

STATE V. Ruben Perez

STATE ATTORNEY'S OFFICE WARRANT REVIEW FORM

TO ISSUING MAGISTRATE

The State Attorney's Office has reviewed the attached Probable Cause and hereby forwards it to the Court for a Probable Cause Review.

The State Attorney's Office would request that the Court set the following conditions on pre-trial release upon the finding of Probable Cause.

RECOMMENDED TOTAL BOND: FAR

NO CONTACT WITH 

DEFENDANT NOT TO BE IN THE LOCATION OF: _____


DEFENDANT NOT TO USE ALCOHOL OR DRUGS

OTHER: _____

The State has the following information that should be considered by the Court in the setting of bond upon the finding of Probable Cause:

TO INVESTIGATING AGENCY ATTN: _____

The State Attorney's Office has received the attached Probable Cause Affidavit and suggests that it is not sufficient.


Assistant State Attorney
James C. Branum #1012142

Local State Nationwide

AL,GA NC,SC,TN,MS, LA

PROBABLE CAUSE AFFIDAVIT

OBTS #			1. Arrest Affidavit	3. Complaint Affidavit	4	Juvenile	N			
ORI #	FL0200800	Office of Inspector General - DC	2. Notice to Appear	4. Request for Capias	Report # 23-11444					
Location of Offense				Date of Offense		Date of Arrest				
Gadsden Correctional Facility, 6044 Greensboro Hwy, Quincy, FL 32351				06/12/2023						
Name: Ruben Perez						Alias: N/A				
Race	1 - Indian American	Sex	DOB or Age	Height	Weight	Eye Color	Build			
W - White B - Black	O - Oriental Asian	W	M	5'06"		Brown	Heavy			
Address (Street, Apt, Number)				(City)	(State)	Phone				
[REDACTED]				[REDACTED]	[REDACTED]	[REDACTED]				
<input type="checkbox"/> 1. Parent <input type="checkbox"/> 2. Legal Custodian <input type="checkbox"/> 3. Other		Name of Parent or Custodian (Last, First, Middle)				Residence Phone				
		N/A				() -				
Address (Street, Apt, Number)				(City)	(State)	Business Phone				
[REDACTED]				[REDACTED]	[REDACTED]	[REDACTED]				
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	R. Smuggle	K. Dispense / Distribute	M. Manufacture / Produce / Cultivate	Z. Other	Type:	B. Barbiturate	H. Hallucinogen	P. Paraphernalia / Equipment	U. Unknown
N. N/A	B. Buy	D. Deliver	E. Use			N. N/A	C. Cocaine	M. Marijuana	S. Synthetic	Z. Other
P. Posses	T. Traffic					A. Amphetamine	E. Heroin	O. Opium / Deriv		
Charge Description:			Counts	<input checked="" type="checkbox"/> F.S. <input type="checkbox"/> Ord	State Violation Number:			Violation of Section (ORD)		
Sexual Misconduct			1		944.35(3)(B)(2)					
Activity	Drug Type	Amount / Unit		State Attorney Number		Court Number				
<input checked="" type="checkbox"/> PC	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 she has just and reasonable grounds to believe, and does believe that the above-named Defendant committed the following Violation of the law: Sexual Misconduct on June 12, 2023, at approximately 11:00 <input checked="" type="checkbox"/> AM, <input type="checkbox"/> PM (Specially include facts constituting cause for arrest).										

Your Affiant is Law Enforcement Detective Maria Fender (*Detective Fender*) with the Office of Inspector General for the Florida Department of Corrections. The Defendant is Mr. Ruben Perez (*Mr. Perez*). Your Affiant has investigated a case involving Sexual Misconduct between the Defendant and an incarcerated inmate; while the Defendant was working as a Maintenance Squad Supervisor at Gadsden Correctional Facility, a privately owned Correctional Institution, contracted by the Florida Department of Corrections.

On June 14, 2023, [REDACTED] an Inmate housed at Gadsden Correctional Facility from the dates of [REDACTED] provided sworn testimony [REDACTED]

On Monday, June 12, 2023, both the Victim and the Defendant were located inside the maintenance bay located at Gadsden Correctional Facility where they engaged in oral and vaginal intercourse culminating with the Defendant ejaculating inside the Victim's vagina.

The Victim was [REDACTED] documented, photographed, and collected evidence from the victim. The collected evidence was submitted to the Florida Department of Law Enforcement (FDLE) Crime Lab for Forensic Analysis and presented a positive DNA result for the presence of a mixture consistent with two donors, including at least one male.

