UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

FREDERICK STICKNEY,

Plaintiff,

vs.

LT. KIM SPADARO, et al.,

Defendants.
_____/

CASE NO: 11-60557-CIV-JORDAN
Magistrate Judge P.A. WHITE

DEFENDANTS' OMNIBUS NOTICE OF FILING MULTIPLE DOCUMENTS AND EXHIBITS IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT

COMES NOW the Defendants, LT. COL. KIM SPADARO, DETECTIVE FAIRCLOTH and KATHLEEN CASEY, by and through their undersigned attorneys, and pursuant to S.D. Fla. L.R. 5.1(d), hereby serves notice of filing of the following items in support of their Motion for Summary Judgment:

1. Probable Cause Affidavit of Officer Pena;
2. Probable Cause Affidavit of Detective Copley;
3. BSO Investigative Action Report Armed Carjacking;
4. Court Disposition Order Case No.: 10-03065CF10A;
5. BSO Investigative Action Report Burglary-Residence Armed;
6. Peoples Pawn Receipt;
7. BSO Affidavit for and Order to produce Cellular Records;
8. BSO Crime Lab Report;
9. Court Disposition Order, Case No.: 10-7938CF10A

10. Affidavit of Kathleen Casey

11. Affidavit of Detective Ronald Faircloth

12. Transcript of Telephone Calls

Dated: March 27, 2012

Respectfully submitted,

BY: */s/ Robert D. Yates*

ROBERT D. YATES, Esq.
Florida Bar No. 090387
ROBERT D. YATES, P.A.
208 SE 6th St.
Fort Lauderdale, FL 33301
(954) 467-5700
(954) 467-5810 Fax
E-mail fbcsy@bellsouth.net

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 27, 2012, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or *pro se* parties identical on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

BY:/s/ *Robert D. Yates*
Robert D. Yates, Esq.
FBN #090387

SERVICE LIST

United States District Court, Southern District of Florida

STICKNEY v. LT. KIM SPADARO, et al.
CASE NO: : 11-60557-CIV-JORDAN
Magistrate Judge: Patrick A. White

Frederick Stickney, *pro se*
Inmate: # 182791
Calhoun Correctional Institution
19562 SE Institution Drive
Blountstown, FL 32424
via U.S. Mail

Robert D. Yates, Esq.
e-mail: FBCSY@bellsouth.net
ROBERT D. YATES, P.A.
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(954) 467-5700
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Attorney for Defendants
via CM/ECF

Fredrick Stickney vs. Lt. Kim Spardaro, et al.
CASE NO.: 11-60557-CIV-JORDAN
Magistrate Judge P.A. WHITE

DEFENDANTS' OMNIBUS NOTICE OF FILING MULTIPLE DOCUMENTS AND EXHIBITS IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT

Exhibit "1"
Probable Cause Affidavit of Officer Pena

LL10-02-1420

Broward County Arrest Number

☐ COMPLAINT AFFIDAVIT

SHADED FIELDS MUST BE ANSWERED IF DIFFERENT NOT IN CUSTODY OBTS. #

☐ Arrest Form

Filing Agency	Offense Report #	Local I.D. #	F.D.L.E. #	F.B.I. #	Social Security #
LAUDERHILL POLICE	1002-3742				

Defendant's Name - Last, First, Middle	Suf	Alias / Street Name	Citizenship
STICKNEY, FREDRICK		UNKNOWN	USA

Race	Sex	Height	Eyes	Hair	Weight	Comp.	Age	Date of Birth	Birth Place	Scars, Marks, Tattoos
B	M	601	BRO	BLK	190	DRK	44	05-27-65	NEW YORK	MULTI

Permanent Address: 4881 GRIFFIN RD # 303, DAVIE, FL 33314

Local Address: SAME

RESIDENCE TYPE: ☐ CITY ☒ COUNTY ☐ FLORIDA ☐ OUT-OF-STATE

Place of Employment: NONE — Length: 0

How Long Defendant in Broward County	Breathalyzer By / CCN#	Reading	Place of Arrest	Date & Time of Arrest	Arresting Officer & CCN#
Years 10 Months 0			2400 NW 55 TER	2/18/10 @ 2231	A. PENA #390

Deputy Injured	Unit	Zone	Beat	Shift	Unit Transporting Prisoner	Transporting Officer & CCN#	Pick up Time -	Drug Type
☐ Yes ☒ No	29	36		A	2122	A. PENA #390	Time Arrived at BSO	N

TYPE: N-NA, A-AMPHETAMINE, B-BARBITURATE, C-COCAINE, E-HEROIN, H-HALLUCINOGEN, M-MARIJUANA, O-OPIUM, P-PARAPHERNALIA EQUIPMENT, S-SYNTHETIC, U-UNKNOWN, Z-OTHER

