

IN THE DISTRICT COURT OF THE TWELFTH JUDICIAL DISTRICT OF THE STATE OF OKLAHOMA SITTING IN AND FOR ROGERS COUNTY

THE STATE OF OKLAHOMA,)
)
 Plaintiff,)
)
 vs.)
)
 ADAIRA JAZMANNE GARDNER)
 ADDR: 809 Castle Row)
 Oklahoma City, OK 73106)
 DL: ****1694)
 SSN: ***-**-6810)
 DOB: January, 1997)
)
 Defendant(s).)

Case No. CF-2020-651

FILED IN THE DISTRICT COURT
ROGERS COUNTY OKLAHOMA

OCT 28 2020

PAITH EDWARDS, COURT CLERK
DEPUTY

INFORMATION

FOR:

COUNT 1: PRISONER PLACING BODY FLUID ON GOVERNMENT EMPLOYEE - 21 O.S. § 650.9, a FELONY

STATE OF OKLAHOMA, COUNTY OF ROGERS:

I, Matthew J. Ballard, the undersigned District Attorney of said County, in the name and by the authority of the State of Oklahoma, give information that in said County of Rogers and in the State of Oklahoma, ADAIRA JAZMANNE GARDNER did then and there unlawfully, willfully, knowingly and wrongfully commit the crime(s) of:

COUNT 1: PRISONER PLACING BODY FLUID ON GOVERNMENT EMPLOYEE - a FELONY, on or about the 16th day of October, 2020, by spitting into the face of DO Daniel Johnson Jr without justifiable or excusable cause, while said officer was performing his duties as an employee of the Rogers County Jail.

MATTHEW J. BALLARD
DISTRICT ATTORNEY

By: Sue Nigh
Sue Nigh
Assistant District Attorney

WITNESSES ENDORSED FOR THE STATE OF OKLAHOMA

Justin Book, Rogers County Sheriff, 114 S Missouri Ave., Claremore, OK 74017
Daniel Johnson Jr, Rogers County Jail,
Representative Property Custodian, Rogers County Sheriff, 114 S Missouri Ave., Claremore, OK 74017

CF-2020-651

State of Oklahoma, County of Rogers

Probable Cause Affidavit

DISTRICT COURT

MUNICIPAL, CITY OF CLAREMORE

LOCATION OF OCCURENCE
201 S CHEROKEE AVE; ROGERS COUNTY JAIL

LOCATION OF ARREST
201 S CHEROKEE AVE; ROGERS COUNTY JAIL

OCCURRED
21:50:00 10/16/20

ARRESTED
22:01:22 10/16/20

ARRESTEE NAME (LAST, FIRST MIDDLE)
GARDNER, ADAIRA JAZMANNE
STREET ADDRESS, CITY, STATE
809 CASTLE ROW, OKLAHOMA CITY, OK
EMPLOYER/SCHOOL

RACE SEX HGT WGT HAIR EYES SKIN
W F 5'07" 163 BRO BRO N
ZIP DOB SOC
73106 01/09/97

EMPLOYER ADDRESS

FILED IN THE DISTRICT COURT
ROGERS COUNTY OKLAHOMA

HOME PHONE OLN/STATE
OSBI# FBI#
K999121694/OK

ADDR

PHONE

NEXT OF KIN

OCT 28 2020

RELATIONSHIP

SCARS, MARKS, AND TATTOOS

CATHI EDWARDS, COURT CLERK

CITY OF BIRTH

TAG#

DEPUTY

TAG STATE

TOWED BY

TOWED
VEHICLE

VEH YR

VEH MAKE

VEH MODEL

VEH STYLE

COLOR

ARRESTING OFFICER
BOOK, JUSTIN

BADGE#
P23

AGENCY
RCSO

BACKING OFFICER

BADGE#

AGENCY

STA	FEL	CRIME DESCRIPTION	TITLE	SECT	WARRANT#	BOND	COUNTS
MUN	MISD						
STA	F	PLACE BODY FLUID ON GOVT EMPLOYEE	21	650.9		2K	1
STA	F	Spreading Infectious Diseases	21	1192		2K	1

(PC STATEMENT)

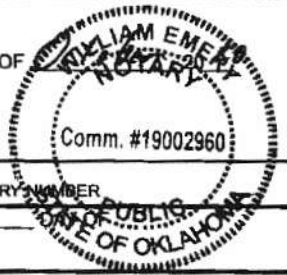
On October 16, 2020, I was radio assigned to take an assault on an detention officer report at 201 S Cherokee Ave, at the Rogers County Jail, in the Claremore area of Rogers County. Upon arrival I met with a detention officer who stated they were in full uniform and carrying out their official duties as a corrections officer when Adaira Gardner spit directly in their face therefore placing bodily fluids on them. It was later discovered Gardner knew she had infectious diseases (Hepatitis A and C) when she willingly spit in the face of a detention officer. Adaira Gardner was then charged with placing bodily fluids on a government official while in detention and recklessly spreading infectious diseases (O.S. §, 21-1192).

COMES NOW THE UNDERSIGNED AFFIANT, OF LAWFUL AGE AND BEING DULY SWORN, UPON OATH, ALLEGES AND STATES THAT THE ABOVE FACTS UPON WHICH THE PROBABLE CAUSE WERE BASED FOR SUCH ARREST ARE TRUE AND CORRECT AND WERE BASIS FOR SUCH ARREST ARE TRUE AND CORRECT AND PRAYS THIS HONORABLE COURT TO FIND PROBABLE CAUSE TO DETAIN THE ARRESTEE PENDING FURTHER PROCEEDINGS.

FURTHER YOUR AFFIANT SAYETH NOT, Gustav Beck (officer's signature) THIS 17 DAY OF

SUBSCRIBED AND SWORN TO BEFORE ME THIS 17 DAY OF October, 2020
Whitney 3-21-23

NOTARY PUBLIC MY COMMISSION EXPIRES NOTARY NUMBER
A PROBABLE CAUSE DETERMINATION IS NOT NECESSARY, THE ARRESTEE BONDED OUT OF JAIL ON THE _____, 20____, AT _____ AM/PM. _____ (NAME OF JAILER)



PROBABLE CAUSE DETERMINATION

I, Steve Pazzo, JUDGE OF THE DISTRICT COURT/MUNICIPAL COURT, REVIEWED THIS PROBABLE CAUSE AFFIDAVIT ON THE 17 DAY OF October, 2020, AT 11:09 AM/PM. I MAKE THE FOLLOWING FINDINGS AND ORDER PURSUANT TO GERSTEIN V. PUGH, 420 U.S. 103(1975) AND COUNTRY OF RIVERSIDE V. McLAUGHLIN, NO.89-1817 (U.S. MAY 13, 1991)(LEXIS 2528):

THE AFFIDAVIT CONTAINS SUFFICIENT FACTS SHOWING PROBABLE CAUSE TO DETAIN THE ARRESTEE TO AWAIT FURTHER PROCEEDINGS.

THE COURT SETS AND APPEARANCE BOND IN THE AMOUNT OF \$ 4,000

THE COURT DENIES BOND AT THIS TIME.

NO APPEARANCE BOND SET - 48hr. Hold/Release on _____ of _____, 20____, AT _____ AM/PM

Steve Pazzo via email
Judge of the District Court/ Judge of the Municipal Court

10-28-2020 1:30 pm
Municipal / District Court Date