

IN THE CIRCUIT COURT OF  
SEMINOLE COUNTY, FLORIDA

11CF4012A

STATE OF FLORIDA,  
Plaintiff

CASE NO. 50018JC:11SEP01 #1058  
201100007721

v.

Dwayne Fitzgerald White , CHARGE(S) Murder F.S.S. 782.04(1a1)  
Defendant

ARREST WARRANT

IN THE NAME OF THE STATE OF FLORIDA:  
TO: EACH OF THE SHERIFF'S OF THE STATE AND THEIR DEPUTIES:

The court finds, based upon the affidavit presented, a copy of which is attached,  
there is probable cause to believe the above defendant has committed in Seminole  
County, Florida,

the crime(s) of Murder

in violation of F. S. 782.04 (1a1)

Therefore, YOU ARE COMMANDED to arrest and take into custody

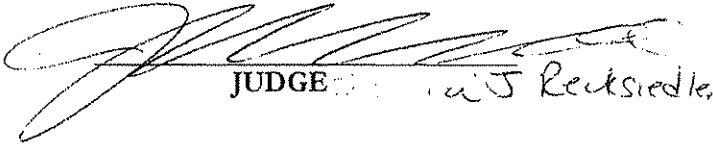
Dwayne Fitzgerald White

Race: B DOB: 03/12/1970 Height: 5'06" Wt. 200  
Sex: M SSN:

Address: 102 Branson Drive  
Orlando, Florida 32805

if found in your county, and bring individual before a judge of this Court in Sanford,  
Seminole County, Florida, instantler, and make return of your action on this warrant.

Dated 8/30/11

  
JUDGE WJ Reeksiedle

Defendant to be admitted to bail  
in the amount of

\$ No bond

Further conditions of release:  
Defendant shall have no contact, directly or indirectly, with \_\_\_\_\_  
Defendant shall not engage in criminal activity of any kind.

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Plaintiff

CASE NO. 201100007721

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Dwayne Fitzgerald White

, CHARGE(S) Murder F.S.S. 782.04 (1a1)

Defendant

FILED BY OFFICE  
CLERK OF COURT  
11 AUG 31 PM 12:05  
SEMINOLE CO. FLORIDA

AFFIDAVIT FOR ARREST WARRANT

Affidavit or sworn complaint having this day been presented to me as Committing  
Magistrate wherein it is alleged that on the 29 day of August, 2011  
in Seminole County, Florida, the Defendant, in violation of Florida Statute, did commit the  
criminal offense(s) of Murder F.S.S. 782.04 (1a1)  
been found upon sworn statement of Investigator Jennifer L. Spears of the Seminole  
County Sheriff's Office, who, being first duly sworn, deposes and says,

Your Affiant, Deputy Sheriff/Investigator Jennifer L. Spears, is presently employed by the  
Seminole County Sheriff's Office, Seminole County, Florida, as a duly sworn Deputy Sheriff  
since July of 1999. Prior to your Affiant's employment with the Seminole County Sheriff's  
Office, your Affiant successfully completed and graduated from the approved Florida Police  
Standard Training Program at the Valencia Community College Criminal Justice Institute.  
Your Affiant is currently assigned to the Major Crimes Unit of the Seminole County Sheriff's  
Office. While employed with the Seminole County Sheriff's Office, your Affiant has attended  
several courses relating to criminal investigations, including "Homicide Investigations",  
"Suicide Investigations", "Investigative Interviews", and "Sex Crimes Investigations". Your  
Affiant has investigated numerous types of crimes, to include homicide, robbery, sexual  
battery, aggravated battery, kidnapping and various economic and computer related crimes.  
During your affiant's career in law enforcement, she has initiated and assisted in several  
search warrants and has made several arrests during the course of her career.

