



OFFENSE REPORT

Agency/Case Number <b>SJS011OFF011430</b>	Report Date / Time <b>10/10/2011 06:05 PM</b>	Offense Description <b>0304 STRONG-ARMED ROBBERY</b>
CAD Incident Number <b>SJS011CAD109053</b>	External Case Reference Number	Range of Occurrence Date/Time <b>10/10/2011 04:57 PM to 10/10/2011 05:05 PM</b>

LOCATION OF OCCURRENCE

County <b>ST. JOHNS</b>	Address <b>175 SR 312 W, ST. AUGUSTINE, FL 32084</b>	Latitude <b>29.86674</b>	Longitude <b>-81.32606</b>
Location Category <b>Non-residence</b>	Location Type <b>Drug Store/Dr Office</b>	Location Description <b>CVS</b>	Location Status <b>None</b>
Weather <input checked="" type="checkbox"/> Clear <input checked="" type="checkbox"/> Cloudy <input type="checkbox"/> Fog <input type="checkbox"/> Rain <input type="checkbox"/> Snow <input type="checkbox"/> Hail <input type="checkbox"/> Other <input type="checkbox"/> Unknown		Lighting Condition <b>Daylight</b>	

PERSON: SUSPECT

First Name <b>TRAVIS</b>	Middle Name <b>DAVID</b>	Last Name <b>TOMKO</b>	Smith	Date of Birth <b>03/23/1973</b>	Age <b>38</b>	Race <b>W</b>	Sex <b>M</b>	Height <b>606</b>	Weight <b>250</b>	Hair <b>BLD</b>	Eyes
Master Name Index Number <b>SJS010MNI015725</b>	Place of Birth	Nation	Driver's License or Other ID <b>T520804731033</b>		State <b>FL</b>	Class of Type <b>E</b>					
Address <b>314 E STREET, ST AUGUSTINE BEACH, FL 32080</b>		City <b>ST AUGUSTINE BEACH</b>	County <b>ST. JOHNS</b>		State <b>FL</b>	Zip Code <b>32080</b>	Phone				
Residence Status <b>Within jurisdiction</b>		Vehicle or Report Associated with Person				<input checked="" type="checkbox"/> Arrested		<input type="checkbox"/> Wanted			

PERSON: WITNESS A

First Name <b>MUHIEDDINE</b>	Middle Name	Last Name <b>KOLEILAT</b>	Smith	Date of Birth <b>/ /</b>	Age <b>46</b>	Race <b>W</b>	Sex <b>M</b>	Height <b>5'11"</b>	Weight <b>0</b>	Hair <b>BLK</b>	Eyes <b>BRO</b>
Master Name Index Number <b>SJS008MNI042999</b>	Place of Birth	Nation <b>LEBANON</b>	Driver's License or Other ID <b>/ / /</b>		State <b>FL</b>	Class of Type					
Address <b>/ / /</b>		City <b>ST AUGUSTINE</b>	County <b>ST. JOHNS</b>		State <b>FL</b>	Zip Code <b>32086</b>	Phone <b>/ / /</b>				
Residence Status <b>Within jurisdiction</b>		Vehicle or Report Associated with Person				<input type="checkbox"/> Arrested		<input type="checkbox"/> Wanted			
Occupation <b>PHARMACIST</b>		Employer <b>CVS PHARMACY</b>		Master Business Index Number							
Address <b>175 SR 312, ST. AUGUSTINE, FL 32086</b>		City <b>ST. AUGUSTINE</b>	State <b>FL</b>	Zip Code <b>32086</b>	Phone <b>904-824-6167</b>						

BUSINESS: VICTIM

Business Name <b>CVS PHARMACY</b>	Contact Person <b>MUHIEDDINE KOLEILAT</b>	Phone Number <b>9048246167</b>
Address <b>175 SR 312, ST AUGUSTINE, FL 32086</b>	City <b>ST AUGUSTINE</b>	County <b>ST. JOHNS</b>
State <b>FL</b>	Zip Code <b>32086</b>	Phone <b>904-824-6167</b>

