

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

OBTS # [ ] REPORT # 2020-010928 DOCKET # 1833982

Person ID 310965951 SSN# [REDACTED]

Charge Description [X] Felony [ ] Misdemeanor [ ] Warrant [ ] Traffic [ ] Ordinance Traffic Citation # (if any) Court Case # 20-02853-CF-1

Defendant's Name (Last, First, Middle) MILLER, GARY DEAN DOB 03/31/1956 Sex M Race W Ht 5'9 Wt 160 Hair GRY Eyes BRO Skin

Alias DL # M460-284-56-111-0 State FL Scars/Marks/Tattoos/Physical Features

Local Address (Street, City, State, Zip Code) 10803 1ST WAY N ST PETERSBURG FL 33716 Telephone 702-980-6102 Place of Birth MICHIGAN Citizenship USA

Permanent Address (Street, City, State, Zip Code) 10803 1ST WAY N ST PETERSBURG FL 33716 Telephone 702-980-6102 Employed by / School

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

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

Co-Defendant's Name (Last, First, Middle) 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 15 day of MARCH, 2020

at approximately 12:57 AM, at 40TH AV NE/12 ST NE, in Pinellas County did:

AFTER HIRING A MOTOR VEHICLE, TO-WIT: A 2017 HYUNDAI ELANTRA, UNDER AN AGREEMENT TO REDELIVER SAID VEHICLE TO HERTZ OR ITS AGENT, WITHOUT THE CONSENT OF HERTZ OR ITS AGENT, AND WITH THE INTENT TO DEFRAUD DID ABANDON OR WILLFULLY REFUSE TO REDELIVER SAID VEHICLE AS AGREED AT THE TERMINATION OF THE PERIOD FOR WHICH SAID VEHICLE WAS LET.

THE DEFENDANT WAS OBSERVED DRIVING A 2017 HYUNAI ELANTRA EASTBOUND ON 40TH AV N. A TAG CHECK IN FCIC/NCIC SHOWED THAT THE VEHICLE HAD BEEN REPORTED AS STOLEN. A TRAFFIC STOP WAS CONDUCTED AND IT WAS SUBSEQUENTLY DISCOVERED THAT THE DEFENDANT PREVIOUSLY RENTED THE VEHICLE FROM HERTZ WITH A SCHEDULED RETURN DATE OF 12/11/2019. THE DEFENDANT DID NOT RETURN THE VEHICLE AND THE VEHICLE WAS REPORTED AS STOLEN ON 2/11/2020 UNDER TAMPA PD CASE NUMBER 20-072817. THE DEFENDANT ADMITTED POST-MIRANDA THAT HE SPOKE WITH HERTZ STAFF TWO OR THREE TIMES AND THEY TOLD HIM TO RETURN THE VEHICLE. HE ADMITTED THAT HE DID NOT RETURN THE VEHICLE BECAUSE HE WANTED TO CONTINUE MAKING MONEY BY USING THE VEHICLE FOR LYFT.

Contrary to Florida Statute/Ordinance 817.52.3

ARREST DATE: 3/15/2020 Time 1:30 AM Aggravating/Mitigating Factors

Booking Officer: MAGGIO, K 57191 Amount of Bond 2000 Bond Out Date Time a.m. p.m.

Victim Notified of Advisory? [ ] Yes [ ] No Injuries to Victim? [ ] Yes [ ] No Medical Treatment to Victim? [ ] Yes [X] 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: 3/15/2020 3:55:43 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. [Signature] ST. PETERSBURG POLICE Agency OFFICER KRISTEN THOMAS 47464 310713108 Declarant ID# Printed Name

REQUEST FOR INVESTIGATIVE COSTS, F.S. 938.27(1) DATE 03/15/2020 OFFICER K. THOMAS HOURS X PAY RATE 2 25.00 OR COST \$50.00 OTHER - Describe Continuation sheet [ ] Yes [ ] No TOTAL \$ 50.00

CLERK OF CIRCUIT COURT KEN BURKE 2020 MAR 15 11:52 AM FILED COURT ASSISTANT

**Defendant** MILLER, GARY DEAN

**Court Case No:** 20-02853-CF-1

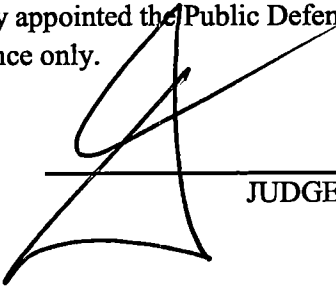
**ADVISORY AND SOLVENCY HEARING**

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.

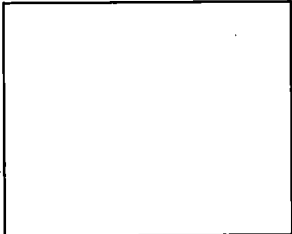
**I FURTHER CERTIFY THAT:**

- 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.



Thumb Print

\_\_\_\_\_  
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