ACTIVITY: N

ACTIVITY: N-NA, P-POSSESS, S-SELL, B-BUY, T-TRAFFIC, M-SMUGGLE, D-DELIVER, E-USE, N-MANUFACTURE/PRODUCE/CULTIVATE, K-DISPENSE/DISTRIBUTE, Z-OTHER

INDICATION OF: ALCOHOL INFLUENCE, DRUG INFLUENCE — Y ☐ N ☒ UK ☐

Defendant's Vehicle

Attach Defendants Photo

Year: 2007 — Color: WHITE

Make: HONDA — Tag #: 938YAW

Model / Type: PILOT — VIN #: 5FNYF28587B017945

Vehicle Towed to: WEST WAY

NAME OF VICTIM (IF CORPORATION, EXACT LEGAL NAME AND STATE OF INCORP.) — ADDRESS — PHONE #

#1) [redacted] YOUNG — [redacted]

#2) STATE OF FLORIDA — ON FILE

Count Number	Offenses Charged	Citation # if Applicable	F.S. # or Caplas / Warrant #
1	GRAND THEFT AUTO		812.014-2c6
2	AGGRAVATED FLEEING TO ELUDE OFFICERS		316.1935(3)(a)
3	RESIST POLICE K9 WITH VIOLENCE		843.01
4	RESIST OFFICER WITHOUT VIOLENCE		843.02

PROBABLE CAUSE AFFIDAVIT

Before me this date personally appeared, OFFICER A. PENA #390 who being first duly sworn deposes and says that on 18, day FEBRUARY, 2010 at 2700 NW 56 AVE (crime location) the above named defendant committed the above offenses (s) charged and the facts showing probable cause to believe same are as follows:

On Thursday February 18, 2010 at approximately 2218 hours, the defendant committed the following offenses at the 2700 block of NW 56 AVE, located within the jurisdictional limits of the City of Lauderhill, County of Broward, and State of Florida.

Count #1) Grand Theft Auto – To Wit: The defendant was in control and possession of the listed vehicle. The defendant was unlawfully operating the listed vehicle with knowledge that the vehicle was stolen. Once placed into handcuffs, the defendant made several spontaneous statements regarding the vehicle; "I didn't steal the vehicle, but I knew it was hot (stolen). I was stuck in Miami and needed to find a way home and this guy gave me the car. I'm not gonna lie to ya, the guy told me the car was hot (stolen) when he gave me the keys. You guys need to arrest the other guy not me." The vehicle was reported stolen from 3530 NW 52 AVE Lauderdale Lakes, FL 33313 under Lauderdale Lakes case number LL10-02-01420.

Count #2) Aggravated Fleeing to Elude Officers – To Wit: K9 Officer Levy activated his overhead emergency equipment in order to stop the defendant's vehicle. The defendant continued driving through the Publix Shopping Plaza at about the 5700 block of W. Oakland Park Blvd. The defendant abruptly turned his vehicle to the right (southbound) and accelerated towards W. Oakland Park Blvd. As a result of this action, the defendant drove over a median in order to avoid crashing into a marked police vehicle. Once the defendant reached

I swear the above statement is correct and true to the best of my knowledge and belief.

Officer / Affiant's Signature	Officer Name	Officer CCN#	Officer Division
	A. PENA	390	PATROL

STATE OF FLORIDA, COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 18 day of FEBRUARY, 2010 who is personally known to me or who has produced (ID type) POLICE as identification and who DID (Did or Did Not) take an oath.

(SEAL or STAMP)

Deputy Clerk of the Court, Notary Public, or Assistant State Attorney — Title or Rank / CCN

Seventeenth Judicial Circuit
Broward County
State of Florida

First Appearance / Arrest Form

Broward County
Arrest Number

☐ COMPLAINT AFFIDAVIT
SHADED FIELDS MUST BE ANSWERED IF DIFFERENT NOT IN CUSTODY OBTS. #

☒ Arrest Form

Defendant's Last Name, First, Middle	Suf.	Height	Weight	Race	Sex	Date of Birth	Offense Report #	Arresting Officer CCN#
STICKNEY, FREDRICK		601	190	B	M	05/27/19	1002-3742	PENA #390

NAME OF VICTIM (IF CORPORATION, EXACT LEGAL NAME AND STATE OF INCORP.) ADDRESS PHONE #
#1) SEE PAGE ONE
#2)

Count Number	Offenses Charged	Citation # if Applicable	F.S. # or Capias / Warrant #
	SEE PAGE ONE		

