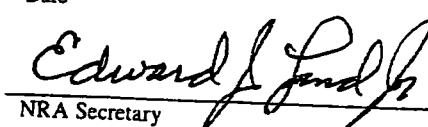
NRA Certified Instructor, Signature  
**Arnold Gustafson**

NRA Certified Instructor, Printed Name

149542514  
NRA ID #

June 7, 2015

Date



NRA Secretary  
**Edward J. Land Jr.**



Name: STUCKS, PERCY ALLEN JR. SSN: 593925867 C-number: 593925867  
 For MENTAL DISORDERS (EXCEPT PTSD AND EATING DISORDERS) Exam

## Exam Results Continued

## Environment

Physical illness  Occupational  
 Financial  Relationship  
 Housing  Legal  
 Primary Support

## AXIS V:65-70

12/17/2009

A/P

1/ANXIETY NOS/PTSD SYMPTOMS RELATED TO IRAQ DEPLOYMENT 2005-6 AND NEAR FATAL DROWNING MVA 2008  
 2/ETOH ABUSE/CANNABIS IN REPORTED REMISSION  
 3/CAFFEINE TAPERED TO 1 CUP  
 4/PROZAC 20 MG QD WITH OPTION TO TAKE 40 MG PRN SHORT-TERM  
 5/UP TRAZODONE 50 MG > 75-100MG  
 6/ENCOURAGED TO RESTART THERAPY AT VET CENTER  
 7/RTC 3 MONTHS

/es/ EDWARD ANDREW SOBOLEWSKI  
 M.D.

3/17/2010

A/P

1/PTSD RELATED TO IRAQ DEPLOYMENT 2005-6 AND NEAR FATAL DROWNING MVA 2008  
 2/ETOH ABUSE/CANNABIS IN REPORTED REMISSION  
 3/CAFFEINE TAPERED TO 1 CUP  
 4/PROZAC 40 > 60 MG QD  
 5/TRAZODONE 75 MG TITRATED TO INSOMNIA, FITFUL SLEEP, NIGHTMARES,  
 NIGHTSWEATS MAX 300MG  
 6/DR. STAUBLE EVAL FOR FOR-IRAQ PTSD GROUP WITH RTC NEXT AVAILABLE WITH ME

/es/ EDWARD ANDREW SOBOLEWSKI  
 M.D.

4/20/2010

AXIS I Anxiety Disorder, NOS  
 R/O PTSD  
 AXIS II Deferred  
 AXIS III See Medical Record  
 AXIS IV Extranous circumstances  
 AXIS V Current GAF = 60

Continued on next page  
 VA Form 2507

SHANDS JACKSONVILLE  
Health Information Management Department  
655 West Eighth Street  
Jacksonville FL 32209  
IP Encounter Report

Stucks, Percy  
MRN: 04900677, DOB: 11/14/1985, Sex: M  
Adm: 5/26/2014, D/C: 5/26/2014

### All Notes

#### ED Notes by Clifton, Wendy G, RN at 05/26/14 1443

Author: Clifton, Wendy G, RN Service: Emergency Medicine Author Type: Registered Nurse  
Filed: 05/26/14 1446 Date of Service: 05/26/14 1443 Status: Signed  
Editor: Clifton, Wendy G, RN (Registered Nurse)

28 yo bm ambulates to air room accompanied by two JSO c co abrasions to left forearm, right forehead, right cheek about 1 hour ago after falling. Denies sob. To ecc for vitals and evaluation.

Electronically Reviewed and Signed by Clifton, Wendy G, RN on 05/26/14 1446

#### ED Notes by Salerno, Nicole, RN at 05/26/14 1446

Author: Salerno, Nicole, RN Service: Emergency Medicine Author Type: Registered Nurse  
Filed: 05/26/14 1447 Date of Service: 05/26/14 1446 Status: Signed  
Editor: Salerno, Nicole, RN (Registered Nurse)

Pt with JSO, c/o lower back pain, says it is a reoccurring injury. Pt is calm an cooperative, made Heather RN aware of police hold patient. Pt to wait for availability in flexcare

Electronically Reviewed and Signed by Salerno, Nicole, RN on 05/26/14 1447

#### ED Notes by Tafuri, Joel J., RN at 05/26/14 1550

Author: Tafuri, Joel J., RN Service: Emergency Medicine Author Type: Registered Nurse  
Filed: 05/26/14 1551 Date of Service: 05/26/14 1550 Status: Signed  
Editor: Tafuri, Joel J., RN (Registered Nurse)

Patient slammed on ground while being detained and arrested has abrasions on right check -left forearm And left deltoid.

Electronically Reviewed and Signed by Tafuri, Joel J., RN on 05/26/14 1551

#### ED Provider Notes by Roycroft, Claire M, MD at 05/26/14 1659

Author: Roycroft, Claire M, MD Service: Emergency Medicine Author Type: Resident  
Filed: 05/26/14 2044 Date of Service: 05/26/14 1659 Status: Signed  
Editor: Roycroft, Claire M, MD (Resident) Cosigner: Duran, Petra E, MD at  
05/30/14 0007

##### Procedure Orders:

1. ED Performed Ultrasound [123865386] ordered by Roycroft, Claire M, MD at 05/26/14 1915

### History

#### Chief Complaint

Patient presents with

- Abrasion

**HPI Comments:** 28 y/o M pmh chronic back pain presents for abrasions and low back pain, pt was arrested and fell to the ground, he hit his right face and left shoulder on the ground. While he was on the ground

**All Notes (continued)**

**ED Provider Notes by Roycroft, Claire M, MD at 05/26/14 1659 (continued)**

someone stepped on his lower back. Since that time he has had worsening of his low back pain, denies weakness, numbness, tingling.

Patient is a 28 y.o. male presenting with Trauma. The history is provided by the patient. No language interpreter was used.

**Trauma**

The injury mechanism was a fall and a direct blow. The injury was related to an altercation. No protective equipment was used. There is an injury to the face. There is an injury to the lower back. There is an injury to the left shoulder. There is an injury to the left great toe. The pain is moderate. There is no possibility that he inhaled smoke. Pertinent negatives include no chest pain, no numbness, no visual disturbance, no abdominal pain, no bowel incontinence, no nausea, no vomiting, no bladder incontinence, no headaches, no hearing loss, no inability to bear weight, no neck pain, no pain when bearing weight, no focal weakness, no light-headedness, no loss of consciousness, no tingling, no weakness, no cough, no difficulty breathing and no memory loss. There have been prior injuries to these areas (chronic low back pain). There were no sick contacts.

No Known Allergies

**Discharge Medication List as of 5/26/2014 7:24 PM**

**START taking these medications**

	Details
cyclobenzaprine (FLEXERIL) 5 MG tablet	Take 1 Tablet (5 mg) by mouth 3 times daily as needed for muscle spasms. Disp-9 Tablet, R-0, Normal
ibuprofen (ADVIL,MOTRIN) 600 MG tablet	Take 1 Tablet (600 mg) by mouth 3 times daily for 3 days. Disp-30 Tablet, R-0, NormalTake scheduled for 3 days then as needed for pain

History reviewed. No pertinent past medical history.

History reviewed. No pertinent past surgical history.

History reviewed. No pertinent family history.

**History**

<b>Social History</b>	
• Marital Status:	Single
Spouse Name:	N/A
Number of Children:	N/A
• Years of Education:	N/A

<b>Social History Main Topics</b>	
• Smoking status:	Never Smoker

**From:** Stucks, Percy A. [\[mailto:mailto:stuckpa2@students.fsci.edu\]](mailto:mailto:stuckpa2@students.fsci.edu)  
**Sent:** Monday, May 09, 2016 3:55 PM  
**To:** Hart, Amanda, VBASPT  
**Subject:** [EXTERNAL] Patiently waiting

I'm sorry Mrs. Hart about my grades being so bad. I honestly during that semester had financial problems and living arrangement problems. I spent most of my 1st year in college almost homeless. I slept in my truck then went to school the next day. My family does not support me while I'm in college. So, every day is a struggle. I just recently got a job a month ago. The work is temporary through Remedy and I'm currently working at Revlon warehouse on Melson st. I might be unemployed soon because it's a temporary job. I did the application for the work study program and waiting to start. Also, I'm waiting on Liberty Insurance to call me back to start. I'm just patiently waiting for things to get better for me.. Thanks for your time! Have a good afternoon

---

**From:** Hart, Amanda, VBASPT [\[mailto:Amanda.Hart2@va.gov\]](mailto:Amanda.Hart2@va.gov)  
**Sent:** Monday, May 9, 2016 3:25 PM  
**To:** Stucks, Percy A.  
**Subject:** RE: [EXTERNAL] My grades for the Spring term 2016

Thank you, please watch your grades this term ;)

Sincerely,  
*Amanda (Belen) Hart, MHS, CVRC (previously Zaleskie)*  
Vocational Rehabilitation Counselor

---

**From:** Stucks, Percy A. [\[mailto:mailto:stuckpa2@students.fsci.edu\]](mailto:mailto:stuckpa2@students.fsci.edu)  
**Sent:** Friday, May 06, 2016 6:14 PM  
**To:** Hart, Amanda, VBASPT  
**Subject:** [EXTERNAL] My grades for the Spring term 2016

[SPRING Term 2016 V]

601 Grade

Course ID	Course Title	Instructor	Reference Number	Campus	Course Grade
ACG2071	MANAGERIAL ACCT	PERTH, JACQUELINE, P	430786	Deerwood Ctr	F
BUL2131	BUSINESS LAW I	DANIELS, AQUESHA, D	431379	Online - All Activity	D
ECO2013	PRIN OF ECONOMICS I	STURGEON, ANAM, L	430428	Deerwood Ctr	C
GBS1011	INTR TO BUSINESS	SCHREIBER, NEIL, S	431461	Online - All Activity	A

	GPA	Hours
Cumulative	2.43	44.00
Upper Div Cumulative	2.43	44.00
Term	1.79	9.00
	2	

**Hart, Amanda, VBASPT**

---

**From:** Hart, Amanda, VBASPT  
**Sent:** Monday, May 09, 2016 4:34 PM  
**To:** 'Stucks, Percy A.'  
**Subject:** RE: [EXTERNAL] Patiently waiting

Hi Percy,

I care – and I'm glad you shared. I look forward to meeting you in the near future and am already proud of you. Hope to see you working around the office in the near future. ☺

Sincerely,  
*Amanda (Belen) Hart, MHS, CVRC (previously Zaleskie)*  
Vocational Rehabilitation Counselor

---

**From:** Stucks, Percy A. [mailto:[stucpa2@students.fsci.edu](mailto:stucpa2@students.fsci.edu)]  
**Sent:** Monday, May 09, 2016 4:30 PM  
**To:** Hart, Amanda, VBASPT  
**Subject:** Re: [EXTERNAL] Patiently waiting

I currently receive mail at the address on file. Its my family's house but I don't stay there. I currently rent a room week to week or month to month. I don't have my mail sent here because I have other roommates and don't want to lose any of my important mail. My mom allows me to have mail sent to her house. My mom and dad are divorced and remarried. I was their marriage child, but they forgot about me. My mom has her own new family and my dad has his own family as well. Sometimes it makes me want to cry because you are never suppose to forget about your blood kids no matter what. I'm a soldier I will just tough it like I been doing. What don't kill us makes us stronger! I know I'm a strong guy and pride of everything I've done if nobody else cares. Thanks for your time! Have a good afternoon Mrs. Hart.

