# STATE OF FLORIDA IN THE COUNTY COURT: OF THE FOURTEENTH JUDICIAL CIRCUIT IN AND FOR CALHOUN COUNTY FLORIDA

STATE OF FLORIDA,

-VS-

JASON ALEXANDER BARWICK,

Defendant

UCN: 072021MM000204MMAXMX

Case Number: 21000204MMAXMX

JASON ALEXANDER BARWICK

Charges:

1

SEQ# CNT#

**CHARGE** 944 35 3a1

MALICIOUS BATTERY

LVL DGR

Misdemeanor First Degree

### NOTICE TO APPEAR

TO THE ABOVE NAMED DEFENDANT(S):

You are hereby notified that the above styled case has been scheduled for: ARRAIGNMENT

This is your NOTICE TO APPEAR ON 01/20/2022 at 08:15 AM before the Honorable KEVIN GROVER in COURTOOM of MAIN COURTHOUSE 20859 Central Ave, Blountstown, FL.

Please advise if this office can be of further assistance.

Notice: Failure of said defendant to appear as above required and requested will cause a capias to be issued for the arrest of said defendant and bail bond to be forfeited as provided by and in compliance with the statutes and laws of Florida.

WITNESS my hand and the seal of said Court on 12/29/2021.

Carla Hand
Clerk of the Court

Deputy Clerk

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Court Administrator's office

as 300 East 4th Street, Panama City, FL 32401, Telephone (850) 747-5717 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing impaired, call 711.

🛛 Adult Def	□ PC Arrest
☐ Juvenile Def	☐ Application for
	Maran 10-1-

# AFFIDAVIT - COMPLAINT

Clerk's Case No	
SA Case No.(s)	

Warrant/Ci	-	KELIDAVII .				3A Case No.(5) _	
PAGE 01 of 3	аріоо	. 7				Agency ORI#	FL037275C
1. Agency Name: Florida Department of Co	2. Agency Report Number:  21-07434  3. Charge Type:  3. Ordinance Type:    Felony   Misdemeanor   Misdemeanor   (If applicable)				(If appliesblo)		
4. Date/Time of Offense: 5, Date 5, 16/21, 6:00 p.m.	se: 5. Date/Time of Arrest: 6. Arresting Officer: 7. Investig			7. Investigati	ng Officer: r Inspector Ken		
8. Defendant's Name: (Last) Barwick		(First) Jason		Middle) xander		ALIAS .	9. OBTS:
10. Race/Sex: 11. Date of Birth:	12. Residen	ce Type:		pon Selzed		led Substance Selzed: QUANTITY:	☐ Yes ☒ No
15. Height: 16. Weight: 17. 5'10" 200	Eye Color: 18. H		ks, tattoos, unique phys		Location, type	& description) 2	
20. Driver's License Number/State:	21 Social S	nousitus blumboj:	22. Residential Tele	phone:		23. Business Teleph	one: E
24. Address: (Street, Apartment Number)		(City)	I	(State		77. C	100 H
25. Defendant's Name: (Last)		(First)	. (1	Middle)		ALIAS	250818: O.C.
27. Race/Sex: 28. Date of Birth:	29. Residen	ce Type:	1	pon Seized		led Substance Seized: QUANTITY:	
32. Height: 33. Welght: 34			ks, tettoos, unique phy		Location, type	& description)	