PROBABLE CAUSE AFFIDAVIT

Before me this date personally appeared, OFFICER A. PENA #390 who being first duly sworn deposes and sane that on 18 day FEBRUARY, 2010 at 2700 NW 56 AVE (crime location) the above named defendant committed the above offenses (s) charged and the facts showing probable cause to believe same are as follows:

W. Oakland Park Blvd., he drove eastbound in the westbound lanes of traffic. The defendant then drove over a center median, entering the eastbound lanes. This action caused the regular flow of traffic to abruptly stop. The defendant continued to operate his vehicle In a reckless manner with no regard for the safety of others southbound on NW 56 AVE. The defendant was traveling at speeds exceeding 60 mph in a residential 25 mph zone. The defendant continued these reckless acts as he proceeded eastbound on NW 25 ST. The defendant ultimately jumped out of the vehicle while it was still in motion at the 2400 block of NW 55 Ter. The vehicle continued its path of travel and came to rest after striking a tree.

Count #3) Resist a Police K9 with violence – The defendant struck a Police K9 several times with a closed fist.

Count #4) Resist Police Officer Without Violence – The defendant jumped out of the vehicle while it was still in motion and ran eastbound through residential buildings. He was later located by Lauderhill K9 officers and taken into custody.

I swear the above statement is correct and true to the best of my knowledge and belief.

Officer / Affiant's Signature	Officer Name	Officer CCN#	Officer Division
	A. PENA	390	PATROL

STATE OF FLORIDA, COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 18 day of FEBRUARY, 2010 who is personally known to me or who has produced (ID type) POLICE as identification and who DID (Did or Did Not) take an oath.

(SEAL or STAMP)

Deputy Clerk of the Court, Notary Public, or Assistant State Attorney
Seventeenth Judicial Circuit
Broward County
State of Florida

Title or Rank / CCN

Fredrick Stickney vs. Lt. Kim Spardaro, et al.
CASE NO.: 11-60557-CIV-JORDAN
Magistrate Judge P.A. WHITE

DEFENDANTS' OMNIBUS NOTICE OF FILING MULTIPLE DOCUMENTS AND EXHIBITS IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT

Exhibit "2"
Probable Cause Affidavit of Detective Copley

☐ COMPLAINT AFFIDAVIT
SHADED FIELDS MUST BE ANSWERED IF DEFENDANT NOT IN CUSTODY

BROWARD COUNTY ARREST # *ADD ON CHARGE*

☒ ARREST FORM

OBTS #

Filing Agency	Offense Report	Local ID #	FDLE	FBI	SS#
BROWARD SHERIFF'S	LL10-02-1420				079-60-5073

Defendant's Last Name	First	Middle	Suff	Alias Street Name	Citizenship
Stickney	Fredrick				USA

Race	Sex	Hgt	Eyes	Hair	Wgt	Comp	Age	DOB	Birthplace	Scars, marks, TT
B	M	6'1"	Br	Bl	190	Med	44	5/27/65	New York	

Permanent Address: 5075 NW 36 STREET APT 216 LAUDERDALE LAKES

Local Address: SAME

Residence Type: (1) City ☐ (2) County ☒ (3) Florida ☐ (4) Out of State ☐

Place of Employment: Unemployed — Length:

How long defendant in Broward County	Breathalyser by CCN	Reading	Place of Arrest	Date / Time arrested	Arresting Officer CCN
10 yrs	N/A	N/A	Add on Charge	2/24/10 1300	M. Copley #9483

Deputy Injured	Unit	Zone	Beat	Shift	Trans. Unit	PMD	Transporting Deputy CCN	Pick-up time:	Drug Type
☐ Yes ☒ No						Y ☐ N ☐		Time arrived at BSO:	N

Type: N-N/a, A-Amphetamine, B-Barbiturate, C-Cocaine, E-Heroine, H-Hallucinogen, M-Marijuana, O-Opium, P-Psychotropic/Equipment, S-Synthetic, U-Unknown, Z-Other

Activity: N

Activity: N-NA, P-Possession, S-Sell, B-Buy, T-Traffic, A-Smuggle, D-Deliver, E-Use, M-Manufacture, Production of cultivate, X-Dispense/Distribute, Z-Other

Indication of:	Y	N	UNK
Alcohol Inf.	☐	☐	☒
Drug Inf.	☐	☐	☒
	☐	☐	☒

Defendant's Vehicle make: Type: Year: Color: ___ VIN#: ___

Attach Defendant's Photo

Vehicle towed to: Tag #

Other Identifiers or remarks

Name of Victim(s) (If corporation, exact legal name and state of incorporation)
[redacted] Young

