

CASE NUMBER:

ISSUE CAPIAS

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT OF FLORIDA,
SEMINOLE COUNTY

WITNESSES: Agent Nicole Miller
Jason Scott
Beatrice Sheppard

THE STATE OF FLORIDA

VS.

MATTHEW DANLER
_____ /

INDICTMENT FOR:

- COUNT 1: SHOOTING INTO A VEHICLE (F2) 790.19
- COUNT 2: AGGRAVATED BATTERY (F2) 784.045(1)(a)2
- COUNT 3: AGGRAVATED BATTERY (F2) 784.045(1)(a)2

FOUND FALL TERM, A.D. 2016

Samuel E. Adams, Sr.
SAMUEL ADAMS, SR.
FOREPERSON OF THE GRAND JURY

Presented in Open Court and Filed this 14th day of
February, 2017.

Grant Maloy
GRANT MALOY
CLERK

BY: Lisa Marske
DEPUTY CLERK

CERTIFIED COPY GRANT MALOY
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER
SEMINOLE COUNTY, FLORIDA



BY: L Marske DEPUTY CLERK 2/14/17

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF FLORIDA


In The Circuit Court Of The Eighteenth Judicial Circuit of the State of Florida for Seminole County, at the Fall Term thereof, in the year of our Lord, two thousand sixteen, the Grand Jurors of the State of Florida, inquiring in and for the body of the County of Seminole, upon their oaths do charge that:

COUNT 1: IN THE COUNTY OF SEMINOLE, STATE OF FLORIDA, on September 1, 2016, Matthew Danler did wantonly or maliciously, shoot at, or into, a vehicle of any kind which was being used or occupied by any person, Jason Scott, Beatrice Sheppard, contrary to Section 790.19, Florida Statutes,

COUNT 2: IN THE COUNTY OF SEMINOLE, STATE OF FLORIDA, on September 1, 2016, Matthew Danler did commit a battery upon Jason Scott by actually and intentionally touching or striking Jason Scott against Jason Scott's will, or by intentionally causing bodily harm to Jason Scott, and in the commission of said battery, Matthew Danler intentionally or knowingly cause great bodily harm, permanent disability, or permanent disfigurement to Jason Scot, or did use a deadly weapon, to wit: a firearm, contrary to Section 784.045(1)(a)2, Florida Statutes,

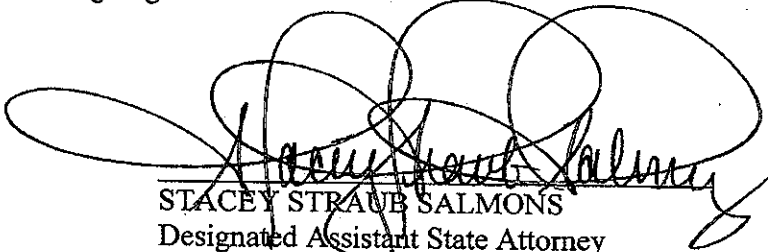
COUNT 3: IN THE COUNTY OF SEMINOLE, STATE OF FLORIDA, on September 1, 2016, Matthew Danler did commit a battery upon Beatrice Sheppard by actually and intentionally touching or striking Beatrice Sheppard against Beatrice Sheppard's will, or by intentionally causing bodily harm to Beatrice Sheppard, and in the commission of said battery Matthew Danler used a deadly weapon, to wit: a firearm, contrary to Section 784.045(1)(a)2, Florida Statutes,

and against the peace and dignity of the State of Florida.


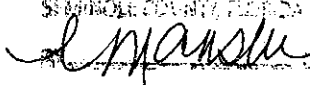


SAMUEL ADAMS, SR.
FOREPERSON OF THE GRAND JURY

I, **STACEY STRAUB SALMONS**, hereby certify that I have, as authorized and required by law, advised the Grand Jury returning the foregoing indictment.


STACEY STRAUB SALMONS
Designated Assistant State Attorney
Florida Bar Number 0351430

CERTIFIED COPY GRANT MALOY
CLERK OF THE CIRCUIT COURT
AND CLERK OF THE
SEMINOLE COUNTY, FLORIDA


 9/14/17

AFFIDAVIT

AFFIANT: Special Agent Nicole Miller

DOB: 01/29/1986

ADDRESS: 500 West Robinson Street, Orlando FL 32806

TELEPHONE: (407) _____

17CFSS3A

THE ABOVE LISTED AFFIANT PROVIDED THE FOLLOWING INFORMATION:

On September 1, 2016, The Oviedo Police Department (OPD) requested the Florida Department of Law Enforcement (FDLE) conduct an investigation into the use of force by Officer Matthew Danler, which resulted in injuries to Jason Scott. The incident occurred at 990 Sharon Court in Oviedo, Florida (OPD Case #201640001336).