37. Driver's License Number/State:	38. Social S	ecurity Number:	39. Residential Tele	phone:		40. Business Teleph	one:
41. Address: (Street, Apertment Number	<u> </u>	(Cíty)		. (State	)		(Zip)
42. Defendant's Name: (Last)		(First)	(1	viiddle)		ALIAS	43. OBTS:
44. Race/Sex: 45. Date of Birth:	46. Residen	ce Type:	I	pon Selzed		led Substance Seized: QUANTITY:	Yes No
49. Height: 50. Weight: 51.			ks, tattoos, unique phy		Location, type	& description)	
54. Driver's License Number/State:	55, Social S	ecurity Number:	56. Residential Tele	phone:		57. Business Teleph	one:
58. Address: (Street, Apartment Number)		(City)		(State	)		(Zip)
59. Charge Description: (# 1) Malicious Battery					or Ordinance I	Number	⊠ F.S.
61. Charge Description: (# 1)				<u> </u>	5(3)(a)(1) or Ordinance I	Number	□ Ord.
63. Charge Dascription: (# 1)				64. Statute	or Ordinance I	Number:	☐ Ord. ☐ F.S. ☐ Ord.
65. <u>Victim's</u> Name: (If business, list legal	business name) (Last)	(First)	(Middle	) 66	. Race/Sex	67. Date of Birth:	68. Telephone Number.
69. Contact Person if victim is deceased,	s minor child, or busin	ness: (Last) (First)	(Middle	70	. Race/Sex	71. Date of Birth:	72. Telephone Number:
73. Address: (Street, Apartment Number)	(City)	(State)	· (2	Sip)			74. Secondary Phone Number:
75. Victim Notification of Arrest:					Victim		☐ Arrest info Domestic
NOTIFIED BY:	DATE:	· TIME:			Right	s Card	Info Viol. Info
77. Physical Evidence collected in this case? 78. Witness Statements taken in this case? 79. I certify that all of the above information is true and correct to the best of my knowledge and is page of one of the above information is true and correct to the best of my knowledge and is page of one of the above information is true and correct to the best of my knowledge and is page of the above information is true and correct to the best of my knowledge and is page of the above information is true and correct to the best of my knowledge and is page of the above information is true and correct to the best of my knowledge and is page of the above information is true and correct to the best of my knowledge and is page of the above information is true and correct to the best of my knowledge and is page of the above information is true and correct to the best of my knowledge and is page of the above information is true and correct to the best of my knowledge and is page of the above information is true and correct to the best of my knowledge and is page of the above information in this case?							
Evidence Custodian's Name: <u>Paul Hoff</u>	Person responsible for statements	s: Ken Futch	Officer/Comple	nant Signature			en Futch or print Complainant name

