

**7th. Judicial Circuit 707
Charging Affidavit - Volusia**

Arrest # _____

Bk # _____

Pg #1 of 2

ARREST <input type="checkbox"/> NOTICE TO APPEAR <input type="checkbox"/> AFFIDAVIT <input checked="" type="checkbox"/> C.C. <input type="checkbox"/>		ADULT <input checked="" type="checkbox"/> JUVENILE <input type="checkbox"/>		Court Case Number:	
(ORI) FL: _____		Agency Name: _____		Agency Case Number: FHPD22ON0639078	
FCIC/NCIC Check? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		OBTS# _____		UCR: _____	
ADDRESS OF ARREST: 2119 Paige Ave, New Smyrna Beach, FL 32168		Arrested By: MCPL. Brian Gensler		Date Arrested: _____	
DEFENDANT Name (L.F.M.): Perkins, Devin Joseph		A.K.A.: _____		ID Number: 1920-564	
DOB: 07/20/2000		Age: 22		Sex: M	
Height: 6'01"		Weight: 170		Year Expires: 2025	
Hair: Brown		Eyes: Brown		S.S. #: _____	
Scars, Marks, Tattoos: _____		Business & Occupation: _____		Statement: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Citizenship: Yes <input type="checkbox"/> No <input type="checkbox"/>		English: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Deaf/Mute: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Probation: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Sexual Predator: Yes <input type="checkbox"/> No <input type="checkbox"/>		Address-Mailing/Permanent (STREET, APT. NUMBER) 2119 Paige Ave	
Address-Local (STREET, APT. NUMBER) _____		(CITY) New Smyrna Beach		(STATE) FL	
Address-Other(Employer/School) (STREET, APT. NUMBER) _____		(CITY) _____		(STATE) _____	
ZIPCODE 32168		RESIDENCE PHONE _____		ZIPCODE _____	
RESIDENCE PHONE _____		BUS/SCHOOL PHONE _____		ZIPCODE _____	
CHARGES		DOMESTIC VIOLENCE? YES <input type="checkbox"/>		Attachments: Affidavit(s) <input type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/> DUI <input type="checkbox"/>	
Total Charges: _____		FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>		Citation No.: AFDB71E	
# 1 Charge: Vehicular Homicide		FS/ORD: 782.071		Bond: _____	
# 2 Charge: Vehicular Homicide		FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>		Citation No.: AHID06E	
# 3 Charge: Vehicular Homicide		FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>		Citation No.: AHID07E	
FS/ORD: 782.071		Bond: _____		Bond: _____	
CO-DEFENDANT		Co-Def #1. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel <input type="checkbox"/> Misd. <input type="checkbox"/> Traf. <input type="checkbox"/> Ord. <input type="checkbox"/> NTA <input type="checkbox"/>		Co-Def #2. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel. <input type="checkbox"/> Misd. <input type="checkbox"/> Traf. <input type="checkbox"/> Ord. <input type="checkbox"/> NTA <input type="checkbox"/>	
#1 NAME(L,F,M): _____		Race: _____		Sex: _____	
#2 NAME(L,F,M): _____		Race: _____		Sex: _____	
DOB: _____		DOB: _____		Age: _____	
Age: _____		Age: _____		Age: _____	
NARRATIVE		The undersigned certifies and swears that there is probable cause to believe the above named defendant, on the <u>11th</u> day of <u>December</u> , 2023, at approximately <u>2:10</u> <input checked="" type="checkbox"/> a.m. <input type="checkbox"/> p.m. at <u>State Road 44, 0.4 mile east of Jesse Michael Drive</u> within <u>Volusia</u> County, violated the law and did then and there: On Sunday, December 11, 2022 at 2:23 AM, Florida Highway Patrol dispatch received a report of a head-on traffic crash that occurred on State Road 44 near Jesse Michael Drive. Volusia County Fire Rescue arrived on scene at 2:23 AM and located a total of four vehicles involved. While on scene, fire rescue personnel pronounced a total of three persons dead as a result of their injuries due to this traffic crash. The three subjects that were pronounced dead on scene were _____ Volusia County Fire Rescue also transported _____ for incapacitating injuries she sustained as a result of this traffic crash.			
NOTICE TO APPEAR		MANDATORY APPEARANCE <input type="checkbox"/>		YOU NEED NOT APPEAR IN COURT BUT MUST COMPLY WITH INSTRUCTIONS ON THE REVERSE SIDE OF YOUR COPY <input type="checkbox"/>	
FINE, AND COSTS AMOUNT: _____		I AGREE TO APPEAR IN COURT HEREIN TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE INDICATED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED, OR PAY THE LISTED FINE, I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST WILL BE ISSUED.			
SIGNATURE OF JUVENILE PARENT OR CUSTODIAN _____		Juve Disp. CITATION No. _____		RELATIONSHIP TO JUVENILE _____	
SIGNATURE OF DEFENDANT _____		DATE _____		I swear/affirm the above statements are correct and true.	
Sworn to and subscribed before me, the undersigned This <u>6th</u> day of <u>April</u> , <u>2023</u>		OFFICER'S/COMPLAINANT'S SIGNATURE _____		Rt Thumb _____	
Name: <u>CP. Anna U. Lopez</u>		NAME(PRINTED) Master Corporal Brian Gensler		ID NUMBER 1920-564	
Notary Public <input type="checkbox"/> Law Enforcement or Corrections Officer <input checked="" type="checkbox"/>		Inmate Number & facility: _____		Type of Identification: _____	
Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/>		OFFICIAL USE ONLY			