Count #	Offense Charged	Citation # if Applicable	FS or Capias/Warrant #
1	Armed Robbery with a Firearm LFY		F.S#812.13(2a)

Probable Cause Affidavit

Before me this date personally appeared DETECTIVE MARK COPLEY #9483 Who being first duly sworn deposes and says that on 18 Day of FEB , 200 at 3530 NW 52 Ave Lauderdale Lake (crime location) the above named Defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows:

On 2/18/10 at 4:45 A.M. the listed victim was delivering newspapers in his white Honda Pilot Fl. Tag 938 YAW at 3530 NW 52 Ave Lauderdale Lakes. As the victim was delivering his papers, a black male approached him, pointed a handgun at his face, and demanded his wallet and car keys. The victim stated he was in fear for his life so he gave the armed subject his wallet (containing credit cards) car keys, then exited his vehicle. The subject then demanded that the victim run down the street. The victim then called BSO. Dep. Abrams placed the victim's vehicle into teletype as stolen taken during an Armed Carjacking.

On 2/18/10 at 10:18 P.M. Lauderhill Police Officers located the victim's Honda Pilot at 2700 NW 56 Ave Lauderhill. The driver, and lone occupant of the Honda Pilot, fled from the Lauderhill Ofc.'s then he crashed the vehicle and bailed out and ran. The driver, def: Fredrick Stickney was caught by the K-9 unit and arrested. Post Miranda, Pickney admitted that he knew the vehicle was stolen, but he was not the person who committed the Armed Carjacking. **(CONTINUED Page 2)**

I swear the above statement is correct and true to the best of my knowledge and belief.

Det Mark Copley — Deputy's/Affiant's Signature

Det. M. Copley #9483 — Deputy's Name/CCN

Investigations — Division

STATE OF Florida COUNTY OF Broward

The forgoing instrument was acknowledged before me this 24 Day of Feb , 200 who is personally known to me or who did produce (ID type) KNOWN As identification and who DID (did or did not) take an oath

DEPUTY CLERK OF THE COURT, NOTARY PUBLIC, OR ASSISTANT STATE ATTORNEY

SGT 106 59 — TITLE OR RANK/CCN

SEVENTEENTH JUDICIAL CIRCUIT
BROWRD COUNTY
STATE OF FLORIDA

FIRST APPEARANCE/ARREST FORM

(ATTACH ADDITIONAL SPACE IF NEEDED USE THE PROBABLE CAUSE AFFIDAVIT CONTINUATION)

Distribution
Original - Court
2nd State Attorney
3rd Filing Agency
4th Arresting Agency

☐ COMPLAINT AFFIDAVIT
PROBABLE CAUSE CONTINUATION

BROWARD COUNTY
ARREST #

** Add on Charge **

OBTS #

☐ ARREST FORM

Defendant's Last Name	First	Middle	SUF		Offense Report	Arresting Officer(s) CCN
Stickney	Fredrick				LL10-02-1	Copley 9483

Name of Victim(s) (If corporation, exact legal name and state of incorporation)
Richard Young

Count #	Offense Charged	Citation # if Applicable	FS or Capias/Warrant #
	SEE PAGE 1		

Probable Cause Affidavit

Before me this date personally appeared Det. Mark Copley #9483 who being first duly sworn deposes and says that on 18 Day of Feb , 200 at 3530 NW 52 Ave Lauderdale Lakes (crime location) the above named defendant committed the above offenses charged and the facts showing probable cause I believe the same are as follows:

The investigation revealed that the victim's debit cards were used 2/18/10, at 6:09 A.M. in Dade County; approximately 1 hour and 24 minutes after the Armed Carjacking. The subject attempted to use the victim's debit card at the Chase Bank located at 1790 NE Miami Gardens Drive Miami Fl. I was able to obtain still photos from the Chase Bank where the subject is seen walking from the victim's carjacked white Honda Pilot and walking towards the ATM machine, then using the victim's debit card. Photos of the subject's face were also taken at the ATM machine. I met with the victim and showed him the photos. He identified the subject at the Chase Bank's ATM machine as the same subject who robbed him at gunpoint.

I met with Fredrick Stickney's brother (Gregory Stickney), and his sister (Sherri Stickney) at different times. I showed them the photos of the subject who is seen using the victim's debit card at the Chase Bank 2/18/10 at 6:09 A.M. They both stated with 100% certainty that the subject was their brother; Fredrick Stickney.

It should be noted that the def. was staying at an abandoned apt at 5075 NW 36 Street Lauderdale Lakes which is approximately a third of a mile from the crime scene at 3530 NW 52 Ave Lauderdale Lakes.