A Search Warrant was obtained and executed for the purposes of collecting the Defendant's DNA via Buccal Swab for forensic comparison. The results returned a positive finding, identifying the Defendant as the co-contributor to the DNA evidence.

Your Affiant respectfully submits probable cause has been established that the Defendant, Mr. Ruben Perez committed the criminal violation, of Sexual Misconduct in Violation of §944.35(3)(B)(2) Florida State Statute; with an Inmate while employed at Gadsden Correctional Facility in the city of Greensboro, located in Gadsden County, Florida.

All supporting documents and testimony referred to in this affidavit will be available for judicial review and will be further explained in your Affiant's report of investigation.

<input type="checkbox"/> Miranda Warning		Hold for Agency Name:	Verified By:	PC. Exists for Charge(s)	Judge's Signature <i>Ronald W. Perry</i>	Date 11/29/23 <i>FAC</i>
<input type="checkbox"/> Adults Only Hold for First Appearance	Sworn to And subscribed before me the undersigned authority this _____ day of _____ 20____			Date:	Bond Charge #	Bond Charge #
<input type="checkbox"/> Do not Bond Out Reason:	Name/Title of Person Authorized to Administer Oath <i>[Signature]</i>			Bond Type 1. ROR 2. Cash	3. Surety 4. Bail / Bond	5. Cert 6. Other
I swear/Affirm the above and attached statements are true and correct	Name/Title of Person Authorized to Administer Oath <i>[Signature]</i>			Returnable Court Date	Returnable Court Time	<input type="checkbox"/> AM <input type="checkbox"/> PM
Officer's / Complainant's Signature <i>Maria Fender</i> Maria Fender R2W Name (Printed)	Name/Title of Person Authorized to Administer Oath <i>[Signature]</i>			Release Date	Release Time	<input type="checkbox"/> AM <input type="checkbox"/> PM
ID# / Dist.	Releasing Officer				Page 1 of 2	

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

STATE OF FLORIDA

CASE NO.

-vs-

AGENCY CASE NO. 23-11444

Ruben Perez

Defendant

RACE/SEX: White/Male

DOB: [REDACTED]

SSN: [REDACTED]

ADDRESS: LKA, [REDACTED]

AFFIDAVIT FOR ARREST

Before me, Circuit Court Judge Ronald W Flury, personally appeared Detective Maria Fender (Affiant), who being sworn, deposes and says:

COUNT 1: Sexual Misconduct

That Mr. Ruben Perez, an employee at Gadsden Correctional Facility, in the month of June 2023, did then and there, engage in acts of Sexual Misconduct (*oral and vaginal intercourse*) with an Inmate upon the grounds of a state correctional institution, contrary to Florida Statute §944.35(3)(B)(2).

Your Affiant has documented her 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 respectfully submits probable cause has been established that, Mr. Ruben Perez committed the criminal violations of; Sexual Misconduct in violation of §944.35(3)(B)(2), Florida State Statute; while employed at Gadsden Correctional Facility in the city of Greensboro, located in Gadsden County, Florida.

Maria Fender
AFFIANT

SWORN TO AND SUBSCRIBED BEFORE ME THIS 21 DAY OF November, 2023.

Ronald W Flury
JUDGE OF THE ABOVE COURT

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

STATE OF FLORIDA

CASE NO.

-vs-

AGENCY CASE NO. 23-11444

Ruben Perez

Defendant

RACE/SEX: White / Male

DOB: [REDACTED]

SSN: [REDACTED]

ADDRESS: LKA, [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 DETECTIVE MARIA FENDER, DATED THE
____ DAY OF _____ 2023, SAID AFFIDAVIT ALLEGING:

COUNT 1: Sexual Misconduct

That Mr. Ruben Perez, an employee at Gadsden Correctional Facility, in the month of June 2023, did then and there, engage in acts of Sexual Misconduct (*oral and vaginal intercourse*) with an Inmate upon the grounds of a state correctional institution, contrary to Florida Statute §944.35(3)(B)(2).

Your Affiant has documented her 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 respectfully submits probable cause has been established that, Mr. Ruben Perez committed the criminal violations of; Sexual Misconduct in violation of §944.35(3)(B)(2), Florida State Statute; while employed at Gadsden Correctional Facility in the city of Greensboro, located in Gadsden County, Florida.

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 29 DAY OF November 2023, AT GADSDEN COUNTY, FLORIDA.

BAIL BOND IS FIXED AT \$ For

BOND IS TO BE SET AT FIRST APPEARANCE



JUDGE OF THE ABOVE COURT