

FLORIDA DEPARTMENT OF LAW ENFORCEMENT

COMPLAINT NUMBER										AGENCY ORI NUMBER										<input checked="" type="checkbox"/> ADULT <input type="checkbox"/> JUVENILE									
P E 2 0 0 0 3 3										H O 1 7 0 3 0 0										SEX RACE DATE OF BIRTH AGE									
FULL NAME (Last, First, Middle)										W M 0 5 0 5 6 3 4 6										HEIGHT WEIGHT									
John Mitchell Tomlinson										SOC. SEC. NO.										6'0" 0 5 6 3 4 6									
AKA, NICKNAME, MAJEN										STATE OF BIRTH										CITIZENSHIP									
ADDRESS (STREET, APT, NUMBER)										PHONE										OCCUPATION									
PETITENT ADDRESS (IF APPLICABLE)										law enforcement										PLACE OF EMPLOYMENT									
SCARS, MARKS, TATTOOS, UNIQUE PHYSICAL FEATURES (LOCATION, TYPE, DESCRIPTION)										Santa Rosa SO																			
PLACE OF ARREST										ZONE										DATE									
Santa Rosa County										TIME (MIL)										LOCATION OF INCIDENT									
NAME OF PARENTS / GUARDIAN IF APPLICABLE										ADDRESS										PHONE NUMBER									
NOTIFIED BY (NAME)										DATE										TIME (MIL)									
RELEASED TO										RELATIONSHIP										DATE									
																				TIME (MIL)									
COURT INFORMATION										COURT DATE										COURT TIME									
<input checked="" type="checkbox"/> FELONY <input type="checkbox"/> FELONY TRAFFIC										<input type="checkbox"/> MISDEMEANOR <input type="checkbox"/> MISDEMEANOR TRAFFIC										<input type="checkbox"/> FS <input type="checkbox"/> ORD									
CHARGES <input type="checkbox"/> PC <input type="checkbox"/> CAPIAS <input type="checkbox"/> AC <input type="checkbox"/> BW <input type="checkbox"/> PW <input type="checkbox"/> JUV PU										STATUTE NO.										SUB-SECTION									
Sexual Battery 794.011(8)(b)										7 9 4 0 1 1 (8) (b)										1 2 0 9 5									
CHARGES <input type="checkbox"/> PC <input type="checkbox"/> CAPIAS <input type="checkbox"/> AC <input type="checkbox"/> BW <input type="checkbox"/> PW <input type="checkbox"/> JUV PU										STATUTE NO.										SUB-SECTION									
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CHARGES <input type="checkbox"/> PC <input type="checkbox"/> CAPIAS <input type="checkbox"/> AC <input type="checkbox"/> BW <input type="checkbox"/> PW <input type="checkbox"/> JUV PU										STATUTE NO.										SUB-SECTION									
HOLD FOR FIRST APPEARANCE										<input type="checkbox"/> HOLD FOR OTHER AGENCY										RELEASE DATE									
DO NOT BOND OUT										REASON										RELEASE TIME									
WEAPON SEIZED / TYPE										02. Knife/Cutting Instrument										08. Explosive									
00. Not Applicable										03. Shotgun										06. Blunt Object									
01. Handgun										04. Other Firearm										07. Poison									
RESIDENCE TYPE										INFLUENCE DRUG										INFLUENCE ALCOHOL									
1. City 3. Florida										1. Yes										1. Yes									
2. County 4. Out of State										2. No										2. No									
										3. Unknown										3. Unknown									
COMPLAINANT										ADDRESS										PHONE									
PROBABLE CAUSE (Be Specific) The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe that the above named defendant committed the following violation of law. (Locations, include Name of Business)										SEE ADDENDUM OF PROBABLE CAUSE *																			
I swear that the above statement is correct and true to the best of my knowledge and belief.										Sworn to and subscribed before me, the undersigned authority this										The Court reviewed this advisory and finds that there is <input type="checkbox"/> is probable cause to hold and bind over the defendant for trial.									
DATE 3/9/10										DATE MARCH 9 20 10										DATE 3/9/10									
Name/Title of Person Authorized to Administer Oath: SA Jane Schachle										Name/Title of Person Authorized to Administer Oath: [Signature]										Judge's Signature [Signature]									
Full Time Law Enforcement Officer										Full Time Law Enforcement Officer										BOND TYPE									
																				<input type="checkbox"/> ROR <input type="checkbox"/> SURETY <input type="checkbox"/> JAIL BOND <input type="checkbox"/> CASH									
																				<input type="checkbox"/> CERT <input type="checkbox"/> OTHER									
																				Count 1 \$50,000 4/52-120									
OBTs NO.										OCA NUMBER										ENTERED NCIC FCIC									