---

**From:** Hart, Amanda, VBASPT <[Amanda.Hart2@va.gov](mailto:Amanda.Hart2@va.gov)>  
**Sent:** Monday, May 9, 2016 4:01:48 PM  
**To:** Stucks, Percy A.  
**Subject:** RE: [EXTERNAL] Patiently waiting

Hi Percy,

Thank you for taking the time to explain the circumstances that may have contributed to the grades. I really appreciate that. I can see you are dedicated to doing well in the program. What is your housing situation now, is it more stable? I'm glad to hear of the temporary job and have been copied on the emails between you and Daryl regarding your work study application. I will request your updated enrollment certification from the school as it has not come through yet – that way nothing will be standing in the way of you starting work study, if you are selected. For what it's worth, the fact that you emailed me back so quickly with such a considerate and grammatically correct email is noticed on my end – I will put in a good word with Daryl for you.

Sincerely,  
*Amanda (Belen) Hart, MHS, CVRC (previously Zaleskie)*  
Vocational Rehabilitation Counselor

**Hart, Amanda, VBASPT**

---

**From:** Hart, Amanda, VBASPT  
**Sent:** Monday, June 20, 2016 12:27 PM  
**To:** 'Stucks, Percy A.'  
**Subject:** RE: [EXTERNAL] Thanks again

Sincerely,

**From:** Stucks, Percy A. [ ]  
**Sent:** Sunday, June 19, 2016 9:33 AM  
**To:** Hart, Amanda, VBASPT  
**Subject:** [EXTERNAL] Thanks again

Good morning Mrs. Hart, I would like to start by saying, I really appreciated the opportunity you gave me to work with everyone at Vocational Rehab. I know, I am not very social but I have a lot of things on my mind all the time. I always have to plot on my next move. So, I spend a lot of time quiet and trying to learn something new. Mrs. Hart I'm trying every day to do better and work harder. Like I said, in my earlier message I have no family I can depend on that's why I try so hard on working and school. I started a new night job a couple days ago. Every thing seems to be getting better thus far, but we all have some skeletons in our closets. I might have to leave town one day and may not be able to come back. I grew up with hard times. I use to walk 3 miles to and from high school. I was raised in a bad neighborhood and I have a lot of problems from past trying to haunt me now. I will continue to work and go to school that is my goal. I got a lot of people who don't want to see me do good. So, I always prepare for war in times of peace. I just wanted to let you know I really appreciated the opportunity to work with every one up at Vocation Rehab. Mrs. Hart the staff is some of the best people I have ever worked with and it has been a true pleasure working with every one. Thanks for your time Mrs. Hart! Have a good morning!

A-24

**Hart, Amanda, VBASPT**

---

**From:** Stucks, Percy A. <stucpa2@students.fscj.edu>  
**Sent:** Tuesday, July 12, 2016 10:58 AM  
**To:** Hart, Amanda, VBASPT  
**Subject:** [EXTERNAL] Good Morning

Good morning Mrs. Hart, I remember in one of our earlier converstion talking about having to leave. Well, I have a serious emergency that requires me to leave immediately. It is a life and death situation. I would just like to say it has been an absolute pleasure working with your staff. They are some of the best people I ever had the chance to work in my life. I have one last request before I leave. I need Mr. Neil to please give me the last to 2hours I need and submit my time card. I really need that boost with this new situation developing. Always a pleasure Mrs. Hart. Please talk to Mr. Neil, I really need him to do that favor. I really need that favor more than anything. I might not be alive soon. I can't really get into details. Thanks again Mrs. Hart

A-25

**Hart, Amanda, VBASPT**

---

**From:** Hart, Amanda, VBASPT  
**Sent:** Tuesday, July 12, 2016 3:53 PM  
**To:** 'Stucks, Percy A.'  
**Subject:** RE: [EXTERNAL] Re: please respond ASAP

Percy, I've told Neil to go ahead and close out your work study contract and pay you out. He tells me that it usually takes several days to get the funds. In the meantime I'm letting your school pay keep running and will worry about that whenever they send an updated enrollment certification. I will grant mitigating circumstances and let you keep whatever possible. I understand you don't feel comfortable giving me any more details, but please know that I am here and will help however I can. I am still very worried about you.

Sincerely,  
*Amanda (Bélen) Hart, MHS, CVRC (previously Zaleskie)*  
Vocational Rehabilitation Counselor

---

**From:** Stucks, Percy A. [mailto:[stucpa2@students.fsc.edu](mailto:stucpa2@students.fsc.edu)]  
**Sent:** Tuesday, July 12, 2016 2:56 PM  
**To:** Hart, Amanda, VBASPT  
**Subject:** [EXTERNAL] Re: please respond ASAP

Good afternoon Mrs. Hart, I got a situation and debt is not my concern my life is. I had to leave the school or die. I am just trying to leave. I am running low on funds. All I am request is what I asked early for you to tell Mr. Neil. I would never walk away from school or work study unless it was serious. I am so depressed and worried. I just need that last favor I asked early. This is about my life not debt. Some times people don't want to see you do good and you die. I am just trying to leave so I left.

---

**From:** Hart, Amanda, VBASPT <[Amanda.Hart2@va.gov](mailto:Amanda.Hart2@va.gov)>  
**Sent:** Tuesday, July 12, 2016 12:01:41 PM  
**To:** Stucks, Percy A.  
**Subject:** please respond ASAP

Hi Percy,

I tried to call you but got your voicemail. I am very worried about you after reading your last email. I need to know that you are okay. Are you leaving Jacksonville completely? Are you coming back? Are you dropping out of school? Are you quitting work study? You have a running subsistence award for school and an open work study contract, I want to make sure you get paid for the work study part and that you don't end up in a debt with subsistence. I am very concerned about you and want to help any way that I can, even if it's just making sure you won't end up in debt. Please tell me anything you can so that I know how best to help you. Please contact me by email or phone asap.

Sincerely,  
*Amanda (Bélen) Hart, MHS, CVRC (previously Zaleskie)*  
Vocational Rehabilitation Counselor

*A-26*



**Jacksonville Sheriff's Office  
Incident (Offense)**

**Sheriff John H. Rutherford**



**2010-0497742**

**Route To**

Groups:  
People:

**Incident Information**

**Incident Location**

653 MONUMENT RD, #1104  
JACKSONVILLE, FLORIDA 32225  
Sub-sector: D3 TAZ: 626

Day/Date/Time Reported: Saturday, 06/26/2010 17:36  
Day/Date/Time Incident From: Saturday, 06/26/2010 16:00 To: Saturday, 06/26/2010 17:25  
Is this a Corrections Information Report?: NO

Location Type: APARTMENT / CONDO  
Primary Weapon Used: HANDGUN

School Name: \_\_\_\_\_ School Number: \_\_\_\_\_  
Incident Occurred: Inside Location Incident Occurred In the Parking Lot at this Location?: NO

**Miscellaneous**

Drug Activity: NOT APPLICABLE	Drug Type: NOT APPLICABLE	# of Offenses: 1
Alcohol Related: UNKNOWN (OR N/A)	Drug Related: UNKNOWN (OR N/A)	# of Victims: 1
MCI Case: NO	Follow-up By: _____	# of Suspects: 1
Was Hate Crime Involved?: NO	Is Offense(s) Related to Domestic Violence?: YES	
If not Domestic Violence, Is it Domestic Related?:	Any Children under 18 Involved as a Victim?: NO	

**Offense(s)**

#1 Statute #: 784.045(1)(A)(2) Degree: F2 UCR Code: 130A Attempt Code: Committed  
BATTERY / AGG / DOMESTIC / WITH A DEADLY WEAPON - NO PREVIOUS STALKING

**Victim #1 - STUCKS, PERCY ALLEN JR**

Did victim invoke right to prevent the disclosure of personal info (Marsy's Law)?:

**Demographics**

Race: BLACK	Sex: MALE	Date of Birth: 11/14/1985
Ethnicity: NOT OF HISPANIC ORIGIN		Sub Ethnicity: NOT OF HISPANIC ORIGIN
Primary Language: Secondary Language: _____		
Age: 24	Height (inches): 6'03"	Weight (lbs): 175
Hair Style: _____	Hair Color: BLACK	Hair Length: _____
Build: _____	Eye Color: BROWN	Facial Hair: _____
Complexion: _____	Voice: _____	
Clothing/Description: _____		

**Disability, Mental, Physical and Medical Information**

Physical Descriptor	Descriptor Detail	Description
NOT APPLICABLE	NONE / (NOT APPLICABLE)	

**Contact Information**

Home Phone #: (904)-444-8623	Bus. Phone #:	Ext.:	Alt. Phone #:
Cell Phone #: (904)-444-8623	Cell Phone Provider:	METRO	
Email Address: _____			

**Primary Identification**

Type of ID Given:	ID:	Issuing State:
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**Addresses**

Is Homeless: NO

Home Address	Mailing Address	Alternate Address
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653 MONUMENT RD, #1104  
JACKSONVILLE, FLORIDA 32225

Sub-sector: D3 TAZ: 626

**Employment/School**

Employer: MAXWELL HOUSE	Occupation:
School Last Attended:	

**Alternate Contact Information**

Home Phone #:	Bus. Phone #:	Ext.:
Cell Phone #:	Cell Phone Provider:	
Email Address: _____		

**Other Information**

Residence Type: CITY	Residence Status: RESIDENT
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# Incident (Offense) 2010-0497742 (Continued)

Drugs Involved?:

Alcohol Involved?:

Mode of Travel:

Victim Type: ADULT

Injury Extent: MINOR

Injury Type: SEVERE LACERATION

Hospital Victim Taken To: NOT APPLICABLE

Sexual Battery Type:

## Assault Specific Information

Was victim pregnant: Was fetus lost: Did suspect know victim was pregnant:

Was prior stalking involved?: Was intent to cause serious injury:

## Weapon(s) Involved

Weapon(s): HANDGUN

## Victim Relationship to Offender(s):

Relationship: BOY FRIEND/ GIRL FRIEND (DOMESTIC VIOL) To: Suspect (01) - MUGNO, GISELLA L

## Related Offenses

#01: 784.045(1)(A)(2) - BATTERY / AGG / DOMESTIC / WITH A DEADLY WEAPON - NO PREVIOUS STALKING

## Domestic Violence

If this is a Criminal Investigation, was the Suspect Arrested?: YES

What Was the Nature of the Offense?: Felony

Victim has Injunction for Protection?: NO Type Of Injunction:

Victim/Witness gave Written Statement?: NO

Threat Assessment Made?: YES

Prior History Of DV?: YES

Is History Documented?: NO

Behavior or Condition of Victim at the Time of Incident?: Crying

Behavior or Condition of Suspect at the Time of Incident?: Irrational

### Domestic Violence Threat Assessment

01. Has your partner ever been violent to you?:	NO
02. Has the physical violence gotten worse (more severe) over the past year?:	N/A
03. Has the physical violence been happening more often in the last year?:	N/A
04. Have you recently separated from or talked about leaving your partner?:	YES
05. Has your partner ever threatened or attempted suicide?:	YES
06. Is there a firearm in the house or accessible to your partner?:	YES
07. Do you believe your partner would intentionally kill you?:	YES
08. Has your partner ever told you how they plan to kill you?:	YES
10. Has your partner ever strangled you until you passed out?:	YES
11. Has your partner ever been Baker Acted or committed to a mental health facility?:	NO
12. Has your partner ever threatened you with a weapon?:	UNKNOWN
If yes to question 12, which type of weapon?:	
13. Has your partner ever used a weapon to harm you?:	YES
14. Has your partner been stalking, following, or watching you?:	NO
15. Has your partner been violent towards or threatened harm to your children?:	UNKNOWN
16. Does your partner have a history of domestic violence against other partners or previous injunction for protection?:	UNKNOWN
17. Has your partner ever violated a court order or Injunction for Protection?:	UNKNOWN
18. Is your partner violent towards or does your partner threaten harm to your pets?:	NO
19. Does your partner act out violently to others outside the family?:	NO
20. Does your partner use drugs (cocaine, crack, or other illegal street drugs) or get drunk or high on a regular basis?:	NO

