

7th. Judicial Circuit 707 Charging Affidavit - Volusia

Arrest # _____

Bk # _____

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CF1704157 A01

ARREST ☐ NOTICE TO APPEAR ☐ AFFIDAVIT ☒ C.C. ☐				ADULT ☒ JUVENILE ☐				Court Case Number: 2017302609CFW					
(ORI) FL: 0 6 4 0 1 5 A				Agency Name: Office of the State Attorney-Daytona Bch.				Agency Case Number: SAI-DB-170201001					
FCIC/NCIC Check? Yes ☒ No ☐				OBTS#				UCR:		Date Arrested:		Time of Arrest:	
ADDRESS OF ARREST:								Arrested By:		ID Number:			
DEFENDANT		Name (L,F,M): FERNANDEZ, ALBA, ESPERANZA				A.K.A.: KOHN, BUNNY				Sex: FEMALE		Race: HISPANIC	
DOB: 09/06/1942		Age: 74		Driver's Lic/ID No.: [REDACTED]		State: FL		Year Expires: 2019		S.S. #: [REDACTED]			
Height: 5'2"		Weight: 130		Hair: BROWN		Eyes: BRN		POB (City, St, Country): NEW YORK		Statement: Yes ☒ No ☐		Citizenship: Yes ☒ No ☐	
Scars, Marks, Tattoos: UNKNOWN				Business & Occupation: SELF EMPLOYED									
Probation: Yes ☐ No ☒		Sexual Predator: Yes ☐ No ☒		English: Yes ☒ No ☐		Deaf/Mute: Yes ☐ No ☒							
Address-Mailing/Permanent (STREET, APT. NUMBER) 600 BUTLER BLVD.				(CITY) DAYTONA BEACH		(STATE) FL		ZIPCODE 32118		RESIDENCE PHONE 386-868-9450			
Address-Local (STREET, APT. NUMBER) SAME AS ABOVE				(CITY)		(STATE)		ZIPCODE		RESIDENCE PHONE			
Address-Other(Employer/School) (STREET, APT. NUMBER) SELF EMPLOYED				(CITY)		(STATE)		ZIPCODE		BUS/SCHOOL PHONE			
CHARGES		DOMESTIC VIOLENCE? YES ☐		Attachments: Affidavit(s) ☒ Statement(s) ☒ NTA Schedule ☐ Report ☒ Traffic Infraction(s) ☐ DUI ☐				Total Charges: 12					
#1	Charge: Penalty for assuming name		FEL ☒ MISD ☐ ORD ☐		FS/ORD: 104.24		Citation No.:		Bond:				
#2	Charge: Fraud in connection with casting vote		FEL ☒ MISD ☐ ORD ☐		FS/ORD: 104.041		Citation No.:		Bond:				
#3	Charge: False swearing; submission of false voter registration information		FEL ☒ MISD ☐ ORD ☐		FS/ORD: 104.011		Citation No.:		Bond:				
CO-DEFENDANT		Co-Def #1. Arrested? Y ☐ N ☐ Fel ☐ Misd. ☐ Traf. ☐ Ord. ☐ NTA ☐				Co-Def #2. Arrested? Y ☐ N ☐ Fel. ☐ Misd. ☐ Traf. ☐ Ord. ☐ NTA ☐							
#1 NAME(L,F,M):				Race:		Sex:		DOB:		Age:			
#2 NAME(L,F,M):				Race:		Sex:		DOB:		Age:			
NARRATIVE		The undersigned certifies and swears that there is probable cause to believe the above named defendant, on the <u>March 7, 2016, August 1, 2016, and October 10, 2016</u> day of _____, _____, at approximately _____ ☐ a.m. ☐ p.m. at <u>600 Butler Blvd. Daytona Beach, FL</u> within <u>Volusia</u> County, violated the law and did then and there: 104.24 Penalty for assuming name.—A person may not, in connection with any part of the election process, fraudulently call himself or herself, or fraudulently pass by, any other name than the name by which the person is registered or fraudulently use the name of another in voting. Any person who violates this section is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. And: 104.041 Fraud in connection with casting vote.—Any person perpetrating or attempting to perpetrate or aid in the perpetration of any fraud in connection with any vote cast, to be cast, or attempted to be cast, is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. And: 104.011 False swearing; submission of false voter registration information.—A person who willfully swears or affirms falsely to any oath or affirmation, or willfully procures another person to swear or affirm falsely to an oath or affirmation, in connection with or arising out of voting or elections commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.											
NOTICE TO APPEAR		MANDATORY APPEARANCE ☐		YOU NEED NOT APPEAR IN COURT BUT MUST COMPLY WITH INSTRUCTIONS ON THE REVERSE SIDE OF YOUR COPY ☐				FINE, AND COSTS AMOUNT:					
I AGREE TO APPEAR IN COURT HEREIN TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE INDICATED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED, OR PAY THE LISTED FINE, I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST WILL BE ISSUED.													
SIGNATURE OF DEFENDANT				DATE		RELATIONSHIP TO JUVENILE				Juve Disp.		CITATION No.	
Sworn to and subscribed before me, the undersigned This <u>28th</u> day of <u>March</u> , 2017.				I swear/affirm the above statements are correct and true.		OFFICER'S/COMPLAINANT'S SIGNATURE				JUDGE OF THE CIRCUIT		FILED	
Name: Inv. Eric Savercool #735						NAME(PRINTED) Inv. Richard Brendel				ID NUMBER 719		2017 MAY 22 PM 12:01	
Notary Public ☐ Law Enforcement or Corrections Officer ☒ Personally Known ☒ Produced Identification ☐ Type of Identification:						Inmate Number & facility:							
OFFICIAL USE ONLY													