**PROBABLE CAUSE:**

On 08/29/2011 at approximately 0537 hours, deputies with the Seminole County Sheriff's  
Office and officers with the Longwood Police Department responded to the Miami Subs  
located at 2035 W. State Road (SR) 434 in Longwood, Seminole County, Florida in reference  
to an unresponsive female lying in front of that business with a large amount of blood  
around her. Once on scene, a black female, later identified as Sarah Yvonne Rucker  
(09/24/1968) was located lying in the prone position on the east sidewalk of the Miami  
Subs. Seminole County Fire Department Station 12 arrived at which time Paramedic Lt. Joel  
Herrera pronounced Rucker deceased at 0548 hours. Rucker had obvious signs of trauma  
near her head and facial areas and was nude from her waist down. A silver 4 door Saturn,  
bearing Florida tag# AAT-W52, was parked in the east driving lane of the Miami Subs

SEARCHED 09/02/2011

parking lot, facing southbound. A check of the vehicle registration confirmed that the vehicle belonged to Rucker. The area around the Miami Subs was secured and a perimeter had been established.

Inv. Jennifer Spears interviewed the witnesses who located Rucker. Don Stewart and Frank Thompson advised Inv. Spears that they meet at the Miami Subs every weekday morning between 0515-0530 hours, to carpool together to Tampa since they both work for Advance Engineered Systems. Their job is to install fire alarm and security systems and they are currently working a job in the Tampa area. Thompson stated that he arrived first to the Miami Subs and parked in their normal meeting spot at the far back side of the parking lot. Thompson stated that he observed Rucker's silver Saturn in the parking lot when he pulled in but thought it was either an employee of the Miami Subs or someone that had too much to drink and pulled off the road for a bit. Once Stewart picked up Thompson, it was not until they were driving back past Rucker's Saturn that they noticed Rucker lying face down on the sidewalk with no pants on and a large amount of blood around her. After calling out to Rucker multiple times with no response, they contacted 911 and stood by for law enforcement.

Upon further intelligence gathering, it was determined that Rucker had filed several Domestic Battery reports against her estranged husband, Dwayne Fitzgerald White (B/M, 03/12/1970). On 02/02/2011, Rucker contacted the Volusia County Sheriff's Office in reference to a domestic battery complaint. Rucker advised Deputy Sheriff (D/S) William Maxwell that she and White had been in a physical altercation outside their residence of 1223 W. Wellington Drive in Deltona, Volusia County, Florida. Rucker stated that she was sitting inside her vehicle outside the residence when White demanded she come inside the residence. After refusing to do so, Rucker states that White opened her vehicle door and physically attempted to pull her from the vehicle, by grabbing her around the front of her neck with one of his arms and covering her mouth and nose with another one of his arms. Rucker stated that, as she began to lose consciousness, White released his grip on her and pulled her from her vehicle by her wrist. As she attempted to get away, Rucker stated that White "head butted" her on the left side of her face, and she wrestled away from him running to a neighbor's house for help. Rucker stated that when she advised White that she was calling the police, he took her cell phone, vehicle, and residence keys before fleeing the area. Rucker told Volusia County deputies that she feared for her life and said that when White "sees her next" he was "going to kill her." Rucker stated to D/S Maxwell, "I am as good as dead." D/S Maxwell noticed and documented Rucker's injuries which were consistent with the events that Rucker had detailed. D/S Maxwell made phone contact with White who refused to come in and provide a formal statement but advised D/S Maxwell,

D/S Maxwell filed charges against White with the State Attorney's Office. A warrant was issued in Volusia County for White.

On 08/19/2011, White turned himself in to the John E. Polk Correctional Facility on his outstanding warrant in Volusia County for Felony Battery. White bonded out on 08/20/2011 using Franklin Bail Bonds to post his \$2,500.00 bond.

It was also learned that Rucker had contacted the Volusia County Sheriff's Office on 08/29/2011 at 0157 hours via 911, using her cell phone number of (407) 485-6357. The 911