CHARGES

County <b>1</b>	Charge Number <b>812.13.2c</b>	Charge <b>ROBBERY</b>
Charge Degree <b>SECOND</b>	Charge Level <b>FELONY</b>	General Offense Code <b>PRINCIPAL</b>
Charge Description <b>NO FIREARM OR WEAPON</b>		<input type="checkbox"/> Hate Crime <input type="checkbox"/> Domestic Violence

PROPERTY ITEMS

Property Code <b>EVIDENCE</b>	Article Type <b>MISCELLANEOUS ITEM</b>	Description <b>METAL SPOON</b>
Brand	Model	Serial Number
		OAN
Value <b>1</b>	Recovered Date/Time	Recovered Value <b>0</b>
Property Code <b>STOLEN &amp; RECOVERED</b>	Article Type <b>DRUG</b>	Description <b>PRESCRIPTION BOTTLE W/ 100 OXYCODONE 15MG</b>
Brand	Model	Serial Number
		OAN
Value <b>1</b>	Recovered Date/Time	Recovered Value <b>1</b>
Property Code <b>EVIDENCE</b>	Article Type <b>MISCELLANEOUS ITEM</b>	Description <b>PLASTIC BAG W/ COTTON BALLS</b>
Brand	Model	Serial Number
		OAN
Value <b>1</b>	Recovered Date/Time	Recovered Value <b>0</b>
Property Code <b>STOLEN &amp; RECOVERED</b>	Article Type <b>DRUG</b>	Description <b>PARTIAL PRESCRIPTION BOTTLE W/ OXYCODONE 15MG</b>
Brand	Model	Serial Number
		OAN
Value <b>1</b>	Recovered Date/Time	Recovered Value <b>1</b>

INITIAL NARRATIVE: 10/10/2011 06:16 PM

Reporting Officer	Approving Supervisor
ID Number <b>3505</b>	Officer Name <b>COOKE, ZACHARY R</b>
Permanent ID Number <b>SJS007PER000025</b>	Approved <input checked="" type="checkbox"/>
Supervisor Name <b>EDENFIELD, EARL E III</b>	Permanent ID Number <b>SJS006PER000600</b>

On 10-10-11, I responded to 175 State Road 312 (CVS Pharmacy) in reference to a robbery to the pharmacy. Upon arrival, I met with Muhieddine Koleilat (Pharmacist) who stated the following:

On 10-8-11, a male named Travis Tomko walked up to the pharmacy and told them he lost his prescription of

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oxycodone and if anyone has turned it in. M. Koleilat advised no one has turned in his prescription and T. Tomko left the pharmacy. On 10-9-11, T. Tomko arrived at the pharmacy again and requested M. Koleilat to advance him some oxycodone. M. Koleilat told him he could not do that and T. Tomko left the pharmacy. On 10-10-11, T. Tomko walked up to the consultation desk and spoke with M. Koleilat. Upon approaching T. Tomko, M. Koleilat was told by T. Tomko to go to the safe and give him all the oxycodone 15mg and 30mg he had. T. Tomko also stated "Do not make me hurt you". While T. Tomko made that statement, M. Koleilat observed T. Tomko's hand underneath his shirt and pointing something towards M. Koleilat. T. Tomko also told him to not get the attention of the technicians. M. Koleilat went to the safe and obtained three (3) bottles. One bottle was full and contained 100 oxycodone 15mg. Two others were partially full and was unknown exactly how much each bottle had but the total amount of pills taken was 210 tablets of 15 mg oxycodone. Once he handed the three bottles to T. Tomko, T. Tomko told him he needed help with his addiction and proceeded out the door.

During my investigation, I was able to review the surveillance tape. At 1657 hours, I observed T. Tomko, which I personally know from previous interactions, enter the CVS wearing a black shirt and tan cargo shorts and walk to the area of the consultation desk. Due to no cameras pointing in the direction of the consultation desk, I was unable to observe T. Tomko via video from 1657 hour to 1705 hours. At 1705 hours, I observed T. Tomko leave the area of the consultation desk and walk towards the front door. I observed what appeared to be the stolen prescription bottles in his right hand. I spoke to M. Koleilat who stated he was initially in fear of T. Tomko harming him during the incident based off the statements he was told by T. Tomko.