707 - COURT COPY

Narrative 707-B. Supplement

☐ Arrest
☒ Affidavit
☐ Notice to Appear

☒ Adult
☐ Juvenile

Court Case
Number:

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Defendant Name:

FERNANDEZ, ALBA ESPERANZA

Agency Case Number:

SAI-DB-170201001

CHARGES

DOMESTIC
VIOLENCE?

YES ☐

Attachments: Affidavit(s) ☒ Statement(s) ☒ NTA Schedule ☐ Report ☒ Traffic Infraction(s) ☐

Total

Charges: 12

#	Charge: Casting more than one ballot at any election	FEL ☒ MISD ☐ ORD ☐	FS/ORD: 104.18	Citation No:	Bond:
#	Charge:	FEL ☐ MISD ☐ ORD ☐	FS/ORD:	Citation No:	Bond:
#	Charge:	FEL ☐ MISD ☐ ORD ☐	FS/ORD:	Citation No:	Bond:

And: 104.18 Casting more than one ballot at any election.—Except as provided in s. 101.6952, whoever willfully votes more than one ballot at any election commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

To Wit:

The defendant, Alba E Fernandez, willfully and knowingly assumed the alias of Bunny Kohn. While acting under the alias of Bunny Kohn, the defendant fraudulently applied for and obtained a Florida Voter Registration in the name of Bunny Kohn (September 28, 2000, in Volusia County). While acting under the alias of Bunny Kohn, the defendant voted by Absentee Ballot on the following dates:

March 7, 2016

August 1, 2016

October 10, 2016

On the above dates, the defendant signed the name of Bunny Kohn to the Domestic Voter's Certificate swearing or affirming that the defendant was Bunny Kohn and was a qualified and registered voter of Volusia County.

The defendant voted "early" at the Daytona Beach Regional Library on March 9, 2016, under the name of Alba E Fernandez. The defendant voted by Absentee Ballot, under the name of Alba E Fernandez, on August 1, 2016, and again on October 10, 2016. During these two dates, the defendant signed the name Alba E Fernandez to the Domestic Voter's Certificate swearing or affirming that the defendant was a qualified and registered voter of Volusia County.

On March 24, 2017, the defendant confessed to the above criminal acts during a non-custodial interview conducted at the defendant's residence.