calls reveal Rucker screaming into the phone, "Stop! I am calling the police" before being disconnected. You can further hear Rucker yelling out the name "Wayne", which is what Rucker referred to Dwayne White as. (It should be noted that in a later interview with Investigator Jessica Paugh of the Volusia County Sheriff's Office, White advised Inv. Paugh that he preferred to be called "Wayne" and not Dwayne.) After the phone was disconnected, the 911 dispatcher called Rucker's phone back but only received a voice mail. D/S Bryon Poteralski arrived on scene at 1223 W. Wellington Drive in Deltona, Volusia County and made contact with Rucker and White's son, Dwayne White Jr. (age 17). White Jr. stated that his father, White, whom he had not seen in several months, arrived at the residence of 1223 W. Wellington Drive. White Jr. stated that although Rucker and White are still legally married, they are separated and White Jr. believed that White had been staying at an unknown address in Orlando. White Jr. stated that he allowed White into the residence this morning because White told him that he needed to speak with him. White Jr. stated that he and White went into White Jr.'s bedroom, at which time White told him that he was not there to cause any problems and told him to stay in his bedroom. White Jr. stated that he remained in his bedroom as White walked out. White Jr. was alerted a few minutes later by his younger sister to go outside. Once White Jr. exited the front of the residence, he stated that he observed White push his mother, Rucker, down to the ground. White Jr. stated that he observed White throw a beer bottle at Rucker but did not believe that White hit Rucker with the bottle. White Jr. then observed White grab Rucker's cell phone from her and enter a dark colored vehicle, subsequently leaving the immediate area.

D/S Poteralski then spoke with Rucker who advised the following: Rucker stated that White showed up at her residence unannounced. Not wanting to speak with White, she exited the residence as he walked in. Rucker stayed outside the residence and stated that since she was in fear for her safety and felt that White would physically abuse her since he appeared upset when he arrived there, she called 911. Rucker stated that White came outside and observed she was using her cell phone and immediately asked her who she was calling. When Rucker advised White that she was contacting 911, Rucker stated that White charged at her and chased her around a vehicle before he pushed her to the ground. Rucker stated that White threw a beer bottle at her, missing her with the bottle, before shoving her to the ground. Rucker stated this was when White Jr. came outside and tried to break up the fight between them. Rucker stated that White took her cell phone from her hands and then fled in a dark colored Pontiac sedan. Rucker was extremely angry that White took her cell phone from her. While deputies were on scene, White contacted White Jr. on his cell phone and instructed White Jr. to lie to the investigating officers and state that he did not push Rucker to the ground. White Jr. immediately advised D/S Poteralski what White had instructed him to do.

Investigator Bob Burch from the Volusia County Medical Examiner's Office arrived on scene to transport Rucker's body to the Medical Examiner's Office in Daytona Beach, Volusia County where a thorough autopsy was scheduled for 08/30/2011 at 0900 hours. Once Rucker's body was moved for transport, it was obvious that Rucker sustained a large, deep stab or cutting type wound to her left side carotid area. Due to the large amount of blood covering Rucker's body and the need to preserve any possible evidence on Rucker's body, it was not determined if Rucker suffered any additional injuries. There was a partial shoe wear impression in blood to the left side of Rucker's lower torso area.

Rucker's vehicle was towed to the Seminole County Sheriff's Office by Paul's Towing for evidence processing. The vehicle was secured in the Forensics bay garage.

While on scene, Investigators Jennifer Spears and Eva Marie Clark were approached by two coworkers of Rucker's from the Florida Hospital in Altamonte. Inv. Jennifer L. Spears interviewed Karla Clark, who had worked with Rucker for at least ten (10) years. Clark stated that when Rucker was not at work on time at 0600 hours this morning, she and a few other coworkers became worried about Rucker, knowing her domestic violence history with White. Clark stated that Rucker is always early to work and once she was not there at 0600 hours, she and another employee, Stephanie Turner, began to call Rucker but received no answer. Clark stated that her boss told Turner and Clark to go out to Rucker's residence and check on her. Clark stated that she and Turner arrived at Rucker's residence and did not observe Rucker's vehicle in the driveway. They made contact with Rucker's youngest child, Kourtney, who advised them that Rucker must have gone to work. Kourtney also told Turner and Clark that her father, White, had been there earlier this morning. Clark stated that she and Turner began driving around looking for Rucker before heading back towards work. On their way back to work, they observed a large amount of police activity at the Miami Subs and stopped to see what was going on when they immediately identified Rucker's vehicle as the silver Saturn in the parking lot. Clark stated that she was aware of Rucker and White having domestic violence issues and knew that White had tried to choke Rucker out the last time Rucker had called 911 on him. Clark stated that Rucker had told her of numerous incidents where White would take her phone from her and then proceed to contact the people in her call log to see who Rucker had been speaking to. Clark has seen White waiting outside the hospital for Rucker to leave work or arrive to work to see if she was alone. Clark stated that Rucker told her that White had held a gun to her approximately a year earlier during one of their altercations. Rucker would complain to Clark that White would not help her financially with their children.