A search via D.A.V.I.D revealed T. Tomko's last known address to be at 314 E Street located in St. Augustine Beach. Several units responded to the location and met with his wife who stated was not home but will call us when he returns home.

At approximately 2147 hours, I was dispatched to the Chillis restaurant (215 State Road 312) in reference to a suspicious person possibly using narcotics inside the bathroom. Prior to my arrival, Sgt. Faircloth arrived on scene and made contact with the male, later identified as T. Tomko (See Sgt. Faircloth's supplement). Upon arrival, I met with Sgt. Faircloth and T. Tomko, who was secured, inside the restaurant and escorted T. Tomko to my patrol car. At that time, I read T. Tomko his Miranda Warning via card which he stated he understood and wished to speak to me about the incident.

I asked T. Tomko where he obtained the one prescription bottle which was with him when Sgt. Faircloth located him inside the restroom and he replied "CVS". T. Tomko stated he lost his recently filled prescription of oxycodone and went to the CVS on 10-8-11 asking the pharmacy if anyone had turned in his prescription. Upon being told no, he left. I asked T. Tomko if he went back to the CVS on 10-9-11 (Sunday) which he replied he could not remember. I asked T. Tomko what happened today at the CVS. T. Tomko told me he went into the CVS and walked to the counter and asked the pharmacist, which he knew due to him being a regular customer, what kind of oxycodone he has in the safe. T. Tomko stated the pharmacist told him what he had and T. Tomko asked if he could have them all. T. Tomko told me the pharmacist said he could not give him the prescription pills. T. Tomko told the pharmacist "you don't understand, I need the pills". T. Tomko told me at that time, the pharmacist went to the safe and got three bottles of oxycodone and handed them to him. T. Tomko told me after receiving the pill bottles, he spoke to the pharmacist for approximately five minutes about his drug addiction and that he needs help. After the short conversation, T. Tomko left the CVS.

I asked T. Tomko where the other two prescription bottles were and he replied "Carrabbas". T. Tomko said he threw them away in the trash can located in the men's restroom. Dep. N. Bronner #3427 and Dep. Mckenzie #2958 responded to Carrabbas and collected the two prescription bottles. Dep. Mckenzie spoke to two workers at Carrabbas who stated a white male matching the description of T. Tomko entered the restaurant and walked into the bathroom and was there for approximately one hour and then left the restaurant (See affidavits attached).

I asked T. Tomko if he ever made any threats to the pharmacist and he replied "No". He further said the only thing he could think of that he said which could have been construed as a threat was "you don't understand, I need the pills". T. Tomko stated he thought the pharmacist was going to tell him no and he would have left without the prescription. T. Tomko stated he never made a threat or movement about him having a weapon. During our conversation T. Tomko stated he has never been arrested and has a severe drug problem. T. Tomko stated recent

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personal problems has magnified his addiction.

Based on the sworn affidavit provided by M. Koleilat and T. Tomko's verbal statement, I placed T. Tomko under arrest for strong arm robbery. Dep. Simpkins #3501 was also on scene at Chilis and counted the amount of pills which were still in the one prescription bottle which was found with T. Tomko. Dep. Simpkins advised 32 pills were inside the bottle. I asked T. Tomko where the rest of the pills went and he advised he used them all by crushing them and then injecting himself. Due to 178 pills missing from the pill bottles, Fire/Rescue 5 responded for an evaluation. The paramedics recommended us to bring him to Flagler Hospital for a further evaluation. I transported T. Tomko to Flagler Hospital. T. Tomko was evaluated and discharged by the doctors and I transported him to the county jail without incident.

M. Koleilat was provided a case card. A copy of the video surveillance was not available for pick up until tomorrow morning. All three prescription bottles, two plastic caps with residue, one metal spoon with residue, and a plastic bag with cotton balls were submitted into evidence.

