

IN THE CIRCUIT COURT OF THE SECOND
JUDICIAL CIRCUIT OF FLORIDA, IN AND
FOR LIBERTY COUNTY, FLORIDA

STATE OF FLORIDA

CASE NO. 23-107 CF

-vs-

AGENCY CASE NO. 23-13074

Onuche Henry Oyibo

Defendant(s)

RACE/SEX: Black /Male

DOB [REDACTED]

SSN: [REDACTED]

ADDRESS: [REDACTED]

2023 AUG 15 11:11 AM

AFFIDAVIT FOR ARREST

Before me, County Court Judge Kenneth L. Hasford, personally appeared Inspector Joseph Varnum, who being sworn, deposes and says:

COUNT 1: Malicious Battery on Inmate

Sergeant Onuche Henry Oyibo (*Sergeant Oyibo*), a Florida Department of Corrections (*FDC*) Employee on July 06, 2023, did then and there strike Inmate [REDACTED] in the abdomen area with a food tray, and then provoked a physical altercation during which he punched Inmate [REDACTED] several times.

Count 2: Malicious Battery on Inmate

Sergeant Onuche Henry Oyibo (*Sergeant Oyibo*), a Florida Department of Corrections (*FDC*) Employee on July 06, 2023, did then and there unlawfully and aggressively shove Inmate [REDACTED] inside the Chow Hall.

Your Affiant has documented his probable cause in a Complaint Affidavit attached to this document as EXHIBIT A; wherein, the above violations are further explained. Your Affiant swears that EXHIBIT A is true.

WHEREFORE, your Affiant prays that an arrest warrant be issued according to law, commanding all and singular, the Sheriffs of the State of Florida, to forthwith, arrest said Inmate Onuche Henry Oyibo, and bring him before the court to answer the charge of Malicious Battery on Inmate

Joseph Varnum
AFFIANT

SWORN TO AND SUBSCRIBED BEFORE ME THIS 15th DAY OF August, 2023.

[Signature]
JUDGE OF THE ABOVE COURT

CERTIFIED TRUE COPY
Daniel R. Stanley Clerk Circuit Court Liberty Co. Florida

By [Signature]
DEPUTY CLERK

Date 8/15/23

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Onuche Henry Oyibo

Defendant(s)

RACE/SEX: Black /Male

DOB: [REDACTED]

SSN: [REDACTED]

ADDRESS: [REDACTED]

ARREST WARRANT

IN THE NAME OF THE STATE OF FLORIDA, TO ALL AND SINGULAR SHERIFFS OF THE STATE OF FLORIDA:

HAVING RECEIVED AND CONSIDERED THE SWORN AFFIDAVIT OF INSPECTOR JOSEPH VARNUM, DATED THE 15TH DAY OF August 2023, SAID AFFIDAVIT ALLEGING:

COUNT 1: Malicious Battery on Inmate

Sergeant Onuche Henry Oyibo (*Sergeant Oyibo*), a Florida Department of Corrections (*FDC*) Employee on July 06, 2023, did then and there strike Inmate [REDACTED] in the abdomen area with a food tray, and then provoked a physical altercation during which he punched Inmate [REDACTED] several times.

Count 2: Malicious Battery on Inmate

Sergeant Onuche Henry Oyibo (*Sergeant Oyibo*), a Florida Department of Corrections (*FDC*) Employee on July 06, 2023, did then and there unlawfully and aggressively shove Inmate [REDACTED] inside the Chow Hall.

THESE ARE THEREFORE TO COMMAND YOU TO FORTHWITH ARREST AND BRING THE ABOVE-NAMED DEFENDANT BEFORE ME TO BE DEALT WITH ACCORDING TO LAW.

GIVEN UNDER MY HAND AND SEAL THIS 15TH DAY OF August 2023, AT Liberty COUNTY, FLORIDA.

