

COMPLAINT/ARREST AFFIDAVIT - CIRCUIT/COUNTY COURT - PINELLAS COUNTY, FLORIDA

OBTS # [] REPORT # IS20-3838 DOCKET # 1834201

Person ID 311495832 SSN# [REDACTED]

Charge Description [] Felony [X] Misdemeanor [] Warrant [] Traffic [] Ordinance [] Traffic Citation # (if any) [] Court Case # 20-03829-MM-1

Defendant's Name (Last, First, Middle) MCCARTHY, DIANNA CHRISTINE DOB 04/09/1982 Sex F Race W Ht 504 Wt 140 Hair BRO Eyes BRO Skin LGT

Alias [] DL # M263163826290 State FL Scars/Marks/Tattoos/Physical Features N/A

Local Address (Street, City, State, Zip Code) 17731 1ST ST E REDINGTON SHORES FL 33708 Telephone 7632265384 Place of Birth MINNESOTA Citizenship USA

Permanent Address (Street, City, State, Zip Code) 17731 1ST ST E REDINGTON SHORES FL 33708 Telephone 7632265384 Employed by / School REFUSED

Weapon Seized Type [] Yes [X] No Indication of Drug Influence Y [] N [X] UNK [] Indication of Mental Health Issues Y [] N [X] UNK [] Indication of Alcohol Influence Y [] N [X] UNK []

Co-Defendant's Name (Last, First, Middle) 17606 1st E Redshoes DOB [] Sex [] Race [] In Custody [] Yes [] No [] Felony [] Misdemeanor

Co-Defendant's Name (Last, First, Middle) Resler 33709 DOB [] Sex [] Race [] In Custody [] Yes [] No [] Felony [] Misdemeanor

The undersigned swears that he/she has reasonable grounds to believe that the above named defendant on the 18 day of MARCH 2020

at approximately 1:23 AM, at 17702 GULF BLVD in Pinellas County did:

ACTUALLY AND INTENTIONALLY TOUCH OR STRIKE MICHAEL MCCARTHY, HER HUSBAND AND CO-HABITANT, AGAINST THE WILL OF MICHAEL MCCARTHY, TO-WIT: BIT MICHAEL MCCARTHY ON HIS LEFT HAND, LEAVING BEHIND A BITE MARK AND REDNESS.

ON LISTED DATE AND TIME, YOUR AFFIANT WAS DISPATCHED TO A DOMESTIC IN-PROGRESS IN THE AREA OF 178TH AVE AND GULF BLVD. YOUR AFFIANT MADE CONTACT WITH THE VICTIM, MICHAEL MCCARTHY IN FRONT OF 17702 GULF BLVD. THE VICTIM STATED HE WAS WALKING THE DEFENDANT HOME AFTER A NIGHT OF DRINKING AND WAS HAVING ISSUES. THE VICTIM STATED THE DEFENDANT BIT HIM TWICE ON HIS HAND AS HE ATTEMPTED TO WALK HER HOME.

YOUR AFFIANT OBSERVED A VISIBLE BITE MARK ON THE DEFENDANT'S LEFT HAND, CORROBORATING THE STATEMENT FROM THE VICTIM. YOUR AFFIANT ATTEMPTED TO SPEAK WITH THE DEFENDANT POST-MIRANDA BUT THE DEFENDANT REFUSED TO SPEAK WITH YOUR AFFIANT. AFTER ARREST AND WITHOUT QUESTIONING, THE DEFENDANT ADMITTED TO BITING THE VICTIM, BUT ADVISED IT WAS SELF-DEFENSE. THE DEFENDANT DID NOT HAVE ANY MARKS OR BRUISES VISIBLE INDICATING SHE WAS STRUCK.

Contrary to Florida Statute/Ordinance 784.03

ARREST DATE: 3/18/2020 Time 1:31 AM Aggravating/Mitigating Factors NO BOND

Booking Officer: SEAY, E 58861 Amount of Bond NO BOND Bond Out Date [] Time [] a.m. [] p.m.