**PROBABLE CAUSE NARRATIVE: 10/10/2011 11:54 PM**

Reporting Officer		Approving Supervisor			
ID Number <b>3505</b>	Officer Name <b>COOKE, ZACHARY R</b>	Permanent ID Number <b>SJSO07PER000025</b>	Approved <input checked="" type="checkbox"/>	Supervisor Name <b>EDENFIELD, EARL E III</b>	Permanent ID Number <b>SJSO06PER000600</b>

The undersigned certifies and swears that there is probable cause to believe the above-named defendant, on the 10th day of October, 2011, at approximately 5:00 [ ] A.M. [XX] P.M. at 175 State Road 312 within St. Johns County, violated the law and did then and there:

1.) Unlawfully and willfully commit the act of strong arm robbery by putting in fear and taking away property from another person, To Wit:

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suspicious person possibly using narcotics inside the bathroom. Prior to my arrival, Sgt. Faircloth arrived on scene and made contact with the male, later identified as T. Tomko (See Sgt. Faircloth's supplement). Upon arrival, I met with Sgt. Faircloth and T. Tomko, who was secured, inside the restaurant and escorted T. Tomko to my patrol car. At that time, I read T. Tomko his Miranda Warning via card which he stated he understood and wished to speak to me about the incident.

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Based on the sworn affidavit provided by M. Koleilat and T. Tomko's verbal statement, I placed T. Tomko under arrest for strong arm robbery. Dep. Simpkins #3501 was also on scene at Chilis and counted the amount of pills which were still in the one prescription bottle which was found with T. Tomko. Dep. Simpkins advised 32 pills were inside the bottle. I asked T. Tomko where the rest of the pills went and he advised he used them all by crushing them and then injecting himself. Due to 178 pills missing from the pill bottles, Fire/Rescue 5 responded for an evaluation. The paramedics recommended us to bring him to Flagler Hospital for a further evaluation. I transported T. Tomko to Flagler Hospital. T. Tomko was evaluated and discharged by the doctors and I transported him to the county jail without incident.

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Citation No. \_\_\_\_\_

Domestic Violence:

Probation:  Yes  No If yes, Location: \_\_\_\_\_ Sexual Predator:  Yes  No

English:  Yes  No \_\_\_\_\_ Deaf/Mute:  Yes  No

Attachments, Statements:  Traffic Citations:  DUI:

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**SUPPLEMENTAL NARRATIVE: 10/11/2011 04:16 AM**

Reporting Officer			Approving Supervisor		
ID Number <b>3436</b>	Officer Name <b>RUSSELL, JEREMY G</b>	Permanent ID Number <b>SJSO06PER000768</b>	Approved <input checked="" type="checkbox"/>	Supervisor Name <b>EDENFIELD, EARL E III</b>	Permanent ID Number <b>SJSO06PER000600</b>

On 10-10-11 I heard a robbery which just occurred being dispatched at the CVS Pharmacy, 175 State Road 312. I was close to the area and responded to assist in looking for a possible suspect. I heard radio traffic from D/S N. Bronner 3427 saying he saw a silver PT Cruiser leaving the CVS parking lot with a male driver who matched the description of the possible suspect. D/S Bronner advised the vehicle was in the turn lane of State Road 312 waiting to turn north onto US 1. I pulled in behind D/S Bronner and D/S K. Simpkins 3501 vehicle to assist in a traffic stop to see if the subject was the same as the suspect from the robbery. The vehicle turned north onto US 1 and then turned east into the parking lot beside Wendy's restaurant. D/S Bronner and D/S Simpkins began a felony traffic stop. Myself and Cpl S. Mickler 3305 provided assistance by standing to the passenger side of D/S Bronner's vehicle. D/S Bronner ordered the male driver out of the vehicle and secured him.