🛛 Adult Def	□ PC Arrest
Juvenile Def	☐ Application for
	Morront/Contra

witnessed Sergeant Barwick kick Inmate

once.

# AFFIDAVIT – COMPLAINT (PROBABLE CAUSE NARRATIVE)

Clerk's Case No	
SA Case No.(s)	
Agona ORI # EL 037275C	

80. Agency Name: 81. Agency Report 82. Date/Time of Arrest: 83 Investigating Officer. Number Florida Department of Corrections Senior Inspector Ken Futch 21-07434 84. NARRATIVE OF THE FACTUAL BASIS FOR PROBABLE CAUSE: The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the heretofore named defendant did commit the violations of law as stated above and the factual basis for this belief is as follows: Your Affiant is Law Enforcement Senior Inspector Ken Futch with the Office of the Inspector General, Florida Department of Your Affiant has probable cause to believe on May 16, 2021, at approximately 6:00 p.m., Sergeant Jason Alexander Barwick did commit the criminal offense of Malicious Battery on Inmate DC# in a State Correctional Facility, in violation of Florida Statutes 944.35(3)(a)(1), while Inmate was in the custody of the Florida Department of Corrections and while housed at Calhoun Correctional Institution, Calhoun County, Blountstown, Florida. Sergeant Barwick did unlawfully and intentionally strike, or cause bodily harm to inmate while Sergeant Barwick performed his offical duties. In a sworn statement, inmate A review of fixed wing video confirmed Inmate ran from officers while on the recreation yard. Inmate reached the back of the yard and observed kneeling to the ground with arms/hands lifted and no signs of combative behavior. Inmate the ground as Sergeant Barwick approached first as Officer Smith, Sergeant Joshua Lee, and Officer Anthony Martin followed. Sergeant Barwick kicked Inmate once as Inmate laid on the ground and was followed by Officer Smith kicking Inmate once from the oppisite side of Sergeant Barwick. Sergeant Barwick and Officer Martin physically engaged Inmate the ground while Officer Smith and Sergeant Lee stood in close proximity. Captain Carter is observed approaching from a distance. Due to the distance from the fixed camera, Inmate resistance, if any, is undetermined. Sergeant Barwick is observed kicking a second time and Inmate briefly stood to his feet but was taken back to the ground by Sergeant Barwick and Officer Martin. Officer Smith and Sergeant Lee assisted with placing Inmate in hand restraints as Captain Carter was now in close proximity. In a sworn statement, Captain Carter confirmed he responded to the recreation yard after Sergeant Lee requested assistance with an unruly inmate. Captain Carter indicated from a distance, Sergeant Barwick was witnessed administering chemical agents to and then kick Inmate in the torso. Captain Carter then witnessed Officer Smith kick Inmate about the same time. Captain Carter was unsure but indicated being 50-80 feet away when Inmate was kicked. Captain Carter did not witness Inmate being physically resistent and offered no justification for inmate being kicked. In a sworn statement, Sergeant Lee witnessed Inmate stopped running and go down to his (Inmate raised. Sergeant Lee witnessed Sergeant Barwick apply chemical agents to Inmate face and torso after inmate not following orders to lay down on the ground. According to Sergeant Lee, Inmate went down to knees and elbows (balled Sergeant Lee indicated inmate up) when Sergeant Lee witnessed Sergeant Barwick kick Inmate was passive resistent but not combative. Sergeant Lee indicated he did not witness Officer Smith kick Inmate due to his (Sergeant Lee's) focus on Inmate Sergeant Lee only witnessed Officer Martin attempt to restrain Inmate In a sworn statement, Officer Martin witnessed Inmate refuse to submit to hand restraints and take off running from the recreation yard pavilion. Officer Martin and Officer Smith pursued Inmate as Sergeant Lee and Sergeant Barwick came from the opposite side of the yard to assist. Officer Martin indicated Inmate was cornered after being ordered several times to get down on the ground. Officer Martin witnessed Inmate go down to his knees with his (Inmate multiple orders to lay down before Sergeant Barwick applied chemical agents. to Officer Martin, Sergeant Barwick gave Inmate Officer Martin witnessed Inmate ball up on the ground and refuse to follow Sergeant Barwick's orders to show his (Inmate hands. Officer Martin witnessed Sergeant Barwick kick Inmate to gain compliance and thought Inmate in the upper half of his (inmate body. Officer Martin indicated Inmate made verbal threats to kill all of them as Officer Martin attempted to place restraints on Inmate Officer Martin did not witness Officer Smith kick Inmate