Sworn to and subscribed before me, the undersigned,
this 28th day of MARCH 2017

Name: *Richard Brendel* 735

Notary Public ☐ Law Enforcement Officer ☒
Personally Known ☒ Produced Identification ☐

Type of Identification:

I swear/affirm the above statements are correct and true.

OFFICER'S/COMPLAINANT'S SIGNATURE

NAME (PRINTED)

INV. RICHARD BRENDL

ID NUMBER

719

Right thumb

Witness/Victim/Evidence Form 707-A

☐ Arrest
☒ Affidavit
☐ Notice to Appear

☒ Adult
☐ Juvenile

Court Case
Number:

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Defendant Name: FERNANDEZ, ALBA ESPERANZA		Agency Case Number:		SAI-DB-170201001			
Name (L,F,M): Lewis, Lisa	Vic ☐ Wit ☒	Race:	Sex: M ☐ F ☒	Age:	DOB:	SSN:	
Address (#, Street, City, State): 125 W. New York Avenue DeLand, FL			Zip: 32720	Home Phone:		Statement: Yes ☒ No ☐	
Bus./School Address: Volusia County Supervisor of Elections			Zip:		Bus. Phone: 386-736-5930		
Relative/Contact Name:		Relative/Contact Address:		Phone:			
Name (L,F,M): State Attorney Investigator Baker, Gina	Vic ☐ Wit ☒	Race:	Sex: M ☐ F ☒	Age:	DOB:	SSN:	
Address (#, Street, City, State): 251 N. Ridgewood Avenue Daytona Beach, FL			Zip: 32114	Home Phone:		Statement: Yes ☐ No ☒	
Bus./School Address: Office of the State Attorney, Seventh Judicial Circuit			Zip:		Bus. Phone: 386-239-7710		
Relative/Contact Name:		Relative/Contact Address:		Phone:			
Name (L,F,M):	Vic ☐ Wit ☐	Race:	Sex: M ☐ F ☐	Age:	DOB:	SSN:	
Address (#, Street, City, State):			Zip:	Home Phone:		Statement: Yes ☐ No ☐	
Bus./School Address:			Zip:		Bus. Phone:		
Relative/Contact Name:		Relative/Contact Address:		Phone:			
Name (L,F,M):	Vic ☐ Wit ☐	Race:	Sex: M ☐ F ☐	Age:	DOB:	SSN:	
Address (#, Street, City, State):			Zip:	Home Phone:		Statement: Yes ☐ No ☐	
Bus./School Address:			Zip:		Bus. Phone:		
Relative/Contact Name:		Relative/Contact Address:		Phone:			
Name (L,F,M):	Vic ☐ Wit ☐	Race:	Sex: M ☐ F ☐	Age:	DOB:	SSN:	
Address (#, Street, City, State):			Zip:	Home Phone:		Statement: Yes ☐ No ☐	
Bus./School Address:			Zip:		Bus. Phone:		
Relative/Contact Name:		Relative/Contact Address:		Phone:			
Name (L,F,M):	Vic ☐ Wit ☐	Race:	Sex: M ☐ F ☐	Age:	DOB:	SSN:	
Address (#, Street, City, State):			Zip:	Home Phone:		Statement: Yes ☐ No ☐	
Bus./School Address:			Zip:		Bus. Phone:		
Relative/Contact Name:		Relative/Contact Address:		Phone:			
Name (L,F,M):	Vic ☐ Wit ☐	Race:	Sex: M ☐ F ☐	Age:	DOB:	SSN:	
Address (#, Street, City, State):			Zip:	Home Phone:		Statement: Yes ☐ No ☐	
Bus./School Address:			Zip:		Bus. Phone:		
Relative/Contact Name:		Relative/Contact Address:		Phone:			

EVIDENCE COLLECTED

Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Owner(Name) (Address)		(Phone)	Value
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Owner(Name) (Address)		(Phone)	Value
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount

I certify that the foregoing is a complete list of witnesses/victims & evidence known to me.

Investigating Officer

ID Number

Agency

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5A719

STATE ATTORNEY'S OFFICE