Cpl Mickler ordered the female passenger out of the vehicle and back to our location. It was at the time the female was walking back to where myself and Cpl Mickler were that I heard the voice of Sheriff Shoar approaching our direction. While myself, Cpl Mickler and Sheriff Shoar were on the passenger side of the vehicle I began to handcuff the female, later identified as Lea Kilgallon, due to it not being known at this time if these subjects were related to the robbery or not. As I was putting the handcuffs on L. Kilgallon's right hand the latch got caught in her blouse. L. Kilgallon was moving around and I did not want to damage the blouse so I reached under her arm to get the latch loose. L. Kilgallon began to accuse me of putting my hand down her pants. I explained to her that I did not put my hand down her pants but was only trying to not damaged her blouse and finished securing her. I asked her to have a seat in D/S Bronner's vehicle until we could determine what / if any involvement she had with the robbery. A short time later it was determined that L. Kilgallon and the male subject were not related to the robbery. I removed the handcuffs from L. Kilgallon and stated my apologies for any inconvenience we may have caused her. I provided her the name of all the Sheriff's Office personnel who were present. She did not seem understanding to the Sheriff's Office response to the situation and made it verbally known of her aggravation. I asked her if she was alright and if she had any further questions and she turned and stomped off towards her vehicle. It was at this time I left the scene in the control of D/S Bronner and D/S Simpkins. I returned back to the area of the CVS to look for the suspect.

Sgt. Faircloth was made aware of this incident due to the possibility of a complaint. My involvement in this incident ended at this point.

**SUPPLEMENTAL NARRATIVE: 10/11/2011 04:46 AM**

Reporting Officer			Approving Supervisor		
ID Number <b>445</b>	Officer Name <b>FAIRCLOTH, RONALD S</b>	Permanent ID Number <b>SJSO06PER000617</b>	Approved <input checked="" type="checkbox"/>	Supervisor Name <b>EDENFIELD, EARL E III</b>	Permanent ID Number <b>SJSO06PER000600</b>

**110FF011430**

Dispatch put out a call for a robbery at the CVS Pharmacy located at S. R. 312 and Old Moultrie Road. While in route to CVS I was advised by dispatch FHP had an individual secured matching the description of the suspect at the Wells Fargo Bank located at S. R. 312 and U. S. 1 south. I made contact with Trooper Payne, who had Nathan Ryan Weindorf secured. We were able to confirm N. Weindorf was not involved. We released him and advised him of the circumstances of his detainment. N. Weindorf advised he was fine with us doing our job.

Later on in the evening we received a call for service from Chili's Restaurant in reference to a white male who came into the restaurant. The Manager advised the male asked his waitress for a spoon when she brought him a tea spoon he asked her for a deeper spoon. She gave him a soup spoon at which time he went into the restroom and had been in there for approximately 30 to 40 minutes. I made contact with a white male standing in the handicap stall of the men's bathroom. As I was making contact he flushed an unknown item down the toilet. When he opened the stall door he appeared to be on something. I asked him if he was shooting up. He said no. I then asked him to pull his sleeves up and he had needle marks and blood running down his arm. I secured him and walked him out of the men's room and Deputy N. Bronner was walking in. Dep. Bronner advised me he was the suspect in the Robbery. I went back in the restroom and found a syringe in the trash can. Dep. Z. Cooke read T. Tomko his rights and T. Tomko told us he left the other two pill bottles in the restroom in Carrabba's. T. Tomko

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was placed under arrest and transported to Flagler Hospital for medical clearance.

**SUPPLEMENTAL NARRATIVE: 10/11/2011 01:39 PM**

Reporting Officer			Approving Supervisor		
ID Number <b>3570</b>	Officer Name <b>MICKLER, ELIZABETH</b>	Permanent ID Number <b>SJSO08PER000008</b>	Approved <input checked="" type="checkbox"/>	Supervisor Name <b>WEIR, STEPHANIE L</b>	Permanent ID Number <b>SJSO06PER000158</b>

SEE SCANNED IMAGE IN CASE MANAGEMENT  
 Arrest Report  
 E Mickler 10040

**ASSISTING OFFICERS**

Rank <b>DEP</b>	Officer Name <b>J. UNDERWOOD</b>	ID Number <b>3142</b>	Agency <b>ST JOHNS COUNTY SHERIFFS OFFICE</b>
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**REPORTING OFFICER / SUPERVISOR APPROVAL**

Reporting Officer			Approving Supervisor		
ID Number	Rank	Name	ID Number	Rank	Name
<b>3505</b>	<b>LE DEPUTY</b>	<b>COOKE, ZACHARY R</b>			
Signature			Signature		