In a sworn statement, Officer Sherry Lipford was assinged to and eventually dropped to the ground with hands raised. Officer Lipford while Sergeant Barwick ordered Inmate to stop witness Sergeant Barwick apply chemical agents. Officer Lipford though kicked and hit Inmate more than once. Officer Lipford dit to cover up. Officer Lipford did not witness Sergeant Lee or Officer Lipford did not witness Sergeant Lee	Officer Lipford witne resisting. Due to th ford witnessed Serg ht Officer Smith kick d not witness Inmate	essed Sergeant Barwick ne distance from the tove eant Barwick and Office and Inmate in the e resist and descri	ver, Officer Lipford did not er Smith kick Inmate head as Sergeant Barwick
In a post Miranda sworn statement, Sergeant Barwick			
In a post Miranda sworn statement, Officer Smith			
Your Affiant respectfullt submits probable cause established Institution, Calhoun County, Blountstown, Florida, commit the violation of s. 944.35(3)(a)(1). Your Affiant respectfully request for 1 counts of s 944.35(3)(a)(1), the laws relating	he criminal offense o t a Notice to Appear	of Malicious Battery on be issued for Sergeant	Inmate in
85. The undersigned, being duly sworn, states that the foregoing information contained in an		21	December 20 21
affidavit consisting of 3 pages is true and correct to the best of his/her knowledge  Signature of Officer/Complainant  Ken Futh  Officer/Complainant's Name (Printed)  ID Number		Other Identification	LVOL Type JAZIN39
87. Adult's Relation to Juvenile Defendant:	8. Adult's Name: (Last)	(First)	(Middie)
☐ Parent ☐ Legal Guardian ☐ Other			
89. Address: (Street, Apartment Number) (City) (Stat	e) (Zip)	90. Residential Phone:	91. Business Phone
92. Notified By: (Name)		93. Date/Time:	94. Notification Method:
95. Law Enforcement Disposition of Juvenile Contact:  (Check one and complete release date)  Transferred to	Released to HRS Intake Officer, not deta	Processed within the ined  other than HRS	
Release Date: Release Time: Released to (Name):	<del></del>		
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CALHOUR COUNTY CLERK

### IN THE COUNTY COURT, FOURTEENTH JUDICIAL CIRCUIT OF THE STATE OF FLORIDA, IN AND FOR CALHOUN COUNTY

State of Florida,

Vs.

Charges:

JASON ALEXANDER BARWICK

W/M DOB:

Case Number:

Charges:

MALICIOUS BATTERYCLEIM OF COURTS

### INFORMATION

William L. Wright, Assistant State Attorney for the Fourteenth Judicial Circuit of Florida, duly appointed and designated to sign Informations on behalf of Larry Basford, State Attorney, prosecuting for said State of Florida, in the name and by the authority of the State of Florida, in the County of Calhoun, under oath informs the Court that:

COUNT I: Jason Alexander Barwick, in county and state aforesaid, on or about May 16, 2021, while being an employee of the Department of Corrections, with malicious intent, did unlawfully touch or strike an inmate with the Department of Corrections, by kicking the victim, contrary to Florida Statute 944.35(3)(a)1. (M1 - LM)

William L. Wright, as Assistant State Attorney for the Fourteenth Judicial Circuit of Florida, under oath, states that the allegations set forth in this Information are based on facts that have been sworn to as true, under oath by material witness(es), and which, if true, would constitute the offense therein charged, and this Information is filed in good faith.

The foregoing instrument was acknowledged before me by means of physical presence this all h day of December, 2021, by William L. Wright, who is personally known to me and did take an oath.

Notary Public

SHANNON J. WATTS
Commission # HH 075633
Expires January 12, 2025
Bonded Thru Troy Fain Insurance 800-385-7019

# STATE OF FLORIDA IN THE COUNTY COURT OF THE FOURTEENTH JUDICIAL CIRCUIT IN AND FOR CALHOUN COUNTY FLORIDA

STATE OF FLORIDA,

-VS-

PAYTON LEIGH SMITH,

Defendant

UCN: 072021MM000205MMAXMX Case N

Case Number: 21000205MMAXMX

PAYTON LEIGH SMITH

Charges:

1

SEQ# CNT# CHARGE

0 944 35 3a1

MALICIOUS BATTERY

LVL DGR Misdemeanor

First Degree

#### NOTICE TO APPEAR

TO THE ABOVE NAMED DEFENDANT(S):

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Please advise if this office can be of further assistance.

Notice: Failure of said defendant to appear as above required and requested will cause a capias to be issued for the arrest of said defendant and bail bond to be forfeited as provided by and in compliance with the statutes and laws of Florida.

WITNESS my hand and the seal of said Court on 12/29/2021.

Carla Hand

Clerk of the Court

Deputy Clerk

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Court Administrator's office

as 300 East 4th Street, Panama City, FL 32401, Telephone (850) 747-5717 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing impaired, call 711.