Were Threat Assessment Factors discussed with the Victim?: YES

Victim signed the Signature Report?: YES

Is Victim Employed?: YES Title or Type of Employment?: FACTORY WORKER

Is Suspect Employed?: NO Title or Type of Employment?: NONE

Victim's Level of Education: SOME HIGH SCHOOL

Suspect's Level of Education: HIGH SCHOOL COMPLETED

Victim's Annual Income: Less than \$15,000

Suspect's Annual Income: \$35,000 - \$49,999

## Victim Notification

Victim want to be notified when the suspect is released from custody: YES

Victim received a VINE Brochure?: YES

Victim understands that if they don't answer the telephone call within 24 hours of the suspect's release, they will receive a written notice: YES

Contact Name: STUCKS, PERCY ALLEN JR

Contact Type: Victim

## Contact Information

Home Phone #: (904)-444-8623

Bus. Phone #: (904)-632-3400 Ext.:

Alt. Phone #:

Cell Phone #: (904)-444-8623

Cell Phone Provider: METRO

Email Address:

## Address

Is Homeless: NO

## Home Address

653 MONUMENT RD, #1104

JACKSONVILLE, FLORIDA 32225

Sub-sector: D3 TAZ: 626

## Mailing Address

## Next of Kin Notification

Next of Kin Name: EBEBERHART, PERCILLA

Next of Kin Type: Other

# Incident (Offense) 2010-0497742 (Continued)

## Contact Information

Home Phone #: (904)-647-6113  
Cell Phone #: (904)-613-5000  
Email Address:

Bus. Phone #:  
Cell Phone Provider:

Ext.:

Alt. Phone #:

## Home Address

2250 BARRY DR S  
JACKSONVILLE, FLORIDA 32208  
Sub-sector: N2 TAZ: 186  
Who Made the Notification: MJ MEISSNER  
Method Used: IN PERSON

## Mailing Address

Date/Time:

## Suspect #1 - MUGNO, GISELLA L

### Demographics

Race: WHITE Sex: FEMALE Date of Birth: 12/13/1972  
Ethnicity: NOT OF HISPANIC ORIGIN Sub Ethnicity: NOT OF HISPANIC ORIGIN  
Primary Language: Secondary Language:  
Age: 37 Height (inches): 5'05" Weight (lbs): 184  
Hair Style: CURLY/WAVY Hair Color: BLONDE/STRAWBERRY Hair Length: LONG  
Build: Eye Color: BROWN Facial Hair: NONE  
Complexion: FAIR / LIGHT Voice: NORMAL  
Clothing/Description: NIGHT DRESS

Place of Birth:

Nicknames:

Aliases:

### Distinguishing Marks (Scars, Marks, and Tattoos)

Characteristic	Body Location	Description
TATTOO		: RIGHT ARM "JARED" LEFT ARM "MARIAH"

## Contact Information

Home Phone #: (904)-380-1621  
Cell Phone #: (904)-380-1621  
Email Address:

Bus. Phone #:  
Cell Phone Provider: Metro PCS

Ext.:

Alt. Phone #:

## Primary Identification

Type of ID Given:

ID:

Issuing State:

## Addresses

Is Homeless: NO

## Home Address

653 MONUMENT RD, #1104  
JACKSONVILLE, FLORIDA 32225  
Sub-sector: D3 TAZ: 626

## Mailing Address

## Alternate Address

## Employment/School

Employer: UNEMPLOYED  
School Last Attended:

Occupation:

## CEW (Conducted Electric Weapon)

ECD Usage: NOT APPLICABLE

RTR Written Related to This Incident?: NO RTR Incident Year:

RTR Incident #:

## Other Information

SHO Status: ID Section Confirmation, By ID #:

Drugs Involved?: Alcohol Involved?: Mode of Travel: Juvenile?: NO Confessed?:

Arrested?: Arrested Were Miranda Rights Given?: YES Jail # Type: Booking # Jail Booking #: 2010021886

## Related Offenses

#01: 784.045(1)(A)(2) - BATTERY / AGG / DOMESTIC / WITH A DEADLY WEAPON - NO PREVIOUS STALKING

## Additional Information

On 06-26-10 at 1736 I was dispatched to 9501 Arlington Expwy (JSO Substation) in reference to a domestic dispute.

Upon arriving I met the victim, Mr. Stucks, who stated he had, earlier in the day, angered the suspect, Ms Mugno, his girlfriend with whom he has been living with for two years at 653 Monument Rd #1104. He stated he had an affair with another woman the night before and admitted it to the suspect who began to drink heavily. Later, as the victim was lying on the couch she obtained his handgun (Property 1) and threatened to shoot him. He did not believe her until she "racked a round" and pointed the gun at him. He quickly grabbed the gun and a struggle ensued during which time she fired the weapon, grazing his hand and hitting her in the leg. He grabbed the gun away and went directly to the police substation.

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# Incident (Offense) 2010-0497742 (Continued)

I called rescue for the victim. Rescue 30 responded to the scene and treated Mr. Stucks for a laceration to his hand. With the victim's consent, I secured the handgun from the victim's car.

I observed the laceration to the victim's right hand. I also observed scratch marks on the victim's right arm and right upper chest.

I then went with Rescue 30 to the apartment with Officer LA Lopez #67833. After knocking several times and fearing the suspect may be injured and in need of assistance we entered the residence via the front door which was unlocked. We found the suspect hiding in the back bedroom. He finally exited the bedroom and began to cry in an exaggerated manner. She appeared to be intoxicated and spoke in a loud slurred voice. After the residence was secured, Rescue 30 began to treat the suspect.

I read the suspect Miranda from card. Post Miranda the suspect stated that her boyfriend had told her that he had an affair the night before at which time she became angry. She stated he told her to pick up some condoms from the trash and she does not remember what happened after that. I asked her why she did not call police or rescue and she did not answer.

After being placed in the ambulance the suspect stated that she was sorry but would not say why. She appeared very intoxicated and stated she had drunk a large amount of vodka. She later stated that the victim shot her but would not explain why she did not call police or rescue.

An ET was requested to the scene.

Sgt MB Miller #5393 responded to the scene.

Officer CR Mann #6485 responded to the scene and secured the residence until ET DM Gray #5692 responded to the scene and photographed it and the victim. The ET took custody of the handgun at that time.

Rescue 30 transported the suspect to Shands Hospital where she was absentee booked.

Case cleared by arrest.

## Misc Information

Clearance Status: **CLEARED BY ARREST**

Case Cleared: **CLEARED BY ARREST (PATROL)**

Is there additional information included on a continuation report?: **YES**

Did this incident qualify as a "Cargo Theft"?:

In your opinion is there significant reason to believe that the crime can be solved by a patrol follow-up investigation?: **NO**

Neighborhood Canvass Conducted?: **YES**

Clearance Code: **ADULT**

Date Case Was Cleared:

Number of Cases Cleared: **1**

Are there other Pertinent Reports?: **NO**

## Case Card Information Left with: Person

Victim (01) - STUCKS, PERCY ALLEN JR

## Handouts

#1: Case Information Card

#2: Domestic Violence Pamphlet

#3: Vine Information

#4: Victim Services Card

#5: Advised of Shelter

#6: Advised of Victim Services

#7: Victim Notification Form

#8: Signature Form

## Neighborhood Canvass #1

No one home?:

WIRTH, JOANNE

## Demographics

Race: **WHITE**

Sex: **FEMALE**

Date of Birth:

Ethnicity: **NOT OF HISPANIC ORIGIN** Sub Ethnicity: **NOT OF HISPANIC ORIGIN**

Age: **34 to 34**

Clothing/Description:

## Contact Information

Home Phone #: **(904)-430-3502**

Bus. Phone #:

Ext.:

Alt. Phone #:

Cell Phone #:

Cell Phone Provider:

Email Address:

## Home Address

**653 MONUMENT RD BLDG11 , #1101**

**JACKSONVILLE, FLORIDA 32225**

**Sub-sector: D3 TAZ: 626**

## Mailing Address

## Alternate Address

Additional Information: **DID NOT HEAR ANYTHING**

## Neighborhood Canvass #2

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# Incident (Offense) 2010-0497742 (Continued)

No one home?: YES

## Demographics

Race:

Ethnicity:

Age:

Clothing/Description:

Sex:

Date of Birth:

## Contact Information

Home Phone #:

Bus. Phone #:

Ext.:

Alt. Phone #:

Cell Phone #:

Cell Phone Provider:

Email Address:

## Home Address

653 MONUMENT RD, #1103

## Mailing Address

JACKSONVILLE, FLORIDA 32225

## Alternate Address

Sub-sector: D3 TAZ: 626

Additional Information: NO ONE WAS HOME.

## Neighborhood Canvass #3

No one home?:

PERRY, VONLISA

## Demographics

Race: BLACK

Sex: FEMALE

Date of Birth:

Ethnicity: NOT OF HISPANIC ORIGIN

Sub Ethnicity: NOT OF HISPANIC ORIGIN

Age: 48 to 48

Clothing/Description:

## Contact Information

Home Phone #: (904)-887-4597

Bus. Phone #:

Ext.:

Alt. Phone #:

Cell Phone #:

Cell Phone Provider:

Email Address:

## Home Address

653 MONUMENT RD BLDG11 , #1102

## Mailing Address

JACKSONVILLE, FLORIDA 32225

## Alternate Address

Sub-sector: D3 TAZ: 626

Additional Information: DID NOT HEAR OR SEE ANYTHING

## Investigation Time #1

Hour(s): 03

Minute(s): 00

Cost Amount: \$43.38

## Signature

Detective Called To the Scene:

Division:

Evidence Technician Called to the Scene:

Unit:

D.M.GRAY (#5692)

At Scene: Not Applicable

## Signature(s)

Reporting Officer #1:

M.J.MEISSNER (#7323)

Division: PATROL

Reporting Officer #2:

L.A.LOPEZ (#67833)

Division:

Report submitted on:

06/26/2010 20:20

Section/Unit: ZONE 2

Report Reviewer:

M.B.MILLER (#5393)

Status: Approved

Report approved on:

06/26/2010 20:22

At Scene:

OFFICE OF THE MEDICAL EXAMINER  
2100 JEFFERSON STREET  
JACKSONVILLE, FLORIDA 32206

**EXAMINATION REPORT**

NAME OF DECEASED: DAVIS, Dorelle D.  
M.E. NO.: 16-1420  
DATE OF DEATH: Found July 12, 2016  
DATE OF AUTOPSY: July 13, 2016  
TIME OF AUTOPSY: 10:00 AM  
COUNTY OF DEATH: Duval

**EXTERNAL EXAMINATION**

The body is that of a white female weighing 126 pounds (57 kg) and measuring 62 inches (157 cm) in length. The body is in an early to moderate stage of postmortem decomposition with bloating, skin slippage, marbling, greenish-brown discoloration, and the presence of larvae. The scalp hair is brown with blonde meshes. The color of the irides cannot be determined. The nasal skeleton is palpably intact. The lips are without evidence of injury. The teeth are natural. Examination of the neck, chest, posterior torso, abdomen and extremities reveals no evidence of recent injuries. The external genitalia are those of a normal adult female. There is no evidence of therapy. The clothing consists of a tank top and sweatpants.