Jail call records from when this def. was incarcerated at the B.S.O. main jail were also recovered. On 2/19/10 at 6:04 P.M. this def. states on record that he got rid of the gun and "they" only got him in a stolen car and fleeing.

The night of 2/18/10 and just after this def. was arrested in the Honda Pilot, a photo lineup was shown to the victim. The photos were in black/white, and were an older photo of Stickney. The victim tentatively identified this def. from a photo lineup. Since Stickney has been incarcerated, the victim stated he pulled up his new photo and is confident that this def. is the same person who stuck the gun in his face and who robbed him of his wallet and vehicle.

I swear the above statement is correct and true to the best of my knowledge and belief.

Det. Mark Copley
Deputy's / Affiant's Signature

Det. M. Copley #9483
Deputy's Name / CCN

Investigations
Officer's Division

STATE OF Florida COUNTY OF Broward

The foregoing instrument was acknowledged before me this 24 Day of Feb 2010 who is personally known to me or who did produce (ID type) KNOWN As identification and who DID or DID NOT take an oath.

DEPUTY CLERK OF THE COURT, NOTARY PUBLIC OR ASSISTANT STATE ATTORNEY

Sgt 1066
TITLE OR RANK/CCN

SEVENTEENTH JUDICIAL CIRCUIT
BROWRD COUNTY
STATE OF FLORIDA

FIRST APPEARANCE/ARREST FORM

(SHOULD ADDITIONAL SPACE BE NEEDED, USE THE PROBABLE CAUSE AFFIDAVIT CONTINUATION)

Distribution
Original – Court
2nd State Attorney
3rd Filing Agency
4th Arresting Agency

Fredrick Stickney vs. Lt. Kim Spardaro, et al.
CASE NO.: 11-60557-CIV-JORDAN
Magistrate Judge P.A. WHITE

DEFENDANTS' OMNIBUS NOTICE OF FILING MULTIPLE DOCUMENTS AND EXHIBITS IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT

Exhibit "3"
BSO Investigative Action Report Armed Carjacking

Pride in Service with Integrity

SHERIFF'S OFFICE - BROWARD COUNTY, FLORIDA

Investigative Action Report

Pride in Service with Integrity

Case: LL10-02-1420 **Zone:** 403 **Offense: Armed Carjacking**

CONTACT INFORMATION:

SUSPECT 1: B/M Frederick Stickney 5/27/1965 5075 NW 36 Street Apt D216 Lauderdale Lakes. Ph. 954-627-4464. Was caught in the victim's white Honda Pilot

SUSPECT 2: N/A

PERSON REPORTING:

VICTIM 1: B/N [redacted] Young [redacted] Coconut Creek Fl. (Was carjacked of his white Honda Pilot Fl tag 938 YAW, and also had his wallet/credit cards taken).

WITNESS 1: B/M Gregory Stickney 5/07/1967 2750 NW 56 Ave Apt 221 Lauderhill Fl. 954-861-9329. (He identified his brother, Frederick Stickney, as the person who on 2/18/10 6:09 A.M. is at the teller 24 machine at the Chase Bank; 1790 NE Miami Gardens Drive).

WITNESS 2: B/F Sherri Stickney 1/17/1964 2910 NW 56 Ave Apt 101 Lauderhill Fl. 954-604-8528. (She identified her brother, Frederick Stickney, as the person who on 2/18/10 6:09 A.M. is at the teller 24 machine at the Chase Bank; 1790 NE Miami Gardens Drive).

WITNESS 3: B/M Osbourne Hudson 12/21/1952 3520 NW 50 Ave P305 Lauderdale Lakes Fl. (The maintenance man at Hawaiian Palm Apartments. He stated Frederick Stickney was staying at the abandoned apt at 5075 NW 36 Street Apt D216 up until the time of the carjacking.)

VEHICLE:

YEAR: 2007 white
MAKE: Honda
MODEL: Pilot
VIN: 5FNYF28587B017945
FL REGISTRATION: 938 YAW

LAW ENFORCEMENT WITNESSES:

Deputy Name/CCN: **Detective Mark Copley # 9483**
Assignment: **Broward Sheriff's Office Regional Investigations Robbery Unit**
Address: **2601 West Broward Blvd. Ft Lauderdale Fl. 33312**
Telephone Number: **(954) 321-4738**

CASE STATUS: C/A XX EX/C	UNF	P-C/A P/ACTIVE P/I
Detective Mark Copley CCN 9483 Sign: Mark Copley Print: Det. Mark Copley 9483	Date: 3/12/10 Page 1	Supervisor Adam Rubin CCN 10689 Sign: Print:

SHERIFF'S OFFICE - BROWARD COUNTY, FLORIDA

Investigative Action Report

Pride in Service with Integrity

Case: LL10-02-1420 **Zone:** 403 **Offense: Armed Carjacking**

CASE SYNOPSIS:

On 2/18/10 at 4:55 A.M. Deputy Abrams responded to 4800 NW 35 Street Lauderdale Lakes in reference to an Armed Robbery which had just taken place. At the scene, Dep. Abrams met with the Armed Robbery victim; Richard Young. Young stated he was delivering newspapers in his 2007 white Honda Pilot Fl tag 938 YAW at 3530 NW 52 Ave Lauderdale Lakes. He stated while he was delivering his newspapers, a black male approached him, pointed a handgun at him, and demanded his wallet and keys to his vehicle. Young stated he was in fear for his life so he gave the armed subject his property. The subject then demanded that Young run down the street. After running down the street, Young found an elevator phone and dialed 911. Deputy Abrams then completed the original report and listed Young's white Honda Pilot into teletype as stolen and taken in an Armed Robbery/Carjacking. See Deputy Abrams original report for details.

On 2/18/10 at 10:18 P.M. Lauderhill Police Officers located Young's Honda Pilot Fl tag 938 YAW at 2700 NW 56 Ave Lauderhill. The driver, and lone occupant of the vehicle, fled from the officers and bailed out of the vehicle at 2400 NW 55 Terr Lauderhill. The driver, Frederick Stickney was caught by the K-9 unit and then arrested. See the Lauderhill Police records for details on the arrest of Stickney; case 1002-3742.

After Young's vehicle was recovered, and Stickney had been arrested, I was called out to handle the investigation.

INVESTIGATION:

On 2/18/10 at 11:00 P.M. the duty officer called me and requested that I respond to the Lauderhill Police Dept in reference to this Armed Robbery/Carjacking.

While I was en-route to the Lauderhill Police Dept., BSO Dist 4 Road Sgt J. Tramonte called me. She provided me with the subject's name (Frederick Stickney) and the Armed Robbery case # LL10-02-1420. I told Sgt Tramonte that I would meet her at the District 4 Office.

At 11:29 P.M. I arrived at Dist 4 where I was given a copy of this Armed Robbery/Carjacking report. I read the report to find out what happened in this case, then called the victim; [redacted]

CASE STATUS:	C/A XX	EX/C	UNF	P-C/A	P/ACTIVE	P/I
Detective Mark Copley CCN 9483 Sign: Mark Copley Print: Det. Mark Copley 9483			Date: 3/12/10 Page 2	Supervisor Adam Rubin CCN 10689 Sign: Print:		

SHERIFF'S OFFICE - BROWARD COUNTY, FLORIDA

Investigative Action Report

Pride in Service with Integrity

Case: LL10-02-1420 **Zone:** 403 **Offense: Armed Carjacking**

Young. I asked Young if he would respond to the Dist 4 Office to look at a photo lineup. Young stated he would come in to meet with me.

I then put together a photo lineup which included an old photo of Frederick Stickney. The photo lineup was done in black and white as no color printers were available in the District at the time.

On 2/19/10 at 12:10 A.M. Young arrived at the District Office. He told me the subject who robbed him at gunpoint was a black male in his 40's, 5'11" 165 lbs. He also stated he contacted his credit and debit card companies and found out that the subject attempted to use his debit card several times, just after the robbery, in Dade County. He stated the subject attempted to use his debit card 2/18/10 (6:09 A.M.) at 1790 NE Miami Gardens Drive and also at 6:13 A.M. at 1700 NE Miami Gardens Drive. It should be noted that Young later e-mailed me the dates, times, and locations that the subject attempted to use his debit and credit cards.

At 12:25 A.M. I had Deputy Jesus Jordan show Young the photo lineup. Young stated that photos 3 and 5 (one of those being Frederick Stickney) looked familiar.

After I met and spoke with Young, I responded to the Lauderhill Police Dept. I met with Officer Pena # 390 and Frederick Stickney in the jail cell area. I asked Ofc Pena if he was finished with his probable cause affidavit so I could interview Stickney. Ofc Pena stated I could interview Stickney back at Dist 4 do to the fact that he was not able to get into his detective bureau. I then requested that a marked BSO unit respond to the Lauderhill Police Dept and transport Stickney back to BSO Dist 4.