RETURN

This Warrant was received by this department at _____
 County, Florida,
 on the _____ day of _____ A.D., 20____
 and executed in _____ County,
 Florida, on the _____ day of _____
 A.D., 20____ by arresting the within named

 Arresting Officer / Department _____
 Date and time of service _____
 Place of service _____

REMARKS

CASE NO. PE200033

IN _____ COURT
 CIRCUIT
 OKALOOSA COUNTY
 STATE OF FLORIDA

WARRANT

ORDER TO TAKE INTO CUSTODY
 STATE OF FLORIDA

VS.

John Mitchell Tomlinson

In the name of the State of Florida, to the Law
 Enforcement Officers of said County

WHEREAS: S.A. Jane Schuchle and Det. Lawrence Tyus
 has made oath on the _____ day
 of _____ March _____ A.D., 2010 in the County
 aforesaid one John Mitchell Tomlinson
 did unlawfully violate: 794.011(8b)

Contrary to the law and such case and provided,
 and against the peace and dignity of the State of
 Florida. This Warrant is a command to arrest
 instanter the above named:

John Mitchell Tomlinson

and bring said person before the court to be
 dealt with according to law.

Given under my hand and seal this 9th day
 of March A.D., 2010

[Signature]
 Judge / Deputy Clerk

(Seal)

Probable Cause Affidavit

Jane Schachle and Lawrence Tynes, being duly sworn, hereby declare and state as follows:

Your Affiant, Jane Schachle, has been a Special Agent (SA) with the Florida Department of Law Enforcement (FDLE), for approximately 16 years, currently assigned to the Pensacola Regional Operations Center. Your Affiant, Lawrence Tynes, has been employed with the Santa Rosa County Sheriff's Office for 15 years.

This affidavit is the result of an investigation which began with your Affiant, SA Schachle, receiving information from the Santa Rosa County Sheriff's Office (SRCO) regarding Lieutenant (Lt.) Mitch Tomlinson on March 3, 2010. This information consisted of allegations against Lt. Tomlinson that he had sexually abused [redacted], w/f, dob: [redacted], hereafter referred to as the victim, from 9 to 18 years of age.

On Thursday, March 4, 2010, and Sunday, March 7, 2010, your Affiants interviewed the victim under oath regarding her father, Lt. John Mitchell "Mitch" Tomlinson, SRCO. The victim verified that at the approximate age of 9, she was sent to live with Mitch and [redacted] because the victim's mother died when she was six and her father did not want to raise the victim and her siblings. [redacted] is the [redacted] of the man the victim believed to be her biological father. [redacted] and Mitch Tomlinson lived in their 3 bedroom home located on [redacted] in Santa Rosa County. When the victim was almost 10 years old after moving in with the Tomlinson the victim reported when she would get out of the shower Mitch Tomlinson would tell her to sit in his lap and would insist on brushing her hair. The victim reported that she would wear a t-shirt and underwear to bed and would sleep on the top bunk in a bedroom she shared with Mitch Tomlinson's son who slept on the bottom bunk. After [redacted] and the other children were asleep, Mitch Tomlinson would come into the victim's bedroom and try to get on the top bunk with her while standing on the bottom bunk where his son was sleeping. The victim reported that she acted like she was asleep and slept next to the wall to try and get away from him. The victim reported that since Tomlinson was a "big guy" he could not get to her and three to four days later Mitch Tomlinson told [redacted] that since the victim was a girl she needed a bigger bed and moved the victim to the bottom bunk. After the victim was moved to the bottom bunk and after her younger brother fell asleep Tomlinson regularly entered her room and consistently rubbed on her legs, her chest and vaginal area. Tomlinson would try to wake her up, however, she would act like she was asleep. The victim explained that Tomlinson would rub her legs, breasts, vaginal area, back and buttocks with his fingers against her skin almost every day and it stayed like that for years until [redacted] left the home. The victim reported that Tomlinson told her not to say anything about this as he

could lose his job, no one would have a place to live and she would have to return to live with her father where she was abused.