**EVIDENCE OF INJURY:**

**GUNSHOT WOUND OF THE HEAD:**

Situated on the left side of the back of the head, there is a gunshot entrance wound located 4 1/2 inches below the top of the head and 3 inches to the left of the posterior midline of the head. The wound is a 3/4 inch x 1/2 inch defect, 1/16<sup>th</sup> inch marginal abrasion collar. There is no evidence of soot or gunpowder stippling deposition on the surrounding skin. The bullet goes through the skin and subcutaneous tissue and enters the skull through a 1/2 inch x 1/2 inch defect with inward beveling into the left temporal occipital bone. The bullet then goes through the left temporal lobe of the brain, basal ganglia, right temporal lobe of the brain, right temporal bone, and exits the skull through a 1/2 inch x 1/2 inch defect with outward beveling into the right temporal bone. A deformed, copper-jacketed bullet is recovered under the skin in the right temporal area. Direction of the wound is from back to front, left to right, and upwards. Associated with the wound path, there are multiple skull fractures, subarachnoid hemorrhage, and cerebral lacerations.

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**INTERNAL EXAMINATION:****HEAD:**

Injuries have been previously described. The brain weighs 842 grams. The scalp is reflected. The calvarium of the skull is removed. The cerebral hemispheres are symmetrical. Autolytic changes are noted. The structures at the base of the brain, including cranial nerves and blood vessels are intact. Coronal sections through the cerebral hemispheres reveal previously described injuries. Transverse sections through the brain stem and cerebellum are unremarkable.

**NECK:**

Examination of the soft tissues of the neck, including strap muscles, thyroid gland and large vessels, reveals no abnormalities. The hyoid bone and larynx are intact.

**BODY CAVITIES:**

The body is opened by the usual thoraco-abdominal incision and the chest plate is removed. No adhesions or abnormal collections of fluid are present in any of the body cavities. All body organs are present in the normal anatomic position. There is no internal evidence of blunt force or penetrating injury to the thoraco-abdominal region.

**CARDIOVASCULAR SYSTEM:**

The heart weighs 234 grams. The pericardial surfaces are smooth, glistening, and unremarkable. The pericardial sac is free of significant fluid or adhesions. The coronary arteries arise normally, follow the usual distribution and are widely patent, without evidence of significant atherosclerosis or thrombosis. The chambers and valves exhibit the usual size-position relationship and are unremarkable. The myocardium is red/brown, firm and unremarkable. The atrial and ventricular septa are intact. The aorta and its major branches arise normally, follow the usual course and are widely patent, free of significant atherosclerosis and other abnormality. The venae cavae and their major tributaries return to the heart in the usual distribution and are free of thrombi.

**RESPIRATORY SYSTEM:**

The right lung weighs 345 grams. The left lung weighs 307 grams. The upper airway is clear of debris and foreign material. The mucosal surfaces are smooth, yellow/tan and unremarkable. The pleural surfaces are smooth, glistening and unremarkable bilaterally. The pulmonary parenchyma is flabby, exuding slight to moderate amounts of fluid. No focal lesions are noted. The pulmonary arteries are normally developed, patent and without thrombus or embolus.

**HEPATOBILIARY SYSTEM:**

The liver weighs 1029 grams. The hepatic capsule is smooth, glistening and intact, covering yellow, friable parenchyma with no focal lesions noted. The gallbladder is empty. The mucosa is velvety and unremarkable. The extrahepatic biliary tree is patent, without evidence of calculi.

## MEDICAL EXAMINER REPORT

NAME OF DECEASED: DAVIS, Dorelle D.  
M.E. NO.: 16-1420  
DATE OF DEATH: Found July 12, 2016  
DATE OF AUTOPSY: July 13, 2016  
TIME OF AUTOPSY: 10:00 AM  
COUNTY OF DEATH: Duval

### DIAGNOSIS

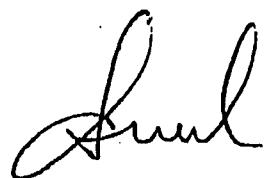
- (1) Gunshot wound of the head with multiple skull fractures, subarachnoid hemorrhage, cerebral lacerations, and recovery of a copper-jacketed bullet
- (2) Hepatic steatosis
- (3) Polycystic kidneys

### CAUSE OF DEATH

Gunshot wound of the head.

### MANNER OF DEATH

Homicide.



Aurelian Nicolaescu, M. D.  
Associate Medical Examiner  
Date: 8/8/2016

AN: bb



Accredited by the National Association of Medical Examiners

**GASTROINTESTINAL SYSTEM:**

The tongue exhibits no evidence of recent injury. The esophagus is lined by gray/white, smooth mucosa. The gastric mucosa is arranged in the usual rugal folds and the lumen contains no gastric contents. The small and large bowels are unremarkable. The pancreas has a normal pink/tan lobulated appearance and the ducts are clear. The appendix is present.

**GENITOURINARY SYSTEM:**

The right kidney weighs 261 grams. The left kidney weighs 293 grams. The renal capsules are smooth and thin, semi-transparent and stripped with ease from the underlying polycystic, brown cortical surfaces. The polycystic cortices are delineated from the medullary pyramids, which are tan. The calyces, pelvis, and ureters are unremarkable. The urinary bladder is empty. The mucosa is gray/tan and smooth. The uterus weighs 96 grams with unremarkable ovaries.

**RETICULOENDOTHELIAL SYSTEM:**

The spleen weighs 228 grams and has a smooth, intact capsule covering dark brown mushy parenchyma. The lymphoid follicles are unremarkable. The regional lymph nodes appear normal.

**ENDOCRINE SYSTEM:**

The pituitary, thyroid and adrenal glands are unremarkable.

**MUSCULOSKELETAL SYSTEM:**

Muscle development is normal. No bone or joint abnormalities are noted.

**HISTOPATHOLOGICAL EXAMINATION:**

Gunshot entrance wound: disrupted tissue architecture, with thermal alterations and autolytic changes.

**TOXICOLOGICAL EXAMINATION:**

Testing performed at NMS labs. See attached NMS Labs Toxicology Report.



NMS Labs  
Integrated Forensic Services  
2100 North Jefferson Street, Jacksonville, FL 32206  
e-mail: JAX@nmslabs.com Phone: (215) 657-4900 Fax: (215) 657-2972  
Robert A. Middleberg, PhD, F-ABFT, DABCC-TC, Laboratory Director

Dr. Nicolaescu  
CONFIDENTIAL

## Toxicology Report

Report Issued 07/27/2016 16:00

To: 10072  
Florida 4th District Chief Medical Examiner  
2100 Jefferson Street  
Jacksonville, FL 32206

Patient Name DAVIS, DORELLE  
Patient ID 161420  
Chain 16213241  
Age 39 Y  
Gender Female  
Workorder 16213241

Page 1 of 3

### Positive Findings:

Compound	Result	Units	Matrix Source
Ethanol	86	mg/100 g	002 - Liver Tissue
Delta-9 THC	22	ng/g	002 - Liver Tissue

See Detailed Findings section for additional information

### Testing Requested:

Analysis Code	Description
8051TI	Postmortem, Basic, Tissue (Forensic)

### Tests Not Performed:

Part or all of the requested testing was unable to be performed. Refer to the Analysis Summary and Reporting Limits section for details.

### Specimens Received:

ID	Tube/Container	Volume/ Mass	Collection Date/Time	Matrix Source	Miscellaneous Information
001	White Plastic Container	32.36 g	07/13/2016 10:40	Liver Tissue	
002	Homogenate Container	Not Given	07/13/2016 10:40	Liver Tissue	
003	White Plastic Container	63.57 g	07/13/2016 10:55	Brain Tissue	
004	White Plastic Container	39.18 g	07/13/2016 10:45	Kidney Tissue	

All sample volumes/weights are approximations.

Specimens received on 07/14/2016.



CONFIDENTIAL

Workorder 16213241  
Chain 16213  
Patient ID 161420

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**Detailed Findings:**

Analysis and Comments	Result	Units	Rpt. Limit	Specimen Source	Analysis By
Ethanol	86	mg/100 g	40	002 - Liver Tissue	Headspace GC
Delta-9 THC	22	ng/g	2.0	002 - Liver Tissue	LC-MS/MS
Ethanol	Confirmed	mg/100 g	40	002 - Liver Tissue	Headspace GC

Other than the above findings, examination of the specimen(s) submitted did not reveal any positive findings of toxicological significance by procedures outlined in the accompanying Analysis Summary.

**Reference Comments:**

## 1. Delta-9 THC (Active Ingredient of Marijuana) - Liver Tissue:

Delta-9-THC is the principle psychoactive ingredient of marijuana/hashish. Delta-9-carboxy-THC (THCC) is the inactive metabolite of THC.

## 2. Ethanol (Ethyl Alcohol) - Liver Tissue:

Ethyl alcohol (ethanol, drinking alcohol) is a central nervous system depressant and can cause effects such as impaired judgment, reduced alertness and impaired muscular coordination. Ethanol can also be a product of decomposition or degradation of biological samples.

**Sample Comments:**

001 Tissue specimen required homogenization: 16213241-001  
002 NMS Labs generated homogenized Tissue sample: 16213241-002  
002 Select testing may have been performed at: 3701 Welsh Road, PO Box 433A, Willow Grove, PA 19090-0437

Unless alternate arrangements are made by you, the remainder of the submitted specimens will be discarded one (1) year from the date of this report; and generated data will be discarded five (5) years from the date the analyses were performed.

Workorder 16213241 was electronically signed on 07/27/2016 15:51 by:

Matthew M. McMullin, M.S., F-ABFT, TC (NRCC)  
Forensic Toxicologist

**Analysis Summary and Reporting Limits:**

All of the following tests were performed for this case. For each test, the compounds listed were included in the scope. The Reporting Limit listed for each compound represents the lowest concentration of the compound that will be reported as being positive. If the compound is listed as None Detected, it is not present above the Reporting Limit. Please refer to the Positive Findings section of the report for those compounds that were identified as being present.