BAIL BOND IS FIXED AT \$ _____
 BOND IS TO BE SET AT FIRST APPEARANCE


JUDGE OF THE ABOVE COURT

CERTIFIED TRUE COPY

Daniel R. Stanley Clerk Circuit Court Liberty Co. Florida

By [Signature]

DEPUTY CLERK

Date 8/15/23

PROBABLE CAUSE AFFIDAVIT

23-107 CF

OBTS #		1. Arrest Affidavit 2. Notice to Appear	3. Complaint Affidavit 4. Request for Capias 5. Teen Court Referral	1	Juvenile	N					
ORI #	FL037275C	Office of Inspector General - DC		Report #	23-13074						
Location of Offense				Date of Offense	Date of Arrest						
Liberty Correctional Institution, 1064 NW Dempsey Barron Road, Bristol, Florida 32321				July 06, 2023							
Name: Sergeant Onuche Henry Oyibo				Alias:							
Race W - White B - Black	I - Indian American O - Oriental Asian	B	Sex M	DOB or Age [REDACTED]	Height 6'3"	Weight	Eye Color BRN	Hair Color BLK	Complexion MED	Build Medium	
Address (Street, Apt, Number)				(City)	(State)						
<input type="checkbox"/> 1. Parent <input checked="" type="checkbox"/> 2. Legal Custodian <input type="checkbox"/> 3. Other				Name of Parent or Custodian (Last, First, Middle)				Residence Phone			
Florida Department of Correction								[REDACTED]			
Address (Street, Apt, Number)				(City)	(State)	Business Phone					
Notified By: (Name)				Date	Time	Juvenile Disposition		2. Turned over to DOH/C&F			
						1. Handled / Processed within Dept and Released		3. Incarcerated (County Jail)			
Released to: (Name)				Relationship		Date	Time				
Activity:	S. Sell N. N/A P. Posses	R. Smuggle B. Buy T. Traffic	K. Dispense / D. Deliver E. Use	M. Manufacture / Produce / Cultivate	Z. Other	Type:	B. Barbiturate C. Cocaine E. Heroin	H. Hallucinogen M. Marijuana O. Opium / Deriv	P. Paraphernalia / Equipment S. Synthetic	U. Unknown Z. Other	
Charge Description:				Counts	<input checked="" type="checkbox"/> F.S. <input type="checkbox"/> Ord	State Violation Number:			Violation of Section (ORD)		
Malicious Battery on Inmate				2		944.35(3)(a)(1)					
Activity	Drug Type	Amount / Unit		State Attorney Number		Court Number					
P											
<input checked="" type="checkbox"/> PC #	<input type="checkbox"/> Capias	<input type="checkbox"/> AC	<input type="checkbox"/> BW	<input type="checkbox"/> PW	<input type="checkbox"/> Juv. PU	<input type="checkbox"/> Citation	Date Issued	Writt. Att. #	<input type="checkbox"/> Domestic Viol Inj. <input type="checkbox"/> Order of Arrest		
The Undersigned Certifies and swears that he has just and reasonable grounds to believe, and does believe that the above named Defendant committed the following Violation of the law: July 6, 2023, at 6:35 <input type="checkbox"/> AM. <input checked="" type="checkbox"/> PM (Specially include facts constituting cause for arrest)											

Your Affiant is Law Enforcement Inspector Joseph Varnum (*Inspector Varnum*) with the Office of Inspector General (*OIG*). Your Affiant has probable cause to believe, that Florida Department of Corrections (*FDC*) Sergeant Onuche Henry Oyibo (*Sergeant Oyibo*), who was assigned at Liberty Correctional Institution (*LCI*) on July 06, 2023, committed the act of malicious battery on two inmates, being Inmate [REDACTED] (*Inmate [REDACTED]* and Inmate [REDACTED] (*Inmate [REDACTED]*). These acts occurred when Sergeant Oyibo struck Inmate [REDACTED] in the abdomen area with a food tray and shoved Inmate [REDACTED] while inside the Chow Hall. Moments later Sergeant Oyibo coaxed/goaded Inmate [REDACTED] into a physical fight and struck him.

On July 07, 2023, Correctional Officer Chandra Prescott (*Officer Prescott*), Correctional Officer Jakayla House (*Officer House*), Correctional Officer Amilliyon Fryson (*Officer Fryson*), Correctional Officer Chaniquia Jones (*Officer Jones*), and Correctional Officer Zykeria James (*Officer James*) all testified similarly (*who were all assigned to the Chow Hall area on July 06, 2023, and around 6:35 p.m.*) and while inside they observed Sergeant Oyibo pick up a food tray from off the table and shove it aggressively into Inmate [REDACTED] abdomen area, causing food to be thrown onto him. Inmate [REDACTED] left the Chow Hall and Sergeant Oyibo aggressively followed him outside and challenged both Inmate [REDACTED] and Inmate [REDACTED] to a physical altercation. Officer Prescott indicated she attempted to calm the situation by advising Sergeant Oyibo to stay in the Chow Hall while she attempted to have both Inmate [REDACTED] and Inmate [REDACTED] leave the area but to no avail.