The victim reported that when she was in approximately 9th grade and starting, approximately 2002 or 2003, they moved to a house on, in Santa Rosa County where Tomlinson performed oral sex on her. The victim reported that one day Tomlinson came home from work early when no one else was home and told her to go into his bedroom. Tomlinson pulled the victim's pants down, forced her to lie down on his bed because she was fighting him at the time and telling him to stop. Tomlinson told her she could not go to her friend's house. The victim asked him what he was doing to her because at that time she "did not know what any of it was". Tomlinson attempted to perform oral sex on her by forcing her legs apart. The victim resisted by kicking Tomlinson, who stopped his advances because arrived home from school.

The victim reported another instance around the same time that Tomlinson came home early from work, no one was home and told her to go to his bedroom. Tomlinson told her to lie down on his bed and told her to take her clothes off. Tomlinson, who was clad in boxer shorts, put his hands on her knees, forced her legs apart and held her legs down. The victim stated that her arms were behind her back and Tomlinson was holding her legs down to the point that the force made her groin area hurt. The victim stated that Tomlinson penetrated her vaginal area with his tongue for approximately two minutes as she was resisting, rolling around to try and get away. The victim stated that she was able to get away because called Tomlinson and said she was on her way home. After this the victim went into her bedroom and cried because she felt so gross. The victim knew that she was not supposed to say anything about this and understood and believed that if she told she would be kicked out of the house, have no where to go since her biological mother was dead, and be turned over to the state.

The victim further reported that in approximately 2003 before she was old enough to drive, they moved to another house on, Santa Rosa County where she had her own bedroom. The victim reported that she begged her, to be able to have the loft in their home as her bedroom, however, Mitch Tomlinson said that she had to sleep downstairs in the bedroom across from his room. The victim reported that each child was allowed to stay home a day from school to unpack their things and set up their respective bedrooms. After each child had a day to do this the victim was told to stay home another day to unpack even though her room was already set up. Tomlinson told the victim the night before that she would be staying home from school the following day. The following day Mitch Tomlinson left his SRCSO job in Milton early and came to the above house in Navarre. Tomlinson told her to take all her clothes off including her top, told her to lie down on the bed and he brought a thing of "KY" in the bedroom. Tomlinson told her not to move and not to fight him

or there would be repercussions. Tomlinson, pulled his pants down, left his shirt on, and penetrated her vagina with his penis. The victim reported that the sex act lasted about 5 minutes and she did not know if he ejaculated in her. The victim reported that Tomlinson did not "call off work" before this happened. The victim reported that this occurred 2-3 times a week for weeks afterward and it was either oral sex on her or him "raping me". The victim stated that after a few weeks it averaged 4-5 days a month until she moved out of the house at 18 years of age. The victim reported that Tomlinson would move her dresser in front of her bedroom door to keep anyone from entering. The victim reported that Tomlinson told her if she said anything about the abuse she would not be able to go to her friend's house, he would lose his job and no one would have a place to live, and no one would get any money. The victim reported that when Tomlinson would give her money he would tell her, "you owe me later".

On March 4, 2010, your affiants interviewed [redacted] who reported that the victim told her in approximately 1998 or 1999 that Mitch Tomlinson had inappropriately touched her. [redacted] reported that she confronted Mitch Tomlinson and he "vehemently denied it". [redacted] stated that she was suspicious of the victim's relationship with Mitch Tomlinson as he spent more time with the victim than he did her. [redacted] described the victim's relationship with Mitch Tomlinson as being closer than most relationships almost to an intimate level.

Records obtained from the SRCSO indicate that the Tomlinson's resided at the first location, [redacted], Navarre, (identified by the victim as [redacted]) from approximately October 1999, when she was eleven years old to approximately April 2002, when she was fourteen years old. The Tomlinson's moved to the second location, [redacted], Navarre, (identified by the victim as [redacted]) from approximately April 2002 to approximately October 2003, when the victim was fifteen years old. The Tomlinson's moved to the third residence, [redacted], Navarre, (identified by the victim as [redacted]) in October 2003, where Mitch Tomlinson still resides. The victim lived at this residence with Tomlinson until she moved out in August 2007 after her first child was born.