Acode 50013TI - Cannabinoids Confirmation, Tissue (Forensic) - Liver Tissue

-Analysis by High Performance Liquid Chromatography/TandemMass Spectrometry (LC-MS/MS) for:

Compound	Rpt. Limit	Compound	Rpt. Limit
11-Hydroxy Delta-9 THC	N/A	Delta-9 THC	2.0 ng/g
Delta-9 Carboxy THC	N/A		

Not Reported: 11-Hydroxy Delta-9 THC: Test was canceled due to [Sample Matrix Problem].  
Not Reported: Delta-9 Carboxy THC:

Acode 52250TI - Alcohols and Acetone Confirmation, Tissue (Forensic) - Liver Tissue

## Analysis Summary and Reporting Limits:

-Analysis by Headspace Gas Chromatography (GC) for:

<u>Compound</u>	<u>Rpt. Limit</u>	<u>Compound</u>	<u>Rpt. Limit</u>
Acetone	20 mg/100 g	Isopropanol	20 mg/100 g
Ethanol	40 mg/100 g	Methanol	20 mg/100 g
Acode 8051TI - Postmortem, Basic, Tissue (Forensic) - Liver Tissue			

-Analysis by Enzyme-Linked Immunosorbent Assay (ELISA) for:

<u>Compound</u>	<u>Rpt. Limit</u>	<u>Compound</u>	<u>Rpt. Limit</u>
Amphetamines	80 ng/g	Fentanyl / Metabolite	1.0 ng/g
Barbiturates	0.16 mcg/g	Methadone / Metabolite	100 ng/g
Benzodiazepines	400 ng/g	Methamphetamine / MDMA	80 ng/g
Buprenorphine / Metabolite	2.0 ng/g	Opiates	80 ng/g
Cannabinoids	40 ng/g	Oxycodone / Oxymorphone	40 ng/g
Cocaine / Metabolites	80 ng/g	Phencyclidine	40 ng/g

-Analysis by Headspace Gas Chromatography (GC) for:

<u>Compound</u>	<u>Rpt. Limit</u>	<u>Compound</u>	<u>Rpt. Limit</u>
Acetone	20 mg/100 g	Isopropanol	20 mg/100 g
Ethanol	40 mg/100 g	Methanol	20 mg/100 g

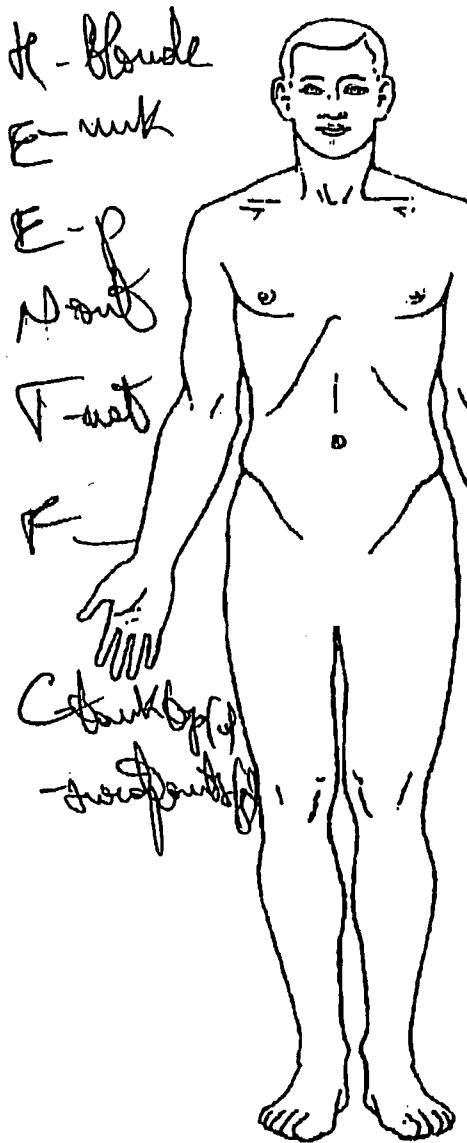
MEDICAL  
EXAMINER'S  
OFFICE

ME #: 16-1420  
Name: Davis, Dorelle D.  
Age: 39 years  
Height: 62 in.  
157 cm.

Race: W Sex: F  
Weight: 126 lb.  
57 kg.

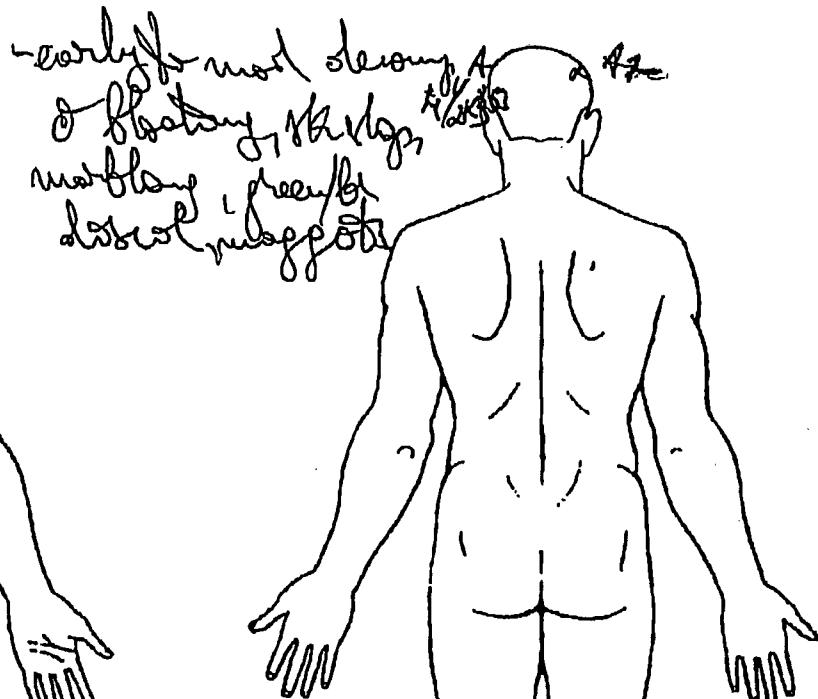
Autopsy  
Inspection: [ ]

Date: 07/13/2016 Time: 10:00 AM  
Doctor: Nicolaescu  
Diagnosis: Gun of Head  
Manner: Homicide



Brain: 814g  
Heart: 234g  
Lungs: R. 216g L. 304g  
Fluid Pleural: R. - L. -

B: 7 ← (empty)  
U: 3 ← (empty)



A → sk, sc → ① bone  
→ ① lobe → BG →  
→ ② lobe → ② bone  
→ A (deformed copper  
jacket bullet)  
- abd: B → F, L → R, up  
- SATL  
- cer lce  
- fatty liver

Liver: 1029  
Kidneys: R. 66 L. 293  
Spleen: 128  
Pericardium: —

- broken hands  
- ① left finger  
- right ring finger  
- dead bone  
- ① earing of abd  
- ① ring earing  
- polygynic knot

Uterus: 96 + ovaries (normal)  
Stomach: —

Fluid Peritoneum: —  
App: none  
R: —  
(L) decayed

MEDICAL  
EXAMINER'S  
OFFICE

ME #: 16-1420

Name: Davis, Dorelle D.

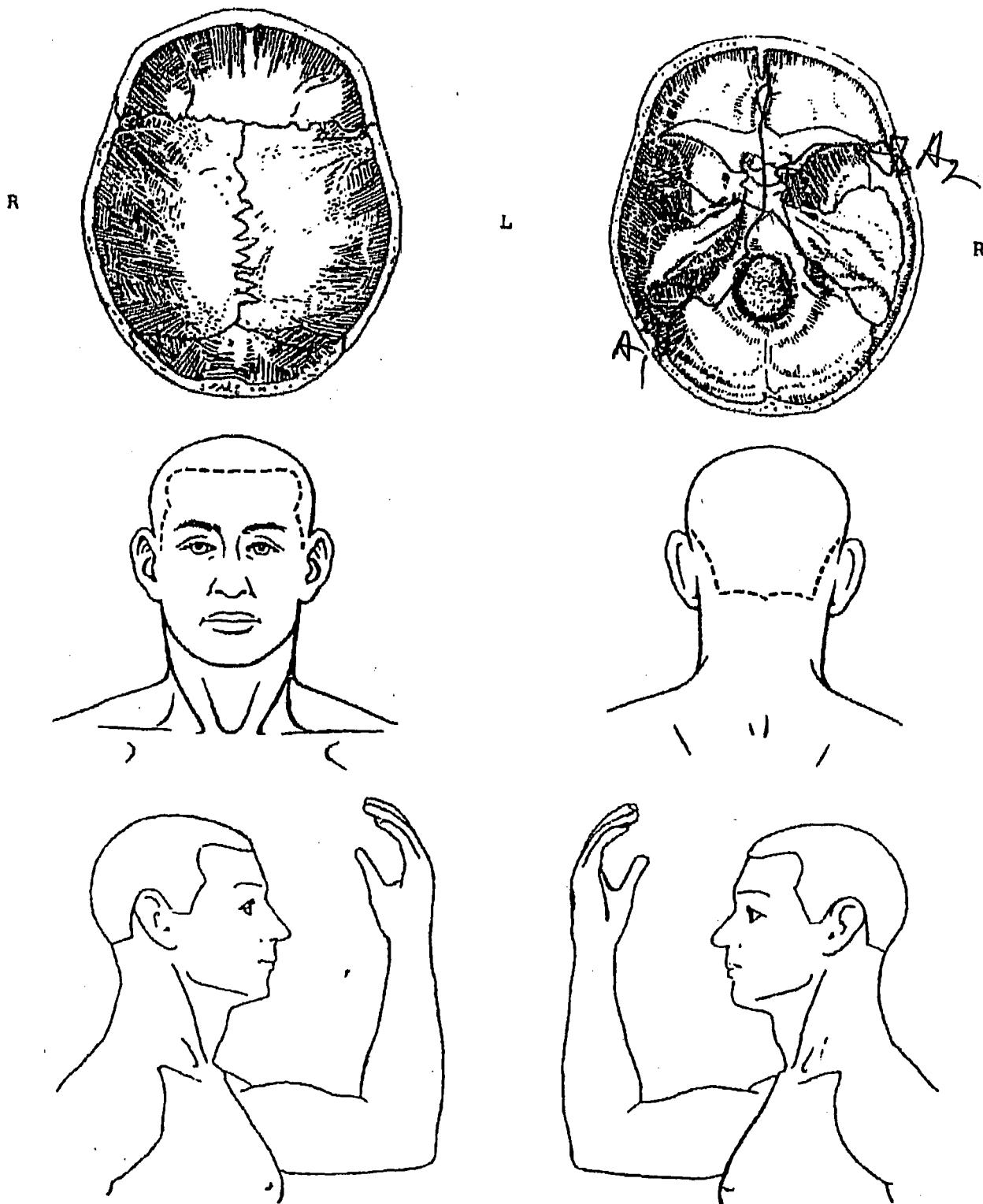
Age: 39 years

Race: W

Sex: F

Date: 07/13/2016

Doctor: Nicolaescu



# Report of Investigation

ME Number	16-1420		Law Enforcement Number:	00453875	Investigator:	Kammer
			Reason for jurisdiction:		Homicide	
ME Notified	Date	Time	(By whom: Name, Address or Title)		ME Designee:	
	07/13/2016	4:30 AM	Det. Scott		Agency: JSO/Scott	

## Decedent Information

Name: Davis, Dorelle Dawn		Age:	39 years	Race:	W	Sex:	F
Address: 3050 Detroit Cir, Jacksonville, FL, 32254		Phone:					
Date of Birth: 07/30/1976		Height:	62 in.	Weight:	126 lb.		
On the job? N	Occupation:	Industry:					

## Occurrence Information

ITEM	DATE	TIME	LOCATION	COUNTY	PREMISES	
INJURY OR ONSET OF ILLNESS			3050 E Detroit Cir, Jacksonville, FL, 32254	Duval	Residence-Home	
DEATH OR FOUND	found 07/12/2016	found 9:10 PM	2100 West 26th St, Jacksonville, FL, 32209	Duval	Grounds-Woods	
PRON DEAD			by: at:			
LAST SEEN ALIVE			by:			
POLICE NOTIFIE	07/13/2016	9:10 PM	by: Alfonzo Walker			
Found by:	Patrol					
Rescue at scene?	N	Rescue or Engine #:	Type of hospital death: None			