Victim Notified of Advisory? [X] Yes [] No Injuries to Victim? [] Yes [] No Medical Treatment to Victim? [] Yes [] No

The Court reviewed this complaint and finds there: [] is probable cause [] is not probable cause to detain defendant [] Bond Action, if any: []

The probable cause determination is passed for: [] 24 Hrs [] 24 Hrs on showing of extraordinary circumstances Received by Booking: 3/18/2020 3:21:28 AM

Pursuant to F.S. 92.525 and under penalty of perjury, I declare that I have read the foregoing document and that the facts in it are true. Declarant Signature OFFICER KEVYN ANDREWS IS9058 Printed Name INDIAN SHORES POLICE Agency 311141683 Declarant ID#

REQUEST FOR INVESTIGATIVE COSTS, F.S. 938.27(1) DATE 03/18/2020 OFFICER K. ANDREWS HOURS X PAY-RATE 2 29.14 OTHER - Describe Continuation sheet [] Yes [] No TOTAL \$ 558.28

NO BOND Can print

2020 MARCH 18 AM 10:21 COURT ASSISTANCE

Defendant MCCARTHY, DIANNA CHRISTINE **Court Case No:** 20-03829-MM-1

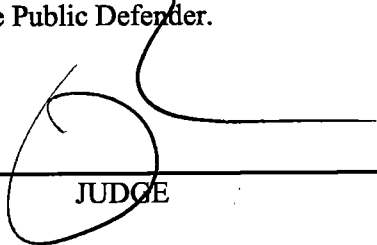
ADVISORY AND SOLVENCY HEARING

The above named Defendant came before me for Advisory and Solvency hearing and was advised by me of the charge(s) against him; his right to remain silent; that any statements by him may be used against him; his right to counsel, and, if he is financially unable to afford counsel, that counsel forthwith will be appointed; of his right to communicate with his counsel, family or friends, and that reasonable implementation will be afforded him to contact the foregoing.

I FURTHER CERTIFY THAT:

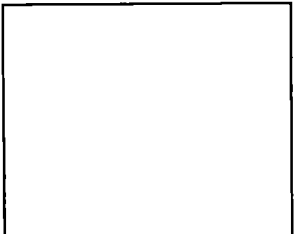
- A. Defendant has advised the Court that he has retained counsel or will retain counsel.
- B. The Court investigated Defendant's solvency and found the Defendant financially able to secure counsel.
- C. The Court investigated Defendant's solvency and provisionally appointed the Public Defender.
- D. The Defendant waived the right to counsel at the first appearance only.

DATE AND TIME



JUDGE

- I hereby waive the right to counsel at the first appearance only.
- I, having been found solvent and financially able to secure counsel, hereby waive counsel until my attorney files an appearance in this case or until I file a written request for a review of my solvency and ability to secure counsel.



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DEFENDANT'S SIGNATURE

I HEREBY acknowledge receipt of a copy of the foregoing Complaint and Advisory.

DEFENDANT'S SIGNATURE DEFENDANT'S ATTORNEY'S SIGNATURE DATE

Defendant MCCARTHY, DIANNA CHRISTINE

Court Case No: 20-03829-MM-2


ADVISORY AND SOLVENCY HEARING

The above named Defendant came before me for Advisory and Solvency hearing and was advised by me of the charge(s) against him; his right to remain silent; that any statements by him may be used against him; his right to counsel, and, if he is financially unable to afford counsel, that counsel forthwith will be appointed; of his right to communicate with his counsel, family or friends, and that reasonable implementation will be afforded him to contact the foregoing.

I FURTHER CERTIFY THAT:

- A. Defendant has advised the Court that he has retained counsel or will retain counsel.
- B. The Court investigated Defendant's solvency and found the Defendant financially able to secure counsel.
- C. The Court investigated Defendant's solvency and provisionally appointed the Public Defender.
- D. The Defendant waived the right to counsel at the first appearance only.

DATE AND TIME



JUDGE

- I hereby waive the right to counsel at the first appearance only.
- I, having been found solvent and financially able to secure counsel, hereby waive counsel until my attorney files an appearance in this case or until I file a written request for a review of my solvency and ability to secure counsel.



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DEFENDANT'S SIGNATURE

DEFENDANT'S ATTORNEY'S SIGNATURE

DATE