Narrative 707- B Supplement

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 Adult
 Juvenile

Court Case Number:

Defendant Name: Perkins, Devin Joseph	Agency Case Number: FHPD22ON0639078
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CHARGES	DOMESTIC VIOLENCE?	YES <input type="checkbox"/>	Attachments: Affidavit(s) <input type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/>	Total Charges: 4
# 4	Charge: Reckless Driving with serious bodily injuries	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: 316.192(3)(a)(b)(c)/2	Citation No: AHID08E
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No: Bond:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No: Bond:

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Sworn to and subscribed before me, the undersigned this <u>6th</u> day of <u>April</u> , <u>2023</u> . Name: <u>[Signature]</u> <u>Cpl. Arnal Lopez</u>	I swear/affirm the above statements are correct and true.	Right thumb
Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/>	<u>[Signature]</u> OFFICER'S/COMPLAINANT'S SIGNATURE	
Type of Identification:	NAME(PRINTED) Master Corporal Brian Gensler ID NUMBER 1920-564	

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Defendant Name:		Agency Case Number:	
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#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: Citation No: Bond:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: Citation No: Bond:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: Citation No: Bond:

██████████ was transported to Halifax Health Medical Center, located at 303 North Clyde Morris Boulevard, Daytona, Florida 32114.

Florida Highway Patrol Corporal Tiffany Jateff arrived on scene on Sunday, December 11, 2022, at 3:37 AM and was assigned as the lead traffic homicide investigator for this case. Upon Corporal Jateff's arrival she located several large gouge marks and debris field (Initial Area of Collision) that began in the inside eastbound travel lane of State Road 44. The debris field traveled towards the east and split toward the center median and outside eastbound travel lanes. While walking the debris field towards the outside eastbound lane, Corporal Jateff located a 2020 Toyota Tacoma ██████████ with heavy damage to its right front. This damage extended towards the firewall of the vehicle causing induced damage into the interior compartment of the vehicle. The left front wheel assembly was separated from the Tacoma, and the right front tire was pinned into the firewall. The severity of the impact caused the frame of the Tacoma to buckle. All the airbags deployed on the Tacoma as a result of this collision. Due to ██████████ being trapped in the passenger seat of the Tacoma, the passenger front door had been forced open by fire rescue personnel. The windshield was smashed, and the right-side windows and left rear window were broken. Corporal Jateff also located blood along the right-side bed exterior of the vehicle.

From the initial area of collision, Corporal Jateff followed the debris field to the center median. In the center median, she located a black Infiniti Q50 sedan facing northbound. The Q50 had heavy front-end damage to the to the right front corner of the vehicle. The roofline was buckled, and the passenger A-pillar was pushed inward. From the broken windshield, she observed ██████████ deceased and trapped in the front passenger seat. All airbags were deployed along the interior of the Q50. Laying deceased outside of the vehicle to the east was ██████████ To the rear of the vehicle, ██████████ was laying deceased outside of the vehicle. These two subjects were ejected from within the Q50. All the decedents had green and white wristbands consistent with night club / bar usage.

The damage sustained by both the Tacoma and Q50 were consistent with a high speed, head on impact. Based on the physical evidence on scene, the Tacoma was traveling westbound in the eastbound lanes of State Road 44. During the course of Corporal Jateff's investigation, she was unable to locate the Tacoma's driver. She spoke with a witness on scene who recalled a male subject exiting the Tacoma through a window. This male subject fell to the ground and began mumbling as he walked east away from the scene. This witness also approached the Q50 and observed someone named Devin in the driver seat of the vehicle. The witness opened the driver door and Devin crawled from the vehicle. The Tacoma was towed by C&S Towing to 1014 Shadick Drive, Orange City, Florida 32763 and the Q50 was towed to the secured Florida Highway Patrol impound facility located at 1651 North Kepler Road, DeLand, Florida 32724.

