

A-84

ARREST SWORN COMPLAINT HOLD

EIGHTH JUDICIAL CIRCUIT

GPA JUVENILE NOTICE TO APPEAR

OBTS NUMBER: **0108061772** AGENCY CASE REPORT NUMBER: **02-23-016907**

NAME OF SUBJECT (LAST, FIRST, MI): **FREEMAN, DEVIN TERRELL** ALIAS / MAIDEN:
911 HOME ADDRESS (STREET, APARTMENT NUMBER, ETC.): **700 SW 16TH AVE 213** CITY: **GAINESVILLE** STATE: **FL** ZIP CODE: **32601** TELEPHONE NUMBER: **(813) 952-0695**

BUSINESS / SCHOOL ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.):
MAILING ADDRESS (PO BOX, ETC. IF DIFFERENT THAN 911 ADDRESS): SCARS, MARKS, TATTOOS, FACIAL HAIR, UNIQUE PHYSICAL FEATURES (LOCATION, TYPE, DESCRIPTION):
RACE: WHITE AMERICAN INDIAN BLACK ASIAN / ORIENTAL SEX: **M** DATE OF BIRTH: **09/06/2000** HEIGHT: **5'08** WEIGHT: **150** HAIR COLOR: **BROWN** EYE COLOR: **HAZEL** COMPLEXION: **LIGHT** BUILD: **Small**
DRIVERS LICENSE / STATE ID NUMBER: **F655178003260** STATE OF DL / ID: **FL** SOCIAL SECURITY NUMBER: **[REDACTED]** PHOTO NUMBER: **[REDACTED]** PLACE OF BIRTH: **St Petersburg, FL** COUNTRY OF CITIZENSHIP: **UNITED STATES OF AMERICA**
SUBJECT'S OCCUPATION: SPN NUMBER: AGENCY ORI NUMBER: **0010100** SO ID / AGENCY ID / NUMBER: BOOKING NUMBER: **23-005581**

LOCATION OF ARREST: DATE OF ARREST: **10/24/2023** TIME OF ARREST (MILITARY): **13:44** DATE OF BOOKING: **10/24/2023** TIME OF BOOKING (MILITARY): **205 00:00**
SUBJECT IDENTIFIED BY WHOM (VICTIM, WITNESS, LEO, ETC.): **BARNES, SHAWN** SUBJECT'S NAME VERIFIED BY (PHOTO ID, FAMILY MEMBER, KNOWN TO OFFICER, ETC.): **PHOTO ID**

#1 (NAME): DATE OF BIRTH: RACE: SEX: COURT NUMBER: ARRESTED FELONY JUVENILE: SWORN COMPLAINT MISDEMEANOR YES NO NTA TRAFFIC CASE NO
#2 (NAME): DATE OF BIRTH: RACE: SEX: COURT NUMBER: ARRESTED FELONY JUVENILE: SWORN COMPLAINT MISDEMEANOR YES NO NTA TRAFFIC CASE NO
Case: 2023 CF 003331 A
00074549222
DK1: MAF-X
NOTIFIED YES NO: WORK TELEPHONE NUMBER: **5**

#1 (NAME): **WATKINS, RILEY KAYE** ADDRESS: **706 SW 16TH AVE - 213, GAINESVILLE FL 32601** TELEPHONE NUMBER: **(352) 538-2421**
#2 (NAME): ADDRESS: TELEPHONE NUMBER:

CHARGE 1: OFFENSE DESCRIPTION: **ATTEMPTED FELONY MURDER** FELONY MISDEMEANOR TRAFFIC NTA COMPLETE STATUTE / ORDINANCE NUMBER: **782-051** VICTIM NOTIFICATION: ARREST: YES NO RELEASE: YES NO
 WARRANT JUVENILE PU ORDER CIVIL ORDER CITATION CAPIAS NUMBER: **012023CF003331A** DATE OF OFFENSE: **10/23/2023** TIME OF OFFENSE: **18:08** BAIL AMOUNT:

CHARGE 2: OFFENSE DESCRIPTION: **DISCHARGE FIREARM IN PUBLIC** FELONY MISDEMEANOR TRAFFIC NTA COMPLETE STATUTE / ORDINANCE NUMBER: **790-15** VICTIM NOTIFICATION: ARREST: YES NO RELEASE: YES NO
 WARRANT JUVENILE PU ORDER CIVIL ORDER CITATION CAPIAS NUMBER: **10/23/2023** TIME OF OFFENSE: **18:09** BAIL AMOUNT:

PROSECUTIVE SUMMARY: THE FOLLOWING INCIDENT OCCURRED AT (ADDRESS/LOCATION): **925 SW 4TH AVE** CITY OF: **GAINESVILLE** COUNTY OF: **ALACHUA** STATE OF: **FLORIDA**
On Monday October 23rd 2023 at approximately 1809hrs numerous people contacted the Gainesville Police Department from Cascades Apartments, 925 SW 4th Ave regarding a drive-by shooting. Several shots were fired from a vehicle that was stationery in the street.
Four spent 9mm shell casings were located in the street, right where witnesses stated the shooter's vehicle was when the shooter fired at the VIC. Three bullet impacts were located; one of which hit the building right behind the VIC. All three impact locations were in the direction of the VIC from where the DEF fired from.
 MANDATORY APPEARANCE IN COURT AT:

NTA: I AGREE AND PROMISE TO COMPLY AND ANSWER TO THE CHARGES AND INSTRUCTIONS SPECIFIED IN THIS NOTICE TO APPEAR. WILLFUL REFUSAL TO ACCEPT AND SIGN THIS NOTICE TO APPEAR MAY RESULT IN PHYSICAL ARREST. I UNDERSTAND MY SIGNATURE IS NOT AN ADMISSION OF GUILT OR WAIVER OF MY RIGHTS. DEFENDANT (SIGNATURE): **[Signature]** DATE: **2023 OCT 24 2023 14:28**

JURAT: SWORN TO AND SUBSCRIBED BEFORE ME THIS: **24th** DAY OF **OCTOBER** **2023**
SIGNATURE: **[Signature]** TITLE: **LEO**
I SWEAR THE ABOVE, AND REVERSE AND ATTACHED PAGES AND STATEMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.
NAME (PRINT): **BARNES, SHAWN T**
SIGNATURE: **[Signature]**
AGENCY: **GAINESVILLE POLICE DEPARTMENT** LEO ID NUMBER: **0519**

Contains Marsy's Law
confidential and protected
crime victim information.

SUPPLEMENT EIGHTH JUDICIAL CIRCUIT

OBTS NUMBER:
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SPN NUMBER:
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NAME OF SUBJECT (LAST, FIRST, MI): **FREEMAN, DEVIN TERRELL** ALIAS / MAIDEN:

RACE: WHITE AMERICAN INDIAN BLACK ASIAN / ORIENTAL
 SEX: **M** DATE OF BIRTH: **09/06/2000** HEIGHT: **5'08** WEIGHT: **150** JAIL NUMBER: SO ID / AGENCY ID / NUMBER:

#3 (NAME): ADDRESS: TELEPHONE NUMBER:
#4 (NAME): ADDRESS: TELEPHONE NUMBER:

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PROSECUTIVE SUMMARY - CONTINUED

Several witnesses explained to officers that this was a drive-by shooting. Descriptions of the shooter varied but the witnesses all advised that a small dark colored vehicle was stationery in the street when the front passenger got out and exchanged words with the VIC from approximately 100 feet away. After words were exchanged, the passenger re-entered the vehicle, closed the door and fired shots at the VIC. The suspect vehicle then sped-off.

All witnesses further advised the VIC was standing next to a gray Dodge Charger. The same gray Dodge Charger was pointed-out by several witnesses. All witnesses additionally advised that the intended target (VIC) did not appear to have a gun or return fire. After the shooting attempt, the VIC quickly retreated back in to the apartment building, appearing to check himself in the process, making sure he was not hit or injured.