On July 7, 2023, Inspector Varnum reviewed the video from inside the Chow Hall and observed at twenty-one (21) mins into the video, Sergeant Oyibo placed his right foot on the table where Inmate [REDACTED] and Inmate [REDACTED] were located. Inmate [REDACTED] walked off and sat his tray on the next table, where Sergeant Oyibo shoved Inmate [REDACTED] out of the way, aggressively picked up the food tray, and walked towards Inmate [REDACTED]

Note: [REDACTED] what Sergeant Oyibo did with the food tray [REDACTED] however, five witnesses support Sergeant Oyibo striking Inmate [REDACTED] with the food tray.

Inspector Varnum reviewed video from the camera from [REDACTED] captured the outside of Chow Hall on July 06, 2023, captured Inmate [REDACTED] and Inmate [REDACTED] exiting the Chow Hall and walking towards the compound when they both turned back towards the Chow Hall. Officer Prescott exits the Chow Hall, appearing to try to de-escalate the situation, however, Sergeant Oyibo is observed exiting the Chow Hall. Sergeant Oyibo aggressively exits the Chow Hall, posturing, and swinging his arms and fist in circular motions as to challenge

Inmate [REDACTED] and Inmate [REDACTED] to fight. Sergeant Oyibo postures himself into a boxing stance as he and Inmate [REDACTED] square up to fight. Inmate [REDACTED] is observed attempting to punch Sergeant Oyibo. Sergeant Oyibo is observed pushing Inmate [REDACTED] against the wall of the Chow Hall, and it appears other strikes are delivered between Sergeant Oyibo and Inmate [REDACTED]. Inmate [REDACTED] also strikes Sergeant Oyibo, while against the wall, eventually falling to the ground as Sergeant Oyibo places cuffs on Inmate [REDACTED]. Officer Prescott attempts to stop Inmate [REDACTED] from striking Sergeant Oyibo while against the wall of the Chow Hall, but Officer Prescott falls to the ground. Officer Prescott gets off the ground and subdues Inmate [REDACTED] keeping him from being able to strike Sergeant Oyibo while he places Inmate [REDACTED] in hand restraints.

Inmate [REDACTED] was interviewed and indicated [REDACTED]

Inmate [REDACTED] was interviewed and indicated [REDACTED]

Your Affiant respectfully submits probable cause has been established, in that, Sergeant Onuche Henry Oyibo did commit the criminal violation of Malicious Battery on an Inmate, in violation of §944.35(3)(a)(1), at Liberty Correctional Institution located in Bristol, Florida. Your Affiant respectfully requests an arrest warrant be issued for Sergeant Onuche Henry Oyibo for two counts of §944.35(3)(a)(1), for the laws relating to Malicious Battery on an Inmate.

<input type="checkbox"/> Miranda Warning		Hold for Agency Name:		Verified By:		PC. Exists for Charge(s)			Judge's Signature: <i>Kenneth L. Hasford</i>			Date: <i>8/15/23</i>					
<input type="checkbox"/> Adults Only Hold for First Appearance		<input type="checkbox"/> Do not Bond Out Reason:		I swear/Affirm the above and attached statements are true and correct		Sworn to And subscribed before me, the undersigned authority this <i>15th</i> day of <i>August</i> 20 <i>23</i>			Bond Type 1. ROR 2. Cash			3. Surety 4. Bail/Bond			5. Cert 6. Other <i>FAR</i>		
Joseph Varnum		[REDACTED] / 3		Name/Title of Person Authorized to Administer Oath <i>Kenneth L. Hasford</i> <i>Liberty County</i> <i>Judge</i>		Returnable Court Date			Returnable Court Time			<input type="checkbox"/> AM <input type="checkbox"/> PM					
Joseph Varnum		[REDACTED] / 3		Name/Title of Person Authorized to Administer Oath		Release Date			Release Time			<input type="checkbox"/> AM <input type="checkbox"/> PM					
Name (Printed)		ID# / Dist		Name/Title of Person Authorized to Administer Oath		Releasing Officer						Page 1 of 1					

CERTIFIED TRUE COPY

Daniel R. Stanley Clerk Circuit Court Liberty Co. Florida

By *[Signature]*

DEPUTY CLERK

Date *8/15/23*

LIBERTY COUNTY CLERK