Adult Def	□ PC Arrest
☐ Juvenile Def	☐ Application for
	Wassant/Capton

# **AFFIDAVIT - COMPLAINT**

Clerk's Case No	
SA Case No.(s)	

	Warra	nt/Caplas	•		,,,,,,,							
PAGE 01 of 3											FL037275C	
1. Agency Name Florida D	: epartment o	of Correct	ions	_	y Report Number 07434	☐ Felony ☑ Misdemeanor ☐ Misdemeanor ((If applicable)  W/associated felony ☐ Municipal ☐ County				e) ity		
4. Date/Time of 6 5/16/21,		5. Date/Tim	e of Arrest:	6. /	Arresting Officer:		7. Investigating Officer: Senior Inspector Ken Futch					
8. Defendant's N	iame: (Last)			-	irst) yton		*****	idle)		ALIAS	PECOBTS:	FEE SE
10. Race/Sex: W/F	11. Date of Rint	h!	12. Reside	County	☐ Florida		13. Weapo	n Seized ☑ No		lled Substance Seized	: I Yes, MY	
15. Height: 5'4"	16. Weight: <b>150</b>	17. Eye C Brr	olor: 18. F	fair Color: Brn	19. Scars, mark	s, tattoos, u		al features: (	Location, type	& description)	28	DUAT !
	nco Mumbar/State		26-00-1-1	3		22. Resid	lential Teleph	one;		23. Business Telep 850-237-6		0.6
24. Address: (Str	eet, Apartment Nu	imber)			(City)			(State	)	7:10	(Zip)	걸
25. Defendant's	Name: (Last)			(F	irst)		(Mic	idle)		ALIAS	26, OBTS:	
27. Race/Sex:	28. Date of Birt	h:	29. Reside		☐ Florida		30. Weapo			lled Substance Selzed	: Yes D	No.
32. Height:	33. Weight:	34. Eye C	olor: 35. i	dair Color:	36. Scars, mark		Yes inique physic	☐ No al features: (	Location, type	& description)		
37. Driver's Lice	nse Number/State:		38. Social S	Security Nun	nber:	39, Resid	lential Teleph	one:		40. Business Telep	hone:	
41. Address: (Str	eet, Apartment Nu	ımbər)	L		(City)	l.,		(State	11	<u> </u>	(Zip)	
											140 0070	
42. Defendant's	wame: (Last)		•	(F	Irst)		(MIC	idle)		ALIAS	43. OBTS:	
44. Race/Sex:	45, Date of Birti	h: .	46. Resider	nce Type;	☐ Florida ty ☐ Out of Sta	ate	47. Weapo	n Seized □ No		lled Substance Seized QUANTITY:	; ☐ Yes ☐ N	lo
49. Height:	50. Weight:	51. Eys C	olor: 52. i	łair Color:	53. Scars, mark	s, tattoos, u	inique physic	al features: (	Location, type	& description)		
64. Driver's Licer	nse Number/State:		55. Social S	Security Num	nberi	56. Resid	ential Teleph	one:		57. Business Telep	hone:	
58. Address: (Str	eet, Apartment Nu	ımber)			(City)			(State		·——	(Zip)	
59. Charge Desc	ription: (# 1) s Battery								or Ordinance   5(3)(a)(1)		-	⊠ F.S.
61. Charge Desc									or Ordinance			☐ Ord.
63. Charge Descr	ription: (# 1)					•		64. Statute	or Ordinance i	Number;		☐ Ord. ☐ F.S.
												☐ Ord.
65. Victim's Nam	e: (If business, list	legal busines	ss name) (Last	) (FI	rst)		(Middle)	66	. Race/Sex	67. Date of Birth:	68. Telephone	Number:
69. Contact Perso	on if victim is dece	ased, a mino	child, or busi	ness: (Last)	(First)		(Middle)	70.	. Race/Sex	71. Date of Birth:	72. Telephone	Number:
73. Address: (Str	eet, Apartment Nu	mber)	(City)		(State)		(Zip)			-	74, Secondary	Phone Number:
75. Victim Notific	75. Victim Notification of Arrest:  75. Information Given:											
77. Physical Evid	ence collected in t					79.10	ertify that all	of the above	information I	s true and correct to t	he best of my kn	owledge
77. Physical Evidence collected in this case? Statements taken in this case? 79. I certify that all of the above information is true and correct to the best of my knowledge and spage of of 13 page affidavit/complaint.												
Evidence Custodian's Name: Paul Hot			Person responsible	a Von Fus-		Journ	en Complaina	nt Signature			en Fitch	
TOTAL CARECTOL	·		for statement	9. VEH LACC	4	17 0,110	- You branto			1991	burn aguibic	