Inv. Clark conducted an interview with Stephanie Turner, who advised her that she worked with Rucker at Florida Hospital Altamonte in the surgery area. Turner has known Rucker for approximately seven years and has a strong work and personal relationship with her. Turner stated that Rucker has confided in her regarding the problems that she and her husband, White have had in their relationship. Turner also advised Inv. Clark that Rucker gave a detailed description about being choked locked out of her house and a gun pointed at her by White. Turner advised Inv. Clark that she has observed injury to Rucker on several occasions and is aware of the recent domestic violence arrest on White. There were times that Rucker would not show up for work due to the problems she has had with White. Turner advised Inv. Clark that Rucker was scheduled to work this morning at 0600 hours, but never showed up nor called in. Due to her concern they attempted Rucker's cell phone with negative results and at that time she and a co-worker, Nicole Clark, drove to Rucker's residence in Deltona to try and make contact. When they arrived contact was made with Rucker's three children, Kourtney, Dwayne Jr., and Dwjun who all stated that they believed their mother was at work. Turner advised Inv. Clark that their father, White, was at the home earlier.

At approximately 1210 hours, investigators with the Seminole County Sheriff's Office Warrants & Fugitive Apprehension Unit made contact with White at 102 Branson Drive in Orlando, Orange County, Florida, the residence of his girlfriend, Pauline Toombs. Toombs

was at work at the time investigators made contact with White. A check through the Division of Motor Vehicles shows Toombs to own a blue Pontiac Grand Prix.

I was notified by Sgt. Jim Smithey and Major Randy Pittman that Latent Analyst Jennie Ahern examined digital images of latent prints collected from the crime scene near the metal window ledge of the Miami Subs and logged into evidence as item JG1. The prints appeared to have been in blood. JG1 was subsequently compared to item P1, which were the known prints of Dwayne Fitzgerald White (B/M, 03/12/1970) Analyst Ahern reported the following: "Two latent prints were noted in Exhibits JG1 (DSC\_0118) and JG1 (DSC\_0160). Two latent palm prints noted on Exhibits JG1 (DSC\_0118) and JG1 (DSC\_0160) were identified with the prints of White." These exhibits are labeled as: JG1 (DSC\_0118) -window ledge #1 and JG1 (DSC\_0160) -window ledge #2. These results were verified by Analyst Jennifer Molina.

Inv. Don Maxwell with the Volusia County Sheriff's Office arrived at the residence and asked White if he would be willing to be transported back to Volusia County for a formal interview in their battery case from earlier that morning. White agreed to go back with Inv. Maxwell. Once back at the Volusia County Sheriff's Office, Inv. Heather Welch and Inv. Jessica Paugh interviewed White, subsequently arresting him for Strong Armed Robbery, Throwing a Deadly Missile, Tampering with a Witness/Victim, Simple Battery, and Petit Theft. White was transported to the Volusia County Branch Jail without incident.

On 08/30/2011, at approximately 0900 hours, Crime Scene Analyst (CSA) Jackie Grossi and I attended the autopsy for Rucker at the Volusia County Medical Examiner's Office. The autopsy was performed by Associate Medical Examiner Dr. Shiping Bao. The autopsy revealed that Rucker had sustained multiple sharp force injuries of her neck, the largest being 6 1/2" long x 2" wide " 1" deep. Rucker had multiple defense type wounds to both her hands and the majority of her fingers.

Your affiant believes based on the above information that an arrest warrant should be issued for Dwayne Fitzgerald White, B/M, DOB 03/12/1970, for the act of Murder F.S.S. 782.04 (1a1).

Inv. Jackie Grossi  
AFFIANT'S SIGNATURE

SWORN TO AND SUBSCRIBED BEFORE ME THIS 30<sup>th</sup> DAY OF August, 2011.

Jessica J Recksiedler  
JUDGE Jessica J Recksiedler

Affiant Personally Known  
 Affiant Produced Identification  
Type of Identification: SCSO ID