

2023 CF 004432 NC

SARASOTA COUNTY PROBABLE CAUSE AFFIDAVIT

Affix label here

AGENCY: SSO SPD FHP VPD NPPD LBPD OTHER

Original
 Supplemental

SSO Case #:	SSO BK #: 23-4528	OBTS #: 5801307734	Arrest #:
Agency Case #: 23-0127	SAO #:	FDLE #:	UTC#:

ADULT ARREST: Without Warrant

JUVENILE: N/A

DEFENDANT INFORMATION

Defendant: Nemetz, Johnathan David		Alias:	
DOB: 03/24/2004	Age: 19	Sex: Male	Race: white
Hgt: 6'00"	Wgt: 150	Hair: brown	Eyes: brown
Street: 305 Hillview Road	City: Venice	State: FL	Zip: 34293
Phone: 813-568-6999	Scars/Tattoos:		
DL #: N532424041040	ST: FL	SS: [REDACTED]	Place of Birth: Florida
Occupation: car repair	Employer: Douglas Dodge		
Employer Address: 2382 S Tamiami Trail, Venice FL 34293		Phone: 941-484-8300	

Citizenship	Immigration Status	Residence Type	Residence Status	Under the Influence
US	<input checked="" type="checkbox"/> Permanent/Legal U.S.	<input type="checkbox"/> City	<input type="checkbox"/> N/A	Drugs:
	<input type="checkbox"/> Legal Visitor	<input type="checkbox"/> County	<input checked="" type="checkbox"/> Full Year	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unk
	<input type="checkbox"/> Undocumented Illegal	<input checked="" type="checkbox"/> Florida	<input type="checkbox"/> Part Year	Alcohol:
	<input type="checkbox"/> Unknown	<input type="checkbox"/> Out of State	<input type="checkbox"/> Non-Resident	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unk

CRIME EVENT

Date: 2/13/2023	Time: 20:35	Loc. 3. Residence/Other	Zone: 7	Grid:
Crime Location: [REDACTED]				
F.S. / Ord #: 827.071(5)	Charge: Possession, Control, View Depiction of Child Pornography	<input checked="" type="checkbox"/> Fel <input type="checkbox"/> Misd	Bond: 0	
F.S. / Ord #:	Charge:	<input type="checkbox"/> Fel <input type="checkbox"/> Misd	Bond:	
F.S. / Ord #:	Charge:	<input type="checkbox"/> Fel <input type="checkbox"/> Misd	Bond:	
F.S. / Ord #:	Charge:	<input type="checkbox"/> Fel <input type="checkbox"/> Misd	Bond:	
F.S. / Ord #:	Charge:	<input type="checkbox"/> Fel <input type="checkbox"/> Misd	Bond:	
Investigating Officer: Detective Zak		I.D. #: 460		
Drug Unit: 00. N/A	Drug Type: N. N/A	Drug Activity: N. N/A		
Weapon Type: 00. N/A	Weapon Finish: N/A	Caliber Type:	Weapon Seized: <input type="checkbox"/>	

ARREST EVENT

Date: 5-5-23	Time: 17:15	Arrest LEO / ID#: Det. C. Zak 460	Assist LEO / ID#: 460
Arrest Location: 2020 Man St Sarasota, FL		Zone:	Grid:
Capias/Warrant #:	County/State of Warrant:		
Dated Booked:	Time Booked:	Returnable Date: 6/16/23	Booking Officer:
Released By:	Released To:	Date:	Time:

VICTIM INFORMATION

Victim Name	Home Phone:	
Address	Work/Cell Phone:	
DOB	Age	Sex
<input checked="" type="checkbox"/> Race	Notified of Release:	Time:
	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Defendant: Nemetz, Johnathan David	Case #: 23-0127
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CO-DEFENDANT				
Co-Def Name:			Home Phone:	
Address:			Work/Cell Phone:	
DOB:	Age:	Sex: N/A	Race:	

CO-DEFENDANT				
Co-Def Name:			Home Phone:	
Address:			Work/Cell Phone:	
DOB:	Age:	Sex: N/A	Race:	

TO BE COMPLETED BY L.E.O. FOR JUVENILE DEFENDANT

JUVENILE

PARENT / GUARDIAN				
Name: Ira Paul			Home Phone:	
Address: 155 Maraviya Blvd, Venice FL 34275			Work/Cell Phone: 941-266-4185	
DOB: 08/12/1969	Age: 53	Sex: Male <input checked="" type="checkbox"/>	Race: w	Relation: Father <input checked="" type="checkbox"/>