🛛 Adult Def	☐ PC Arrest
□ Juvenile Def	☐ Application for
	Warrant/Canias

Clerk's Case No.	_
SA Case No.(s)	_
	_
FI 00707FO	

☐ Juvenile Def ☐ Application for	AFFIDAVIT – COMPLAINT		
Warrant/Caplas	(PROBABLE 6	CAUSE NARRATIVE	Agency ORI # <b>FL037275C</b>
80. Agency Name: Florida Department of Corrections	81. Agency Report Number: 21-07434	82. Date/Time of Arrest:	83. Investigating Officer: Senior Inspector Ken Futch
84. NARRATIVE OF THE FACTUAL BASIS FOR PROBABLE CA	NUSE: The undersigned certifies tual basis for this belief is as fol	and swears that he/she has just and re lows:	asonable grounds to believe that the heretofore named defendant
Your Affiant is Law Enforcement Senic Corrections.	or Inspector Ken Fu	tch with the Office of the	Inspector General, Florida Department of
criminal offense of Malicious Battery or Statutes 944.35(3)(a)(1), while Inmate Calhoun Correctional Institution, Calhon	n Inmate was in the custin County, Blountsto	DC# in a State in a State tody of the Florida Department	, Officer Payton Leigh Smith did commit the Correctional Facility, in violation of Florida rtment of Corrections and while housed at th did unlawfully and intentionally strike, or
In a sworn statement, inmate			
laid to the ground as Sergeant Barolek kicked Inma once from the oppisite side of Set the ground while Officer Smith and Serg Due to the distance from the fixed came Inmate as second time and Inmate	kneeling to the ground in the ground approached find the ground once as Inmargeant Barwick. Sere eant Lee stood in clora, Inmate ground in the ground briefly stood to the ground stood stoo	nd with arms/hands lifted rst. Officer Smith, Serges ate life. I laid on the groungeant Barwick and Officer se proximity. Captain Carlistance, if any, is undeterment of his feet but was taken be	reation yard. Inmate reached the back and no signs of combative behavior. Inmate ant Joshua Lee, and Officer Anthony Martin and Officer Smith followed by kicking Inmate Martin physically engaged Inmate on ter is observed approaching from a distance. In the series of the ground by Sergeant Barwick and and restraints as Captain Carter was now in
an unruly inmate. Captain Carter indications and then kick inmate about the same time. Captain Carter wa	ated from a distance in the torso. Capta s unsure but indicate	, Sergeant Barwick was v in Carter then witnessed	
In a sworn statement, Sergeant Lee wit raised. Sergeant Lee witnessed Sergea not following orders to lay down on the up) when Sergeant Lee witnessed Serge but not combative. Sergeant Lee indicate the sergeant Lee only witnessed Sergeant Lee only witnesse	nt Barwick apply che ground. According t eant Barwick kick Inn ted he did not witnes	emical agents to inmate to Sergeant Lee, inmate nate Sergeant Lee in ss Officer Smith kick inmate	face and torso after inmate was went down to knees and elbows (balled ndicated inmate was passive resistent
hands. Officer Martin witnesse	and Officer Smith purpose of the second seco	rsued Inmate was as Ser ed Inmate was corne go down to his knees wit e orders to lay down before I and refuse to follow Ser kick Inmate to gain Martin indicated Inmate	e Sergeant Barwick applied chemical agents. geant Barwick's orders to show his (Inmate compliance and thought Inmate was