On September 1, 2016, at approximately 0555 hours, the Oviedo Police Department (OPD) received a 911 hang-up for 990 Sharon Court. The male caller advised OPD dispatch to "Send the police," and provided an address of "Oviedo, 996 Sharon Court." When asked by OPD dispatch what was going on, the caller stated, "Just do like I say" and disconnected the phone.

Officers Matthew Danler, Christopher Salemi, and Edward Heim responded to the area. Officer Salemi and Officer Heim parked their patrol vehicle in the roadway one duplex south of where they believed the 911 call was. Officer Danler parked behind them.

Officer Salemi approached the residence from the right, while Officer Heim and Officer Danler approached from the front. Officer Heim approached between a silver S-10 and a blue Ford Fusion and Officer Danler approached between a black Chrysler 300 and a silver S-10. The black Chrysler 300 was backed into a parking spot. Officer Salemi noticed that there was not an address of 996 Sharon Court, but that the door to 990 Sharon Court was ajar.

As Officer Salemi got closer to 990 Sharon Court, the driver of the Chrysler vehicle [Jason Scott] "revved" the engine, which alerted officers that someone was inside. Scott drove the Chrysler vehicle onto Sharon Court and Officer Danler fired six shots at the vehicle. Scott did not stop and continued westbound on Mitchell Hammock Road. Officer Salemi and Officer Heim advised that they believed Scott drove in the direction of Officer Danler.

Officer Danler got into his patrol vehicle and drove on Mitchell Hammock Road while providing a description of the Chrysler vehicle over the OPD radio. Officer Danler additionally stated that the driver was male and there was a female passenger. Surrounding units searched for Scott's vehicle, but were unable to find it.

Officer Salemi and Officer Heim remained on Sharon Court and contacted the residents of 990 Sharon Court who advised that the driver of the black vehicle was Jason Scott. This information was relayed over the OPD radio.

At approximately 06:06 hours, a 911 call was received from Minnie Alexander who provided an address of 330 Reed Avenue in Oviedo and stated that her niece, Beatrice Sheppard-Scott, was knocking on her door, saying she had been shot. Officers responded to this location and made contact with Beatrice who confirmed that the driver of the black vehicle was Scott. Beatrice stated that she was injured on her left side and showed officers her injuries which appeared to

be several small cuts or punctures of the skin. A piece of copper jacket was recovered from Beatrice's shirt [JG7].

At 06:51 hours, Orange County Sheriff's Office (OCSO) received a call from a male who stated that he had been shot. OCSO responded to 8516 Peppercorn and contacted Scott who had a gunshot wound to his arm and to his abdomen. A search for Scott's vehicle was conducted in the area and Scott's vehicle was located at the intersection of Cherinoya Court and Madiera Street. The Chrysler vehicle had sustained multiple gunshots and was removed from the scene and towed to the Seminole County Sheriff's Office (SCSO) where a search warrant was obtained. Four pieces of copper jacketing were recovered from inside the vehicle [JG7].

Scott was transported to Orlando Regional Medical Center (ORMC) to be treated for his injuries.

SCSO Crime Scene processed the scene at Sharon Court and recovered six shell casings from the roadway. Photographs were taken and the shell casings, along with Officer Danler's firearm, were provided to FDLE Special Agent (SA) Nicole Miller. SA Miller submitted the casings and Officer Danler's firearm into the Evidence Lab at FDLE for further analysis. The casings were confirmed that they came from Officer Danler's firearm.

Body camera video was provided for Officer Danler, Officer Heim and Officer Salemi however; Officer Heim's body camera was not activated at the time of the use of force incident.

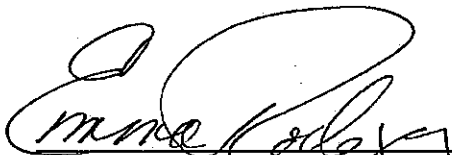
Several attempts were made with Officer Danler in regards to him providing a statement. Officer Danler politely refused to provide a statement at this time.

On November 22, 2016, SA Miller provided the Investigative Summary to the Office of the State Attorney, Eighteenth Judicial District of Florida.

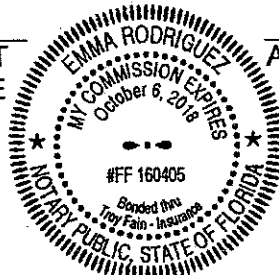
I, NICOLE MILLER, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME AND DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENT IS TRUE AND CORRECT. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

SWORN TO AND SUSCRIBED BEFORE ME THIS 13TH DAY OF FEBRUARY 2017.

CERTIFIED COPY GRANT MANN
CLERK OF THE COUNTY COURT
AND COMPTROLLER
SEMINOLE COUNTY FLORIDA
BY Sheare DEPUTY CLERK



NOTARY PUBLIC OR LAW ENFORCEMENT
OFFICER CONDUCTING OFFICIAL POLICE
INVESTIGATION. (per FSS 117.10)



AFFIANT'S SIGNATURE