John Mitch Tomlinson (w/m, dob: 5/5/63), between on or about October 1, 2003, and on or about April 1, 2006, in Santa Rosa County, Florida, as a person in a position of familial or custodial authority to a person less than 18 years of age did knowingly commit sexual battery upon a person 12 years of age or older without that person's consent in violation of section 794.011(8)(b), Florida Statutes (120 cts).

Your Affiants hereby swear that the facts established in this affidavit are true and correct to the best of our knowledge and belief:

Jane Schachle # 664

Jane Schachle
Special Agent
Florida Department of Law Enforcement

Lawrence Tynes # 179/66

Lawrence Tynes
Detective
Santa Rosa County Sheriff's Office

Subscribed and sworn to before me this 9th day of March, 2010

[Signature]
Circuit Court Judge
Escambia County

PROBABLE CAUSE ARREST AFFIDAVIT

Office of State Attorney

First Judicial Circuit



Admin	OBTS No:				Office of State Attorney, First Judicial Circuit				
	Agency ORI: FL01/015A				Agency Report No.: 2010-03-E				
	Location of Offense: Santa Rosa County, Florida				Date of Offense: Apr - May 1996		Date of Arrest:		
Defendant	Name: (Last, First, Middle) TOMLINSON, John Mitchell				Alias: Mitch				
	Race: White	Sex: Male	DOB: 05/05/1963	Hgt: 6'00"	Wgt: 325	Eye Color: Unknown	Hair Color: Brown	Skin Tone: Fair	
	Build: Large								
	Address: Walton County Jail		City: DeFuniak		State: FL	Phone: N/A			
Juvenile	Social Security No: [REDACTED]				Driver License No: [REDACTED]		Driver License State: FL		
	Name of Parent or Custodian (Last, First, Middle)				Phone:				
	Address:		City:	State:	Business Phone:				
Charge(s)	Notified by: (Name):		Date:		Time: <input type="checkbox"/> AM <input type="checkbox"/> PM		Juvenile Dispo:		
	Released to: (Name):		Relationship:		Date:		Time: <input type="checkbox"/> AM <input type="checkbox"/> PM		
	Activity: <input type="checkbox"/> Buy <input type="checkbox"/> Deliver <input type="checkbox"/> Use <input type="checkbox"/> Dispense/Distribute <input type="checkbox"/> Manufacture/Produce/Cultivate <input type="checkbox"/> N/A <input type="checkbox"/> R. Smuggle <input type="checkbox"/> P. Possess <input type="checkbox"/> T. Traffic <input type="checkbox"/> S. Sell <input type="checkbox"/> Z. Other <input type="checkbox"/> N				Type: <input type="checkbox"/> N. N/A <input type="checkbox"/> A. Amphetamine <input type="checkbox"/> B. Barbiturate <input type="checkbox"/> C. Cocaine <input type="checkbox"/> E. Heroin <input type="checkbox"/> H. Hallucinogen <input type="checkbox"/> M. Marijuana <input type="checkbox"/> O. Opium/Deriv. <input type="checkbox"/> P. Paraphernalia/Equip. <input type="checkbox"/> S. Synthetic <input type="checkbox"/> U. Unknown <input type="checkbox"/> N				
	#1 Charge Dispo: Sexual Battery, Victim Under Age 12 – Defendant Over Age 18		Counts: 05		Statute Violation No: 794.011 (2) (a)		Violation of Section (Ord.):		
	Activity: <input type="checkbox"/> N		Drug Type: <input type="checkbox"/> N		Amount/Unit: N/A		SAO #: 2010-03-E		
	<input type="checkbox"/> PC <input checked="" type="checkbox"/> Capias <input type="checkbox"/> AC <input type="checkbox"/> BW <input type="checkbox"/> FW <input type="checkbox"/> PW <input type="checkbox"/> Juv. P/U		Date Issued: 03/11/2010						
	#2 Charge Dispo: N/A		Counts: N/A		Statute Violation No: N/A		Violation of Section (Ord.): N/A		
	Activity: N/A		Drug Type: <input type="checkbox"/> N		Amount/Unit: N/A		SAO #: N/A		
	<input type="checkbox"/> PC <input checked="" type="checkbox"/> Capias <input type="checkbox"/> AC <input type="checkbox"/> BW <input type="checkbox"/> FW <input type="checkbox"/> PW <input type="checkbox"/> Juv. P/U		Date Issued:						
	#3 Charge Dispo: N/A		Counts: N/A		Statute Violation No: N/A		Violation of Section (Ord.): N/A		
Activity: N/A		Drug Type: <input type="checkbox"/> N		Amount/Unit: N/A		SAO #: N/A			
<input type="checkbox"/> PC <input checked="" type="checkbox"/> Capias <input type="checkbox"/> AC <input type="checkbox"/> BW <input type="checkbox"/> FW <input type="checkbox"/> PW <input type="checkbox"/> Juv. P/U		Date Issued:							
Probable Cause	The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe, that the above named defendant committed the following violations of law:								
	F.S. 794.011 (2) (a) To Wit: SEXUAL BATTERY, VICTIM UNDER THE AGE OF 12 – DEFENDANT OVER THE AGE OF 18 (5 Counts)								
	SEE ATTACHED PROBABLE CAUSE AFFIDAVIT								
Admin	I swear/affirm the above and reverse side and attached statements are true and correct.				Sworn to and subscribed before me, the undersigned authority this 10th day of March 2010.				
	Affiant's signatures: Name (printed): H.C. "Buddy" Gomez / Investigator, Office of State Attorney I.D. No. 924 Carl Causey / Special Agent, Florida Department of Law Enforcement				Signature: Name (printed)/Title of Person authorized to administer oath: Barry R. Brooke / Chief Investigator, Office of State Attorney				
Bond	Bond Type:		Bond Type:		Bond Type:		Returnable Court Date:		
	Charge #: 794.011(2)(a) x5		Charge #: N/A		Charge #: N/A		Returnable Court Time: <input type="checkbox"/> AM <input type="checkbox"/> PM		
Amount:				Release Date:				Release Time: <input type="checkbox"/> AM <input type="checkbox"/> PM	
				Releasing Officer:					