The VIC did not contact Police. The VIC was later contacted by Police at his girlfriend's apartment, inside this apartment building. The VIC was reluctant to talk at first but eventually did cooperate. The VIC advised that the DEF who shot at him is actually a co-worker of his, at a local golf course. The VIC explained that two days earlier (Saturday October 21st 2023) the two were working together when the DEF, who had been drinking, was claiming to be a member of the Crips. The VIC called-out the DEF on this, stating he did not believe the DEF was a real Crip. This infuriated the DEF, and two separate fist-fights/shoving matches ensued between the DEF and VIC during the rest of their shift.

When the VIC got off work later, the DEF and his girlfriend confronted the VIC in the parking lot of their job, and a third physical fight almost happened. The DEF and his

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girlfriend eventually left. The VIC did however find the rear windshield of his vehicle to have a rock thrown through it.

The VIC did not hear from the DEF for a day and a half following the incidents at work. Then the DEF used his girlfriend's phone to call the VIC, telling the VIC to "come outside!" so they could "settle this." The VIC agreed and went outside, expecting a fist-fight. However the VIC was weary about how the DEF would not approach him in the parking lot, but instead kept attempting to lure him closer to the car he was standing by, which was in middle of the street. The VIC then presumed the DEF likely had a gun. After more words were exchanged (from about 100 feet apart), the VIC stated that the DEF re-entered the vehicle, fired several shots at him and then the vehicle sped-off.

During his verbal exchange with the DEF right before the shots, the VIC had a very clear, unobstructed view of the DEF's face. The VIC stated that the DEF was "bare face." The VIC is very much familiar with the DEF because of the following:

- He has worked with the DEF for the past three or four months
- He has "hung out" socially with the DEF one previous time, as they went to a night club together.
- He has been given rides home by the DEF previously
- He has been to the DEF's apartment once before
- He fought with the DEF two times in the same day, two days earlier.
- He had the DEF's phone number and has occasionally texted with the DEF over the past two months
- He recognized the driver of the car as the woman he knows to be the DEF's girlfriend.

ALACHUA COUNTY, FL
 CLERK OF COURTS
 2023 OCT 10 PM 8:01

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DEF
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PROSECUTIVE SUMMARY - CONTINUED
The VIC identified the DEF by his first name and phone number. The DEF's phone number comes back to him in GPD's Linx database. The DEF's boss was also contacted and confirmed the DEF's last name and phone number.
On 10/24/23, the day after the shooting incident, the VIC was administered a photo lineup by an independent administrator. The DEF's picture was placed among five other individuals within two years of his age, all with similar slender faces, little to no facial hair and shorter brown hair.
The VIC was reluctant with the photo lineup, but indicated the DEF's picture most resembled the person who shot at him. The VIC was then confronted with the fact that there is absolutely no way he can not identify the DEF, especially based on all the ways he knows the DEF. The VIC was told that despite him being in a difficult situation, it would be far worse if the DEF were to end up shooting him at work tomorrow after all, or an innocent person who intervenes. Clearly the DEF has the propensity to.
After reconsidering, the VIC was asked again if the person who shot at him was in the photo lineup. The VIC responded "yeah, he in there."
The VIC agreed to be re-administered the photo lineup.
The photo lineup was reconstructed, with the DEF's picture moved to a different location than the last lineup the VIC looked at.
Ofc Holt then administered the new lineup to the VIC. The VIC was very easily able to pick the DEF out of the photo lineup, stating that was "100%" the individual he has been beefing with since Saturday and attempted to shoot him yesterday.
The VIC further elaborated on how the DEF looks several years older now than he does in his driver's license picture.

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PROSECUTIVE SUMMARY - CONTINUED

The DEF was located hours later on a traffic stop and placed under arrest. The firearm was visible in the car, in plain view.
The DEF had visible bruising to his left eye, consistent with injuries the VIC stated he would have, subsequent to their fight.
Post-Miranda, the DEF invoked his right to remain silent.

The WIT (who is the DEF's girlfriend) was in the car with the DEF upon his arrest. The WIT had questions, and voluntarily came to GPD station.
The WIT was advised of her Miranda Rights. Post-Miranda, the WIT admitted to driving the vehicle last night, but stated she only thought that the DEF and VIC were going to fist-fight and resolve their issues. The WIT was adamant that she did not know that the DEF was going to pull out his gun and start shooting. The WIT stated she was "shocked" when the DEF did this.

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