At 1:30 A.M. I placed Frederick Stickney into a video recorded interview room. The entire interview I had with Stickney was video and audio recorded. At 1:35 A.M. I went over Stickney's Miranda Rights, which he waived. (5:45 in the interview) Stickney tells me that he stays with his mother at 4881 Griffin Rd. (16:55) Stickney stated that he knew the car he was in, was stolen. (17:40) Stickney stated that he had been in Miami since Wednesday; 2/17/10. (19:50) he stated that he got the Honda Pilot from another guy Thursday around 8-9 P.M. He stated he got the car in Miami. (22:45) he again stated that he knew the car was stolen and he was just trying to get away. (30:25) Stickney stated that he didn't have anything to do with this and wasn't even in Broward County when it happened. (45:30) he stated that I would not see him on video using the victim's credit or debit cards. See Stickney's video recorded interview for details.

CASE STATUS: C/A XX EX/C UNF		P-C/A P/ACTIVE P/I
Detective Mark Copley CCN 9483 Sign: Mark Copley Print: Det. Mark Copley 9483	Date: 3/12/10 Page 3	Supervisor **Adam Rubin** CCN 10689 Sign: Print:

SHERIFF'S OFFICE - BROWARD COUNTY, FLORIDA

Investigative Action Report

Pride in Service with Integrity

Case: LL10-02-1420 **Zone:** 403 **Offense: Armed Carjacking**

After interviewing Stickney, I collected his black knit hat. It should be noted that I later recovered photos of Stickney where he is seen using the victim's debit card. In the photos he is seen wearing a black knit hat.

Stickney was then transported to the main jail on Lauderhill Police Dept's charges: Grand Theft Auto, Aggravated Fleeing, Resisting K-9 with Violence, and Resisting an Officer without Violence. I did not charge Stickney with the Armed Robbery Carjacking at this time as Young was not 100% positive of his identification, and I had no other information to prove he was the Armed Robbery/Carjacking subject.

On 2/19/10 at 10:30 A.M. Tec Support (Chris Ramsuer) and I responded to 1700 NE Miami Gardens Drive (Publix) and also 1790 NE Miami Gardens Drive (Chase Bank). We were able to pull the video surveillance from Publix when the subject is seen using the victim's debit card. (See photos). We responded to the Chase Bank to pull the video but their video surveillance is off site. I was able to contact Regina A Bailey [regina.a.bailey@jpmchase.com] from Chase Bank. She was later able to send me photos of the subject, who is seen using the victim's debit card. It should be noted that the photos from the ATM machine are of good quality. The subject is also seen walking away from a white Honda Pilot; later identified as the victims Honda Pilot.

[redacted] Young also told me his credit card company told him the subject tried using his debit card 2/18/10 at 4:54 P.M. The subject called Papa Johns located at 2900 North SR7 Lauderdale Lakes; (954) 730-7272. The subject attempted to use the victim's debit card to purchase $31.92 worth of beer, wings and pizza. The subject placed the order from phone (954) 627-4464 and had the order delivered to 5075 NW 36 Street D216. It should be noted that it was later learned that 954-627-4464 belonged to Fredrick Stickney and his residence where he was staying was 5075 NW 36 Street D216. The order was delivered, but no-one ever picked up the order. See the Papa Johns receipt for details on the order.

On 2/19/10, Robbery Apprehension Specialist Lisa Ehrhart processed and took photos of Young's white Honda Pilot. See her report and photos for details.

On 2/23/10 at 11:50 A.M. I met with and took a statement from Gregory Stickney at the Dist 4 Office. I showed Stickney the photos I had of the subject who is seen using the victim's debit card at the Chase Bank 2/18/10; 6:09 A.M. Gregory stated with 100% certainty that the subject was his

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brother; Fredrick Stickney. Gregory confirmed that his brother was staying at his abandoned apt at 5075 NW 36 Street D216. He also gave me his brother's cell phone: 954-627-4464. Gregory circled and signed the photos I had from the Chase Bank identifying his brother; Fredrick Stickney. See Gregory Stickney's transcribed statement for details.

On 2/23/10, I received a phone call from Det Faircloth. He stated he was working another case against Fredrick Stickney and had already pulled his jail phone call recordings. He stated that Fredrick Stickney made a call from jail on 2/19/10 at 6:04 p.m. In the recording, Stickney states that he got rid of the gun and "they" only got him in a stolen car and fleeing. Listen to the jail phone call recordings for details; Second recording (6:04 P.M.) 1 minute and 55 seconds into the phone conversation.

On 2/23/10 I typed up a court order for phone: 954-627-4464. It should be noted that I later received the phone records. The phone subscriber is; Fredrick Stickney. It was also determined from the cell site locations that Fredrick Stickney's cell phone was in Broward County at the time of the Carjacking; contrary to what he told me in his interview. From the phone records it can be determined that on 2/18/10 at 2:12 A.M. his phone was in the area of the crime scene. On 2/18/10 at 4:57 A.M. Stickney's phone is near I95 and Davie Road. At 4:58 A.M. his phone is in the area of I95 and SR84. At 6:11 A.M. his cell phone is in the area of 1700 and 1790 NE Miami Gardens Drive which is where he is seen using the victim's debit card. See the cell site locations for details.