ADDITIONAL INFORMATION:

RETURN

This Warrant was received by this department at Santa Rosa County, Florida on the 11th day of March A.D., 2010, and executed in _____ County, Florida on the _____ day of _____ A.D., 2010, by arresting the within named John Mitchell TOMLINSON

Arresting Officer: _____

Department: _____

Date and Time of Service: _____

Place of Service: _____

REMARKS:

WARRANT**ORDER TO TAKE INTO CUSTODY****STATE OF FLORIDA**

vs.

TOMLINSON, John MitchellCASE NO: 2010-03-E**IN CIRCUIT COURT
SANTA ROSA COUNTY
STATE OF FLORIDA**

In the name of the State of Florida, to the Law Enforcement Officers of said State. WHEREAS OSA Investigator H.C. "Buddy" Gomez and FDLE Special Agent Carl Causey has made on oath that on Multiple days between April and May A.D., 1996 in the County aforesaid one John Mitchell TOMLINSON did unlawfully violate F.S. 794.011 (2) (a) SEXUAL BATTERY, VICTIM UNDER THE AGE OF 12 - DEFENDANT OVER THE AGE OF 18 (5 Counts) contrary to the law in such case and provided, and against the peace and dignity of the State of Florida.

x

*Supervisors Signature*BROOKE, Barry R., Chief Investigator, OSA
Supervisors Name/Rank/Title/Agency

This Warrant is a command to arrest instanter the above named John Mitchell TOMLINSON and bring said person before the court to be dealt with according to law.

Given under my hand and seal this _____ day of _____ A.D., 2010.

Judge/Deputy Clerk

Seal

PROBABLE CAUSE AFFIDAVIT

Agency ORI: FL017015A

Agency Case No: 2010-03-E

STATE OF FLORIDA
COUNTY OF SANTA ROSASexual Battery

Your affiant, Carl Causey is a Special Agent with the Florida Department of Law Enforcement (FDLE), and has a total of over 28 years of service as a sworn Law Enforcement Officer in the State of Florida. Your affiant, Buddy Gomez, is an Investigator with the Office of State Attorney, and has a total of over 23 years of service as a sworn Law Enforcement Officer in the State of Florida.