## Medical Attention and Hospital or Institutional Care

Name of Doctor or Institution	Address	Diagnosis	Date:
----------------------------------	---------	-----------	-------

## Next of Kin and Identification

Notified? N	Name	Address	Phone	Relationship
Identified? Y	by: Deidre Waters	Address 501 E Bay Street, Jacksonville, FL	Phone (904) 630-2212	Relationship None
ID Date:	07/13/2016	ID Time:	3:07 PM	ID Location: JSO-AFIS

## Additional Information

If Child	Born premature? Weeks gestation	Twin?	Hospital of Birth	City of Birth
Victim Type		Restraint type	Vehicle Type	Charges
Weapon Type 1: 380 auto				
Weapon Type 2:				

# Report of Investigation

ME Number	16-1420	Law Enforcement Number:	00453875	Investigator:	Kammer
		Reason for jurisdiction:		Homicide	
ME Notified	Date	Time	(By whom: Name, Address or Title)		Agency:
	07/13/2016	4:30 AM	Det. Scott		JSO/Scott

## Decedent Information

Name: Davis, Dorelle D.		Age:	39 years	Race:	W	Sex:	F
Address: 3050 Detroit Cir, Jacksonville, FL, 32254		Phone:					
Date of Birth: 07/30/1976		Height:	62 in.	Weight:	128 lb.		
On the job? N	Occupation:	Industry:					

## Occurrence Information

ITEM	DATE	TIME	LOCATION	COUNTY	PREMISES
INJURY OR ONSET OF ILLNESS			3050 E Detroit Cir, Jacksonville, FL, 32254	Duval	Residence-Home
DEATH OR FOUND	found 07/12/2016	found 9:10 PM	2100 West 28th St., Jacksonville, FL, 32209	Duval	Grounds-Woods
PRON DEAD			by: _____ at: _____		
LAST SEEN ALIVE			by: _____		
POLICE NOTIFIE	07/13/2016	9:10 PM	by: Alfonzo Walker		

Found by: Patrol

Rescue at scene? N	Rescue or Engine #:	Type of hospital death: None
--------------------	---------------------	------------------------------

## Medical Attention and Hospital or Institutional Care

Name of Doctor or institution	Address	Diagnosis	Date:
----------------------------------	---------	-----------	-------

## Next of Kin and Identification

Notified? N	Name	Address	Phone	Relationship
Identified? N	by:	Address	Phone	Relationship
ID Date:	ID Time:	ID Location:		

## Additional Information

If Child	Born premature? Weeks gestation	Twin?	Hospital of Birth	City of Birth
Victim Type none		Restraint type	Vehicle Type	Charges
Weapon Type 1: 380 auto				
Weapon Type 2:				

# OFFICE OF THE MEDICAL EXAMINER

2100 Jefferson Street • Jacksonville, FL. 32206 • (904) 255-4000 • fax (904) 630-0964

## SCENE INVESTIGATION

Name: Dorelle, Davis D.  
ME Number: 16-1420

July 13, 2016

The MEO was contacted on this date at 4:30 AM by Det. Scott with the Jacksonville Sheriff's Office reporting the death of this 39 year old white female. The case is being treated as a homicide. I responded and arrived on scene at 4:51 AM.

Det. Scott provided the following information: The decedent resides at 3050 Detroit Cir. S., Jacksonville, FL, 32254 with her boyfriend. On 7/9 the decedent was involved in a domestic incident with the boyfriend. Det. Scott advised the circumstances are unknown however the boyfriend stated the decedent was trying to stab him so he produced a firearm and shot her. The incident took place at the above address. On 7/9 the property manager, Alonzo Walker, went to the residence because the boyfriend locked himself out and witnessed the decedent in the bedroom. The property manager called out for her attention and she did not respond. On 7/12 the property manager tried to reach the decedent and was not able to and asked the boyfriend where he could reach her. Subsequently, the boyfriend admitted to JSO that he shot the decedent and hid her body in a wooded area located at 2100 West 26<sup>th</sup> St., Jacksonville, FL, 32209. Rescue did not respond.

The weapon that was used was a .380 semi-automatic hand gun. It is unknown how many rounds were fired. The weapon was recovered at a separate location but was not yet analyzed upon my arrival on scene.

I observed the decedent lying in a wooded area off the side of the street. The decedent was covered with a piece of carpet and was wrapped in a blanket. Once removed, the decedent was lying on her right side face down. The decedent was clothed in pants and a shirt. Additionally, the decedent had on (2) silver metal earrings and (1) silver metal ring. The valuables were left on by this investigator. The decedent was decomposed with discoloration, bloating, and skin slippage observed. Also, maggot activity was present primarily on the decedent's face. Trauma could not be observed based on the stage of decomposition. The decedent was placed in a clean white sheet. This investigator bagged the hands at the scene.

Next of kin has not been notified. Identification was not completed. North Florida Removal Service (P. Overstreet and D. Johnson) transported the body to the MEO.

Robert M. Kammer  
Forensic Investigator

M. E. Investigator

I. D. Number  
# 27

Supervisor

Jeffrey J. Brokaw  
Forensic Investigations Manager

# OFFICE OF THE MEDICAL EXAMINER

2100 Jefferson Street • Jacksonville, FL 32206 • (904) 255-4000 • fax (904) 630-0964

## FOLLOW-UP INVESTIGATION

Name: Davis, Dorelle D.  
ME Number: 16-1420

August 3, 2016

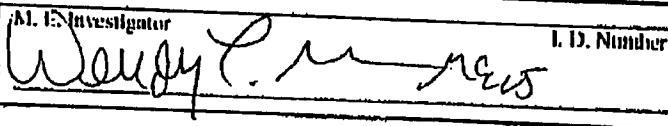
On 8/2/16 I attempted to contact the listed next of kin for this decedent, Jamie Limandri (sister, 484-635-4890), to inquire as to how the family will be proceeding with funeral arrangements, however there was no answer, therefore a voicemail message was left requesting that she contact the MEO. On this date at 1:02 pm, I left a second message for the decedent's sister, Jamie, to contact the MEO.

In the event that this office does not hear back from the decedent's sister, the decedent will then be referred to the city contract funeral home, Eternity Funeral Home.

An email was sent to Det. Scott on this date to inquire as to whether or not he had any additional contact information for the decedent's family.

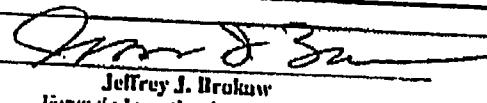
Wendy Meacham, F-ABMDI  
Forensic Investigator

M. I. Investigator

  
Wendy C. Meacham

I. D. Number

Supervisor

  
Jeffrey J. Brokaw  
Forensic Investigations Manager

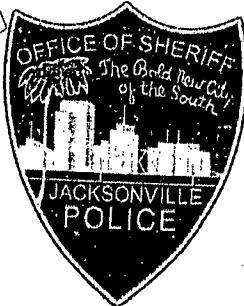


Exhibit 7 (30)

OFFICE OF THE SHERIFF  
CONSOLIDATED CITY OF JACKSONVILLE  
DUVAL COUNTY

501 EAST BAY STREET • JACKSONVILLE, FLORIDA 32202-2975

MIKE WILLIAMS  
SHERIFF

April 24, 2018

Percy Stucks  
2016018775 500 East Adams St  
Jacksonville FL 32202

RE: Public Records Request of April 20, 2018, Reference # P071070-042018

Dear Percy,

Jacksonville Sheriff's Office received a public records request from you on April 20, 2018. You requested the following:

Requesting records of Officer M.P. Chizik #7471 & S. Wells #61130  
case #18-0162

After a diligent search we have determined that the records requested are exempt from disclosure for the following reasons:

The record you have requested is exempt at this time pursuant to pending investigation.

Thank you for your patience in awaiting this information.

Sincerely,

74868TCD  
PRC  
Public Records

[WWW.JAXSHERIFF.ORG](http://WWW.JAXSHERIFF.ORG)



A-29

First Appearance:	Continued:	Continued:	Continued:	Continued:
Continued:	Continued:	Continued:	Continued:	Continued:



**Arrest And Booking Report**  
**Jacksonville Sheriff's Office**  
**Jacksonville Florida**

**ADULT**

Yr: <b>2016</b> Inc # <b>206667</b>	Amend #
Prev Juv Jail #	
Jail # <b>2016008478</b>	4/1/2016 01:23 File Direct: <b>NO</b>
JSO ID #	Court: <b>County</b>
SSN	OBTS #

**Arresting Agency: Jacksonville Sheriff's Office**

**Day/Date/Time Arrested: Friday 4/1/2016 00:45**

**Name: DAVIS, DORELLE DAWN**

**Aliases:**

**Nickname(s):**

**Arrestee's Home Address: 888 FRANKLIN ST Apt./Lot #: 314**  
**City: JACKSONVILLE State: FLORIDA Zip: 32206**

**Taz: 768 Crossstreet:**

**DOB: 7/30/1976 Age: 39**

**Height: 5' 2"**

**Weight (lbs): 110**

**Race: WHITE Ethnicity: NOT OF HISPANIC ORIGIN Sex: Female**

**Eye Color: BLUE Hair Color: BLONDE/STRAWBERRY Complexion: FAIR / LIGHT Build: Thin**

**ECD Usage: NOT APPLICABLE**

**RTR written related to this incident? NO RTR Incident Yr: RTR Incident #:**

**Is an Offense a hate crime? NO Is an Offense a dating violence crime? NO Required to register as a sex offender? NO**

**Suspect Invoke Miranda? NO Arrestee needs ADA Consideration? NO Arrestee Confessed? Miranda Rights Given? NO**

**Disability or Special Consideration:**

**Accommodations Requested:**

**Driver's License # D120164767700 State: FLORIDA Subject's Resident Type: CITY**

**Hm Phone # Bus. Phone # Phone Ext.**

**Cell Phone # Cell Phone Provider E-mail**

**Is Vagrant? NO**

**Subject's Residence Status: RESIDENT Armed With: NOT APPLICABLE (NONE)**

**Distinguishing Marks:**

**Employer: NONE Place of Birth: JACKSONVILLE DUVAL FLORIDA UNITED STATES Country of Citizenship: UNITED STATES**

**School Last Attended: UK**

**Arrest Made On: CALL**

**US Citizen: YES**

<b>Domestic Violence Involved: NO</b>	<b>Children under 18 Present:</b>	<b>If No is it Domestic Related: NO</b>
---------------------------------------	-----------------------------------	---

**Day/Date/Time of Incident-From: Friday 4/1/2016 00:17**

**Day/Date/Time of Incident-To: Friday 4/1/2016 00:45**

**Incident Address: 888 FRANKLIN ST Apt./Lot #:**

**Sub-Sector: B3**

**City: JACKSONVILLE State: FLORIDA Zip: 32206**

**Taz: 768 Crossstreet:**

**Offense Location Type: Apartment / Condo Interviewed by: Interviewer ID:**

**Where Arrested: 888 FRANKLIN ST Apt./Lot #:**

**Sub-Sector: B3**

**City: JACKSONVILLE State: FLORIDA Zip: 32206**

**Taz: 768 Crossstreet:**

**Involved in Traffic Accident: NO**

**Injuries from Accident:**

**Is Incident Gang Related: NO**

**Is Arrestee a Gang member? NO**

**APR 01 2016**

**Statute or Ordinance Number(s): #1**

**Statute No: 856.011(2) Degree: M2 UCR Code: 900C Attempt Code: Commit**

**4/1/2016-01:19**

**DISORDERLY INTOXICATION - PUBLIC DISTURBANCE**

<b>Citation #</b>	<b>SA#</b>
-------------------	------------

**Warrant Type: Not Applicable**

<b>Jso Control #</b>	<b>Warrant/Case #</b>
----------------------	-----------------------