PARENT / GUARDIAN				
Name:			Home Phone:	
Address:			Work/Cell Phone:	
DOB:	Age:	Sex: N/A	Race:	Relation: N/A

Act was admitted: N/A		Juvenile was: N/A		Parents were: N/A	
Prior Arrest: N/A	Processed: N/A	By:	ID:	Dept:	
Juvenile Authority Contacted: .			Name of Person Contacted:		
Released to: N/A		Date Released:		Time Released:	
Released to:		Home Phone:		Work/Cell Phone:	
Address:		City:		State:	Zip:

NOTICE TO PARENT OR CUSTODIAN

THIS JUVENILE DEFENDANT IS BEING RELEASED TO YOUR CUSTODY PENDING THE DISPOSITION OF THIS CASE. IF THIS JUVENILE DEFENDANT'S ADDRESS CHANGES YOU WILL NEED TO NOTIFY THE DEPARTMENT OF JUVENILE JUSTICE. YOU WILL BE NOTIFIED OF A DATE AND TIME FOR THIS JUVENILE DEFENDANT TO APPEAR BEFORE THE COURT TO ANSWER TO THE ALLEGED OFFENSE (S).

JUVENILE SIGNATURE

PARENT / CUSTODIAN SIGNATURE

Defendant: Nemetz, Johnathan David

Case #: 23-0127

NARRATIVE

On April 10, 2023, your affiant arrested the defendant, Johnathan David Nemetz, on the charges of Aggravated Stalking, Interference with Custody of a Minor, and Lewd and Lascivious Battery on a Victim age 12-16. When the defendant was transported to Sarasota County Jail on the above listed charges, his cellular telephone was placed into evidence, in the Digital Forensics Lab, located at the Venice Police Department.

On May 3, 2023, Circuit Judge Dana Moss signed a search warrant for the defendant's cellular telephone. This warrant was executed on May 4, 2023, and images of child pornography were found.

At this time, 12 still images were found taken of the victim, from a live video chat between the victim and defendant. Most of these still images were found with the [redacted] showing her naked breasts and clear image of her face, which is how your affiant was able to identify the victim. One still image also shows the upper pubic area of the victim as well. These multiple images were taken between February 13, 2023 and March 21, 2023.

In all of these still images, the defendant's chat box is on the screen, in a smaller window, with either his avatar showing or what appears to be his bedroom. Under the 5th pornographic image showing the naked breasts, face, and stomach of the victim with her hair pulled up, dated 2/14/2023 11:45:03 PM, the top of the defendant's head is seen with a ceiling fan in the smaller chat box located on the left side of the screen. 15 seconds after that pornographic image, there is another image captured on the defendant's phone that is dated 2/14/2023 11:45:18PM, which shows a close up of the victim's face, with the top of the defendant's face and head in the smaller lower left chat box with the same ceiling fan.

Under a chat message with 6 images attached, dated 2/24/2023 at 2:15:08PM (UTC+0), the defendant wrote to the victim "Dude I Luke seeing ur pussy in my camera roll Ong" along with a yellow smiley face with sunglasses emoji. The first image of the six is a still of a video with a vagina and a purple phallic shaped object inserted in the vagina. The other 5 images are all of the victim, clearly showing her face, but are not pornographic in nature.

At this time, there are pornographic videos and other still pornographic images that have yet to be identified. Further investigation into those images is on going and more charges may be added.

SIGNATURE OF L.E.O. AFFIANT:

Detective Courtney Zak ID#: 460

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME IN PERSON OR ONLINE THIS 5 DAY OF May, 2023

BY: Detective Courtney Zak (NAME OF AFFIANT) WHO IS PERSONALLY KNOWN OR

WHO HAS PRODUCED IDENTIFICATION: # 473

WITNESS SIGNATURE: *[Signature]* PRINTED: _____

SUPERVISOR SIGNATURE: _____

Defendant: Nemetz, Johnathan David

Case #: 23-0127

NARRATIVE CONTINUED

[Empty space for narrative text]

SIGNATURE OF L.E.O. AFFIANT: Detective Courtney Zak ID#: 460

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME IN PERSON OR ONLINE THIS 5 DAY OF May, 2023

BY: Detective Courtney Zak (NAME OF AFFIANT) WHO IS PERSONALLY KNOWN OR

WHO HAS PRODUCED IDENTIFICATION: # 473

WITNESS SIGNATURE: [Signature] PRINTED: Det. Montes 473

SUPERVISOR SIGNATURE: _____