On 03/10/2010, your affiants received information of a Sexual Battery, Victim Under the Age of 12 – Defendant Over the Age of 18, which occurred approximately 5 – 10 times sometime during the months between April and May 1996. The alleged violator is/was John Mitchell TOMLINSON, W/M, DOB: 05/05/1963 who is currently incarcerated in Walton County Jail, DeFuniak Springs, Florida. Information revealed TOMLINSON committed Sexual Battery on [REDACTED] over the course of one (1) to two (2) months during the spring of 1996. [REDACTED] currently resides in [REDACTED].

On 03/10/2010, your affiants, along with Office of State Attorney Chief Investigator Barry BROOKE, and SRSO Deputy Detective Larry TYNES, recorded a sworn telephonic interview with [REDACTED] (Victim). The interview took place in a conference room at the Santa Rosa County Sheriff's Office in Milton, FL., with [REDACTED] located at the Monmouth County Prosecutors Office in Freehold, NJ. Present with [REDACTED] was her grandmother, [REDACTED], Sergeant Brian VEPREK, and Detective Andrea TOZZI of the Monmouth County Prosecutors Office. [REDACTED] was properly identified and placed under oath by Sergeant Brian VEPREK, a duly sworn Law Enforcement Officer. After interviewing [REDACTED], it is the affiant's belief that sufficient probable cause does exist to substantiate an arrest warrant for John Mitchell TOMLINSON.

The interview with [REDACTED] was conducted on 03/10/2010 at 5:00PM. [REDACTED] was placed under oath, and provided the following information. [REDACTED] believes she was seven to eight (7-8) years of age at the time of the incidents. [REDACTED] stated that during the timeline mentioned, she lived with her mother and siblings at the [REDACTED], Gulf Breeze, Florida, in Santa Rosa County. [REDACTED] remembers the timeframe being prior to her First Communion at [REDACTED] in Gulf Breeze.

[REDACTED] recalls that TOMLINSON was a family friend living in the same apartment complex, and would occasionally babysit her and her siblings while [REDACTED] mother would be at work or running errands. TOMLINSON would always babysit at his apartment. [REDACTED] recalled that on "multiple" (at least 5 – 10) occasions, TOMLINSON would place his hand under [REDACTED] underwear and rub her vaginal area while [REDACTED] sat in TOMLINSON's lap. [REDACTED] stated that each time this occurred, TOMLINSON digitally penetrated her vagina.

During the times when TOMLINSON would be alone with her, [REDACTED] remembers TOMLINSON would sometimes masturbate while digitally penetrating [REDACTED] vagina.

On one particular occasion, [REDACTED] remembers being in TOMLINSON's lap when someone knocked on the door, startling TOMLINSON. TOMLINSON removed his fingers from [REDACTED] vagina then placed [REDACTED] in a chair and subsequently "smelled his fingers" before opening the door.

In a subsequent interview with [REDACTED] mother, [REDACTED] mother was able to locate [REDACTED] Reconciliation Certificate from [REDACTED], dated December 1995. [REDACTED] mother stated she and her daughters moved into [REDACTED] just prior to [REDACTED] Reconciliation. [REDACTED] mother further explained that First Communions were conducted during April or May, 1996. Based on this timeline, [REDACTED] mother stated [REDACTED] would have been nine (9) years old and resided at [REDACTED], Gulf Breeze, Florida, in Santa Rosa County.

A records check with Santa Rosa County showed TOMLINSON resided at [REDACTED] Gulf Breeze, Florida, in Santa Rosa County from June 1995 through September 1997.

Based on the foregoing, your affiants believe John Mitchell TOMLINSON did commit the offense of Sexual Battery, Victim Under the Age of 12 – Defendant Over the Age of 18 (5 Counts), during at least 5 – 10 separate occasions between April and May 1996, in violation of Florida Statute 794.011 (2) (a).

Your affiants hereby swear or affirm that the facts established in this affidavit are true and correct to the best of our knowledge and belief.