	und with hands raise ered Inmate (1986) to emical agents. Office nd. Officer Lipford th an once. Officer Lipfo	d. Officer Lipf stop resisting. r Lipford witnes ought Officer S rd did not witne	ord witnessed Due to the dis sed Sergeant mith kicked li ess Inmate	d Sergeant Barwick stance from the tow the Barwick and Office nmate in the life resist and descrile	ver, Officer Lipford did not or Smith kick Inmate nead as Sergeant Barwick
In a post Miranda sworn statemer	it, Sergeant Barwick				
In a post Miranda sworn statement,	Officer Smith	,			
					1
				,	
Your Affiant respectfullt submits p Institution, Calhoun County, Blount violation of s. 944.35(3)(a)(1). Your for 1 counts of s 944.35	stown, Florida, comn Affiant respectfully r	nit the criminal equest a Notice	offense of M to Appear b	alicious Battery on	Inmate in
85. The undersigned heing duly sworn, states that the affidavit consisting of 3 pages is true and corrections.	foregoing information containe ect to the best of his/her knowle	dge Swom to	and subscribed before the state of Person Ad	Or YPOCLY DU	1401430
Signature of Officer/Complainant	-	☐ Perso Seal	nally Known 🔲 Ot	her Identification	Тура
Men Futch Officer/Complainant's Name (Printed)	72337 ID Number				
87. Adult's Relation to Juvenile Defendant:		89. Adult's Name:	(Last)	(First)	(Middle)
Parent Legal Guardian Other  89. Address: (Street, Apartment Number)	(City)	(State)	(Zip) 90. F	lesidential Phone:	91. Business Phone
92. Notified By: (Name)			93. 0	Date/Time:	94. Notification Method:
95. Law Enforcement Disposition of Juvenile Contact: (Check one and complete release data)	Transferred to	Released to HRS Intake O	fficer, not detained	Processed within the a	
Release Date: Release Time:	Released to (Name):				

CALHOUN COUNTY CLERK FILED FOR RECORD

### IN THE COUNTY COURT, FOURTEENTH JUDICIAL CIRCUIT OF THE STATE OF FLORIDA, IN AND FOR CALHOUN COUNTY

2021 DEC 28 PM 12: 31

State of Florida.

Case Number:

vs.

Charges:

CAPLA ALIAND CLERK OF COURTS

PAYTON LEIGH SMITH W/F DOB:

MALICIOUS BATTERY

## INFORMATION

William L. Wright, Assistant State Attorney for the Fourteenth Judicial Circuit of Florida, duly appointed and designated to sign Informations on behalf of Larry Basford, State Attorney, prosecuting for said State of Florida, in the name and by the authority of the State of Florida, in the County of Calhoun, under oath informs the Court that:

COUNT I: Payton Leigh Smith, in county and state aforesaid, on or about May 16, 2021, while being an employee of the Department of Corrections, with malicious intent, did unlawfully touch or strike an inmate with the Department of Corrections, by kicking the victim, contrary to Florida Statute 944.35(3)(a)1. (M1 - LM)

William L. Wright, as Assistant State Attorney for the Fourteenth Judicial Circuit of Florida, under oath, states that the allegations set forth in this Information are based on facts that have been sworn to as true, under oath by material witness(es), and which, if true, would constitute the offense therein charged, and this Information is filed in good faith.

The foregoing · instrument acknowledged before me by means of physical presence this 28 day of December, 2021, by William L. Wright, who is personally known to me and did take an oath.

Notary Public

SHANNON J. WATTS Commission # HH 075633 Expires January 12, 2025

LARRY BASFORD