**No. of Counts:**

**Original**

**ADLT DAVIS, DORELLE DAWN**

**ARREST REPORT**

**pg 1 of 4**

**Jail # 2016008478**

**ADLT**

**A-30**

Jurisdiction:

Purge/Bond Type: **Bond**

Bond Amount:

CT. Location/Div.:

Date of Issue:

Date of Return:

Judge:

Disposition:

### Blanket Bond:

#### VOP/FTA ONLY

Original Statute No: Degree: UCR Code: Attempt Code: Commit

Description:

#### Statute or Ordinance Number(s): #2

Statute No: **843.02** Degree: **M1** UCR Code: **9000** Attempt Code: Commit

**RESISTING OFFICER WITHOUT VIOLENCE TO HIS OR HER PERSON**

4/1/2016-01:19

Citation #	SA#	Warrant Type: <b>Not Applicable</b>		
Jso Control #	Warrant/Case #	No. of Counts:		

Jurisdiction:

Purge/Bond Type: **Bond**

Bond Amount: **250P**

CT. Location/Div.:

Date of Issue:

Date of Return:

Judge:

Disposition:

Disposition Date:

### Blanket Bond:

#### VOP/FTA ONLY

Original Statute No: Degree: UCR Code: Attempt Code: Commit

Description:

#### ADDITIONAL INFORMATION 1

Reporting Officer: **D.L.HODGES 74025**

On 4/1/2016, at 0017 hours, I was dispatched to 888 Franklin St in reference to a drunken dispute.

Upon my arrival, I observed Cassy Donacin (wit 1) the security guard at the apartment complex escorting the suspect down the hallway. The suspect was extremely intoxicated and uncooperative. As Ofc Carmona 64386 made contact with the suspect she began yelling obscenities at him and refused to place her hands behind her back by tensing her arms and pulling away. The suspect was forced into hand restraints and placed in the back seat of Ofc Carmona's patrol vehicle.

Cassy advised that he was called to the disturbance by Sheila Doyle (wit 2). As he showed up he observed the suspect yelling at Sheila and lunging at her in an attempt to fight her. Cassy grabbed the suspect and held her while Sheila called the police.

Sheila advised that the suspect has been drinking all day and that she has been causing a disturbance by banging on her walls and door. She said she opened her door to ask the suspect to be quiet when the suspect became extremely aggressive. The suspect started screaming at Sheila and lunged at her, at which point the security guard grabbed the suspect to prevent a physical confrontation.

While the suspect was in the back of the Ofc Carmona's patrol vehicle she continued to scream and began kicking the door. The suspect was advised that if she continued to kick the door she would be placed in hobble restraints. The suspect continued to kick the door. She was placed in hobble restraints and immediately transported to the PTDF without further incident.

Sgt H. Baker IV 65049 was notified.

Transported By: D.L.HODGES #74025  
Arresting Officer(s) #1: D.L.HODGES #74025  
Div/Zone or Unit: PATROL ZONE 1

Approving Supervisor: H.BAKER #6  
#2: A.CARMONA-FONSECA #64386  
# of Cases Cleared:

State of Florida, County of Duval

Sworn to (or affirmed) and subscribed before me this 11<sup>st</sup> day of April, 2016, by

Personally Known ✓ or Produced Identification        Type of Identification produced:

Print, Type, or Stamp, Commissioned name of Notary Public

Signature of Notary - State of Florida Certified Law Enforcement Officer or Corrections Officer:

**Investigative Time:**

**#1 Hours: 1 Minutes: 0 Cost Amount: \$48.24**

Drug Activity: UNKNOWN

Drug Type: UNKNOWN

Alcohol Related: SUSPECT USING ALCOHOL

Drug Related: UNKNOWN (OR N/A)

**COMPLAINANT #1**

Race: BLACK Ethnicity: NOT OF HISPANIC ORIGIN

Sex: Male

DOB: 4/7/1985 Age: 30

Name: DONACIN CASSY LOVE

Address: 4731 MONROE SMITH RD Apt./Lot #:

Sub-Sector of Arrest Location: L2

City: JACKSONVILLE State: FLORIDA Zip: 32210

Taz: 540 Crossstreet: Home Phone # (904)-380-1074 Bus. Phone # Phone Ext.

Cell Phone # Cell Phone Provider E-mail

Is Vagrant? NO

**WITNESS #2**

Race: WHITE Ethnicity: NOT OF HISPANIC ORIGIN

Sex: Female

DOB: 10/14/1965 Age: 50

Sub-Sector of Arrest Location: B3

Name: DOYLE SHEILA MARIE

Address: 888 FRANKLIN ST Apt./Lot #: 324

City: JACKSONVILLE State: FLORIDA Zip: 32206

Taz: 768 Crossstreet: Home Phone # (904)-672-0430 Bus. Phone # Phone Ext.

Cell Phone # Cell Phone Provider E-mail

Is Vagrant? NO

**Jail Information (Back Door)**

**Date and Time Admitted: 4/1/2016 01:23**

Jail # 2016008478

Juvenile/Court Clerk #

**Triage Questions:**

Involved in Traffic Accident: NO Injuries from Accident:

OC deployed prior to/during Arrest: NO Was a hobble restraint used on the arrestee? YES

Does the arrestee exhibit any signs of suicidal behavior or attempts? NO Does the arrested have any observable medical/mental health problems? NO

Has the arrestee shown any escape potential or violence propensity behaviors? NO

Is there any other information about the arrestee that jail personnel need to know? NO

If yes, what?

**Part II of Arrest And Booking Report:**

Arrestee Personal Information: How Long in Jax? 1 yr

Original

Chemical Test Data				
Specimen:				
Blood	Breath	Urine	Unble	None
Analysis Results:			Refused:	
1st	g/210L	TIME:	Blood:	
2nd	g/210L	TIME:	Urine:	
3rd	g/210L	TIME:	Breath:	
Breath Test Instrument:				
Type:	Machine #			
Operator Name and I.D.#				
Date:				

tion By: \_\_\_\_\_

[Redacted]

R



Ronnie Fussell  
Clerk of Circuit Court

**ADD ON DOCKET**

Date: APRIL 1, 2016

Judge: MOSE FLOYD

P/A: SHELDON FORTE

Dis Intox

G W/H ABJ +5LEEA + COST +50CL / +60LGTF  
+3TNC + DOBS + CHT +50SOCIF +65AACC + 20 CSTF  
50SAIEF + RCTF + SRS 530 11/01/106 TO PAY  
MOS.PROB.SAL.ARMY  
COND\$

RONOV

G; wh ady

IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA

STATE OF FLORIDA,  
*Plaintiff,*

VS.

CASE NO.: 16-2016-CF-6391  
DIVISION: CR-B

PERCY ALLEN STUCKS,  
*Defendant.*

---

**MOTION TO INCUR COSTS FOR TRANSCRIPTS**

COMES NOW the Defendant, Percy Allen Stucks, proceeding *pro se*, and hereby respectfully moves this Honorable Court for its Order incurring costs for transcripts taken on the following dates and in furtherance thereof Defendant will show:

- I. March 05, 2018 “Stand Your Ground Hearing”
- II. March 04, 2020

- 1). Defendant is *pro se*, and the court has previously found Defendant indigent for costs.
- 2). Defendant needs the aforementioned transcripts to assist in preparing an adequate defense.
- 3). Defendant request authorization for the fees established by law for a court

reporter in this matter.

**WHEREFORE**, Defendant requests this Court enter an order authorizing Defendant to incur costs for the aforementioned transcripts as set forth above.

Respectfully submitted and served,

/s/ Percy Stucks

Percy Allen Stucks, Appellant, Pro se

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I provided a true and correct copy of the foregoing in to the hands of a jail official for mailing to the Office of the State Attorney, 311 W. Monroe Street, Jacksonville, FL 32202 and to the Duval Clerk of Court on this 21<sup>th</sup> day of April, 2020.

/s/

Percy Stucks  
Percy Allen Stucks, Appellant, Pro se  
Jail No.: 2016081775  
Duval Pretrial Detention Facility  
500 East Adams St.  
Jacksonville, FL 32202

A-311

IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT  
IN AND FOR DUVAL COUNTY, FLORIDA

STATE OF FLORIDA,

CASE NO.: 2016 CF 6391

v.

PERCY ALLEN STUCKS,  
Defendant.

**JUSTICE ADMINISTRATIVE COMMISSION'S RESPONSE  
TO MOTION TO INCUR COSTS FOR TRANSCRIPTS**

COMES NOW, the Justice Administrative Commission ("JAC"), by and through the undersigned attorney and files this response to the above-cited motion as follows:

1. The Defendant is seeking authorization to incur costs to transcribe two hearings held in this matter.
2. JAC can only pay due process costs pursuant to sections 29.007, 27.40, and 27.5304.
3. As directed by section 27.425, Florida Statues and the General Appropriations Act, all due process services should be subject to the Florida Statutes and the JAC contract, policies and procedures. **JAC objects to any compensation rate in excess of established rates.**
4. As for transcripts, JAC has no objection to regular paid rates. The Defendant should only order those transcripts necessary for defense of the case.
5. The uniform statewide rates are set forth in the General Appropriations Act. Court reporting services cannot exceed these rates.
6. If any due process providers desire direct payment, the JAC's policies and procedures require the vendor to execute the appropriate contract and follow JAC's billing and audit procedures to obtain payment.

7. JAC does not request to participate in any hearing set on the motions. Should the Court desire additional input, JAC may be reached toll-free at (866) 355-7902.

WHEREFORE, the JAC requests this Court, should it grant the Defendant's motion, also include in its order the specific due process services authorized, as well as hourly or per unit rates and maximum fees approved, and that the provider be paid in accordance with rates, terms and conditions set forth by Florida Statutes, and the JAC contract, policies and procedures.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been sent by facsimile, email, and/or U.S. Mail on this 8th day of May, 2020 to:

Percy Allen Stucks (Legal Mail)  
No. 2016-18775  
Sent via U.S. Mail

Respectfully submitted,

ANA CRISTINA MARTINEZ  
GENERAL COUNSEL

/s/ Christian D. Lake  
CHRISTIAN D. LAKE  
Assistant General Counsel  
Justice Administrative Commission  
227 North Bronough Street, Suite 2100  
Tallahassee, FL 32301  
Tel.: 850-488-2415  
pleadings@justiceadmin.org  
Florida Bar No.: 0134831

DIVISION OF LICENSING  
(850) 245-5500  
(850) 245-5353 FAX



POST OFFICE BOX 5647  
TALLAHASSEE, FLORIDA 32314-5647  
4040 ESPLANADE WAY, SUITE 135  
TALLAHASSEE, FLORIDA 32399

## FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES COMMISSIONER NICOLE "NIKKI" FRIED

January 28, 2019

Mr. Percy Stucks Jr.  
#2016018775  
500 East Adams Street  
Jacksonville, FL 32202

Dear Mr. Stucks Jr.:

In response to your public records request, enclosed is a copy firearms training certificate for your Concealed Weapon or Firearm License W 1579081 pursuant to Section 790.06, Florida Statutes.