Sworn to and subscribed before me, the undersigned this <u>6th</u> day of <u>April</u> , <u>2023</u> Name: <u>Cpl. Arnaldo Lopez</u>	I swear/affirm the above statements are correct and true.	Right thumb
Notary Public <input checked="" type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/>	OFFICER'S/COMPLAINANT'S SIGNATURE <u>CK R J</u>	
Type of Identification:	NAME(PRINTED) Master Corporal Brian Gensler	ID NUMBER 1920-564

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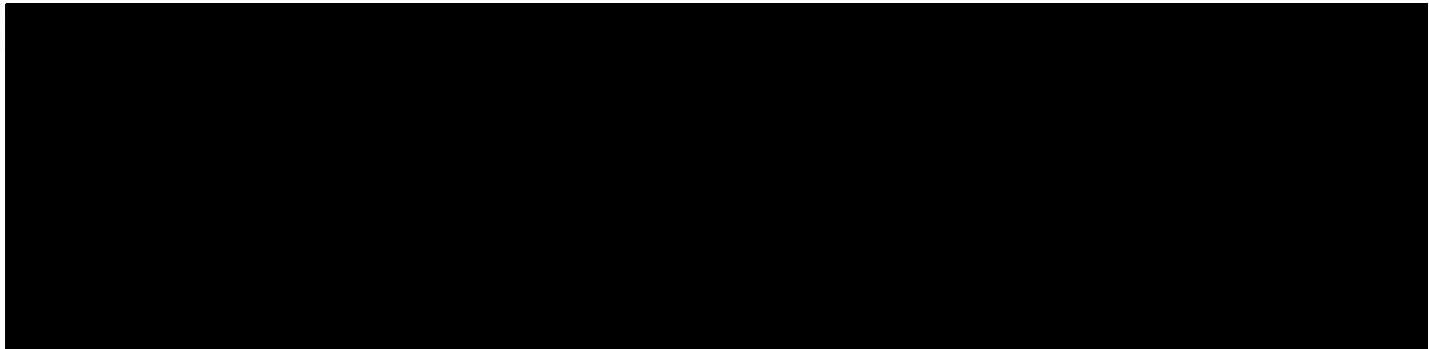
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#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: Citation No: Bond:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: Citation No: Bond:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: Citation No: Bond:

Due to the airbags being deployed on the Infinity Q50, a search warrant was issued for DNA sample from Devin Joseph Perkins and one for deployed driver's airbags to be tested and compared by the Florida Department of Law Enforcement. The lab results confirmed that Devin Joseph Perkins was operating the Infinity Q50 at the time of the crash.



A search warrant was issued for his blood taken from Devin Joseph Perkins at Halifax Health Medical Center, from where he was transported from the crash. The blood results were positive for alcohol (ethanol), Delta 9 tetrahydrocannabinol (THC). This blood was taken one hour after the crash occurred.

I requested video and license plate reader information from the area of downtown and Interstate 4, reference to the Infinity Q50 that Devin Joseph Perkins was driving. A license plate reader on Orange Avenue had read the Infinity Q50 at 1:50 a.m., which was approximately 23 minutes before the crash occurred. The route from Fixtion bar to the crash site was approximately 37.5 miles. The average speed for this route would have been 97 miles per hour, without stopping for any traffic lights or any obstructions.

A search warrant was issued for the Infinity Q50 event data recorder (EDR). The EDR was imaged and the results of the EDR were that the Infinity Q50 was traveling at 99 to 100 miles per hour in the 5 seconds before the crash in a posted 65 miles per hour zone. The speed limit on Interstate 4 is 60 miles per hour through Orange County and top speed limit of 70 miles per hour in Volusia County.

Based on Devin Joseph Perkins traveling at a speed 30 to 40 miles per hour above the posted speed limit and driving under the influence of alcoholic beverages and THC, he was driving in a reckless manner that caused the death of his three passengers and serious bodily injuries to the passenger of the Toyota Tacoma.

Sworn to and subscribed before me, the undersigned this _____ day of _____	I swear/affirm the above statements are correct and true.	Right thumb
Name: <i>CPL. Brian Gensler</i>	OFFICER'S/COMPLAINANT'S SIGNATURE <i>Brian Gensler</i>	
Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/>		
Type of Identification:		