On 2/23/10, at 4:53 P.M. I met with and took a statement from [redacted] Young. Young goes into detail what happened during the Armed Robbery and states that the subject who robbed him was a black male, late 40's to early 50's, wearing all black clothing. He stated that the jail (VIN) had already called him and gave him the name of the subject; Fredrick Stickney. Young stated he pulled up Stickney's jail photo and was confident that he was the same person who robbed him at gunpoint. It should be noted that I did show Young a black and white photo lineup the early morning of 2/19/10 which included an older photo of Stickney. In that lineup, Young tentatively identified Stickney. I showed Young the still photos I had from the Chase Bank. Young stated the subject who is seen using his debit card appeared to be the same subject who robbed him at gunpoint. He stated not only was he in fear for his life at the time of the Armed Robbery, but he is still in great fear because the subject took all of his identification and knows where he lives. See Young's transcribed statement for details.

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On 2/23/10, at 6:46 P.M. I met with and took a statement from Sherri Stickney. She also identified her brother (Fredrick Stickney) as the person who is seen using the victim's debit card 2/18/10, 6:09 A.M. at the Chase Bank; 1790 NE Miami Gardens Drive Miami. Sherri stated she was 2000% confident that it was Fredrick at the ATM machine. She also circled and signed the ATM photos identifying her brother. See her transcribed statement for details.

On 2/24/10, I completed a probable cause affidavit charging Stickney with this Armed Robbery. At the time I dropped off the add on charge, I still did not have Stickney's cell phone records which showed he was in Broward at the time of the Armed Robbery/Carjacking and in Dade County when he is using Young's debit cards. See the probable cause affidavit for details.

On 3/05/10, Det Hierrezuelo and I went to the main jail. We took photos of the tan boots which were in Fredrick Stickney's property. These were the boots that Stickney had on at the time of his arrest. It should be noted that the tan in color boots appear to be the same boots that Stickney wore when he is seen leaving the victim's Honda Pilot, and then using the victim's debit card. See the photos for details. After taking the photos, Det Hierrezuelo and I went to interview Stickney. Stickney stated he wasn't going to say anything without his attorney present.

On 3/10/10, I met with and took a statement from Osbourne Hudson. Hudson is the maintenance man at the Hawaiian Palm Apartments. He stated he knew Fredrick Stickney and identified him from a photo. He confirmed that Stickney was living in the abandoned apt at 5075 NW 36 Street D216 up until the time of his arrest. It should be noted that this abandoned apt and where Stickney was staying is approximately a third of a mile from the Armed Robbery/Carjacking scene at 3530 NW 52 Ave. See Hudson's transcribed statement for details.

On 3/16/10, I sent the felony packet for this case to the S.A.O.

(yes/no and explain why or why not-exceptional clearances only)

1 Has the identity of the offender been clearly established? yes

2 Has adequate information to support an arrest, charge, and prosecution of the offender been obtained?

3. Is the exact location of the offender known so that he/she can be taken into custody immediately?

4. Are their reasons beyond Law Enforcement's control that prevent the arrest, charging, and prosecution of the offender?

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5. Has all physical evidence/latent print evidence been analyzed and evaluated in an effort to develop an independent identification of the offender?

6. Have all potential witnesses been re-interviewed in an effort to reaffirm the identity of the offender?

7. Has there been a check of the suspect's custody status utilizing all databases to include BSO JMS, Florida Department of Corrections, Department of Juvenile Justice, and NCIC/FCIC to determine whether the suspect was in custody during the times of the listed offense(s)?

8. What is the primary offense and case number? Armed Robbery/Carjacking case LL10-02-1420.

CASE STATUS:

This case will be cleared by arrest.

EXHIBITS:

-Deputy Abrams original report
-Dep. Jordan's supplement
-Lisa Ehrhart's supplement
-This supplement
-Lauderhill Police Dept's probable cause affidavit
-[redacted] Young, Osbourne Hudson, Sherri Stickney, and Gregory Stickney's transcribed statements
-The court order for cell phone; 954-627-4464. The records that follow (cell site locations, and the subscriber name).
-Photos from the Publix (1700 NE Miami Gardens Drive) and Chase Bank (1790 NE Miami Gardens Drive).
-Photos of Stickney's hat and boots
-Stickney's probable cause affidavit, his Miranda Rights Form and DVD of his interview
-The black and white photo lineup
-The records when Young's debit card was used
-Stickney's jail phone call recordings

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