Pursuant to Section 790.0601, Florida Statutes, the personal identifying information of an individual who has applied for or received a license to carry a concealed weapon or firearm is exempt from Section 119.07(1), Florida Statutes and Section 24(a), Article 1 of the State Constitution (the Public Records Law). Accordingly, the information contained in this correspondence is provided to you as the licensee.

Please call me at 850-245-5459 or email me at [DOLPublicRec@FreshFromFlorida.com](mailto:DOLPublicRec@FreshFromFlorida.com) if you need further assistance.

Sincerely,

Ashley Temes  
Records Analyst

Enclosure



☰ severe trauma can be very difficult. New  
Brickel and Associates LLC (<http://brickelandassociates.com>)  
brain research and the hard work of  
survivors provides important insights for  
treatment and hope.

## What Does PTSD Feel Like, and Who Can Experience It?

We often think of PTSD as a risk for  
soldiers, for people fighting in war, or  
those doing military service. Although it is  
a risk for them, PTSD can develop from  
any event that feels overwhelmingly  
threatening or scary to the person  
involved. It can happen to anyone, at any  
age, at home or anywhere.

Domestic violence, rape, child abuse and  
neglect, terrorist attacks, natural  
disasters, car accidents — these are just  
a few of the traumas that can lead to  
PTSD. It can also come from events that  
appear far less dramatic — such as  
ongoing bullying, a playground accident,  
or a medical procedure during childhood.  
It is important to recognize the myth that  
only obviously life-threatening events  
carry the risk of PTSD. Rather, PTSD is  
the result of the reactions and/or  
perceptions of the person traumatized.

The difference between PTSD and other  
types of traumatic experiences is that  
unwanted symptoms stay; they keep  
returning and intruding on one's present  
awareness.

How to Find Healing in  
Relationships After Tra  
uma (<http://brickelandassociates.com/healing-relationships-after-trauma/>)

Do you use drugs and a  
lcohol to manage your  
emotions? (<http://brickelandassociates.com/using-drugs-alcohol-manage-emotions-treating-addicts-as-people-in-pain/>)

More on these topics:

Addiction Treatment and Recovery (<http://brickelandassociates.com/category/addiction-treatment-and-recovery/>)

ADHD (<http://brickelandassociates.com/category/adhd/>)

Adolescents (<http://brickelandassociates.com/category/adolescents/>)

Dating Violence (<http://brickelandassociates.com/category/dating-violence/>)

Depression (<http://brickelandassociates.com/category/depression/>)

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## What are the Warning Signs and Symptoms of PTSD?

PTSD is a specific kind of stress-related disorder, diagnosed by mental health care professionals using a standard guidebook, known as the DSM.

No words can describe the debilitating impact of severe trauma on survivors. But a diagnosis can help people with PTSD seek appropriate treatment.

The DSM lists four clusters of symptoms:

- Flashbacks
- Avoidance
- Negative thoughts and feelings
- Hyperarousal

### Flashbacks

Flashbacks are the reactivated memories, sensations, and emotions that make a life-threatening or perceived threatening or frightening experience seem to be happening again. "Trauma continues to intrude with visual, auditory, and/or other somatic reality on the lives of its victims," explains psychologist Babette Rothschild in her bestselling book *The Body Remembers*. "Again and again they relive the life-threatening experiences they have suffered, reacting in mind and body as though such events were still occurring." Flashbacks may

Domestic Violence (<http://brickelandassociates.com/category/domestic-violence/>)

Mental Illness (<http://brickelandassociates.com/category/mental-illness/>)

Mental Illness Stigma (<http://brickelandassociates.com/category/mental-illness-stigma/>)

Postpartum Depression  
PPD (<http://brickelandassociates.com/category/postpartum-depression-ppd/>)

PTSD (<http://brickelandassociates.com/category/ptsd/>)

Relationships (<http://brickelandassociates.com/category/relationships/>)

Self-care (<http://brickelandassociates.com/category/self-care/>)

Self-Harming Behavior (<http://brickelandassociates.com/category/self-harming-behavior/>)

Sexual Assault (<http://brickelandassociates.com/category/sexual-assault/>)

Suicide (<http://brickelandassociates.com/category/suicide/>)

- ≡ seem to come out of nowhere, or they may be triggered by something incidental in everyday life.

Flashbacks may occur with or without conscious memory of the traumatic event. They may involve memories that a person can recall at will, also known as explicit memories. They may also involve those formed unconsciously such as those that occur in early childhood.

Therapists refer to these as implicit memories, which form mental models of how the world works, even though a person does not recall their origin.

Fortunately, perfect recall is not necessary when working in therapy. When overwhelming feelings occur in situations where they simply don't fit, therapists can still help survivors resolve and manage them.

## Avoidance

Avoidance is a coping strategy for PTSD survivors. Staying out of situations that trigger overwhelming stress is one strategy. Another way to avoid reactivating an experience is by "dissociating" or taking mental leave of the body. This happens to a degree that some PTSD survivors cannot even describe sensations going on. This coping strategy prevents many people with PTSD from living in the present and

Therapists (<http://brickelandassociates.com/cat/egory/therapists/>)

Trauma-Informed Care (<http://brickelandassociates.com/category/trauma-informed-care/>)

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the right to feel safe and to pursue what  
is healthy and meaningful to them.

## Hyperarousal

Some PTSD survivors experience hyperarousal — a feeling of always being on edge. They may feel anxious — become busy all the time, or seem unable to say no. There is intensive energy — a foot is shaking whenever the person tries to relax — or they may overreact at a sound like a balloon popping. They may dread making a mistake for fear something terrible will happen, even if part of them knows it isn't rational.

It is as if the body's self-defense system cannot be turned off. During the "fight, flight or freeze" survival response, the "senses become hypersensitive to better smell, hear, see and taste the danger... in preparation for further assessment and response," explains sensorimotor psychotherapist and author Pat Ogden (<http://worthit2bme.com/fightflightimmobilize/therapeutic-window-of-tolerance/>). "In the ideal resolution of the arousal, the level returns to the parameters of the optimum zone. However, this return to baseline does not always occur, which contributes significantly to the problems with hyperarousal that are characteristic of the traumatized person."

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- Recent studies in neuroscience reveal new connections between brain, body, and the processing of severe trauma. These findings have enabled therapists to develop more effective approaches that help PTSD survivors better manage and resolve hyperarousal.

## Negative Thoughts and Feelings

One of the most difficult symptoms of PTSD is a negatively altered mood. Some people with PTSD may lose interest in things that they want to enjoy, be unable to concentrate, or feel that they are wandering through life like a ghost. It is normal for anyone to get swept up in dark moods at times. But with PTSD treatment, it is possible to learn new ways to cope and observe the waves of emotions without getting lost in them.

No matter how grim things look, know that these symptoms are part of the disorder. Brain research is shedding light on changes in the brain's structure and function following the aftermath of trauma. This information helps explain why emotions and other symptoms occur the way they do. It also leads to treatments that can help PTSD survivors manage symptoms and even strengthen brain structures for the better.

## PTSD and the Brain

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- ☰ Neuroimaging studies have revealed important structural and functional differences between the brains of people with PTSD and the brains of individuals without PTSD. Research has studied changes in three particular parts of the brain and their role in the stress response: the hippocampus, ventromedial prefrontal cortex (ventromedial PFC) and amygdala.-

## The Hippocampus In PTSD Survivors

The hippocampus may change the most after severe traumatic stress. It regulates memory, and the ability to distinguish past from present. It stores and re-activates memories in response to certain stimuli. The hippocampus of PTSD survivors is measurably smaller, and does not separate past and present or read cues from one's surroundings as it otherwise would. This change may explain the experience of flashbacks, or sudden panic attacks. Fortunately new ways to cope can be learned.

## The Amygdala and Ventromedial PFC in PTSD Survivors

The amygdala interacts with ventromedial PFC — the part of the brain involved in response to emotions and self-awareness. This latter area becomes smaller and less able to regulate the amygdala's "fight-or-flight" signals. This

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has conferred upon

Percy Allen Stucks

the degree of

Technical Certificate

Accounting Technology Specialist

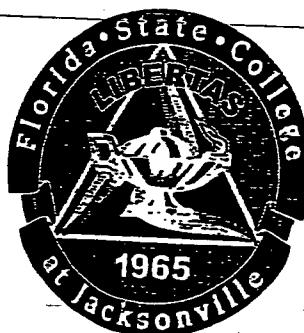
and all the rights, honors, and privileges thereunto appertaining.

In witness whereof, this document, duly signed, has been issued and the  
seal of the College hereunto affixed.

Issued by the Controlling Boards upon the recommendation of the Faculty.

April 29, 2016

*Jane May*  
Chair, District Board of Trustees



*Gethia A. Beotau*  
President

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Florida State College at Jacksonville

has conferred upon

Percy Allen Stucks

the degree of

Technical Certificate

Business Specialist

and all the rights, honors, and privileges thereunto appertaining.

In witness whereof, this document, duly signed, has been issued and the  
seal of the College hereunto affixed.

Issued by the Controlling Boards upon the recommendation of the Faculty.

April 29, 2016

*Jerry May*  
Chair, District Board of Trustees



*Glynnia A. Biotaan*  
President

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RON DE SANTIS  
GOVERNOR

STATE OF FLORIDA  
**Office of the Governor**

THE CAPITOL  
TALLAHASSEE, FLORIDA 32399-0001

[www.flgov.com](http://www.flgov.com)  
850-717-9418

September 13, 2019

Mr. Percy Stucks, Jr.  
Prisoner ID# 2016018775  
500 East Adams West  
Jacksonville, Florida 32202

Dear Mr. Stucks:

Thank you for contacting Governor Ron DeSantis.

The Florida Constitution limits the Governor's intervention in matters that should be resolved through the court system. The person who can best assist you with your legal concerns is an attorney. The Florida Bar offers a Lawyer Referral Service which you may contact by calling toll-free (800) 342-8011, or by writing to 651 East Jefferson Street, Tallahassee, Florida, 32399-2300. You may also visit the Florida Bar's website at [www.floridabar.org](http://www.floridabar.org).

Thank you again for contacting Governor DeSantis.

Sincerely,

A handwritten signature in cursive script that reads "Tyler Andrew".

Tyler Andrew  
Office of Citizen Services  
Executive Office of the Governor

TA/cas

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RON DESSANTIS  
GOVERNOR

STATE OF FLORIDA

# Office of the Governor

THE CAPITOL

TALLAHASSEE, FLORIDA 32399-0001

[www.flgov.com](http://www.flgov.com)

850-717-9418

August 11, 2020

Percy Allen Stucks, Jr.  
2016018775  
500 East Adams Street  
Jacksonville, FL 32202

**Re: Public Records Request**

Dear Mr. Stucks:

Governor Ron DeSantis's Office of Open Government received your request for records, a copy of which is enclosed for your reference. However, The Governor's Office is not the custodian of these records.

Thank you for contacting the Executive Office of the Governor.

Sincerely,

A handwritten signature in black ink that appears to read "Courtney Hendricks".

Courtney Hendricks  
Office of Open Government  
Executive Office of the Governor

Enclosure

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