

FILED

IN THE DISTRICT COURT OF JONESBORO, CRAIGHEAD COUNTY, ARKANSAS

STATE OF ARKANSAS

ANG HUDSON  
CIRCUIT COURT CLERK  
VS. NO.

CR-2009-1070(4)

PLAINTIFF

Phillip Suftin

DEFENDANT

**PROBABLE CAUSE AFFIDAVIT**

Accused Party or Parties: Phillip Suftin

The undersigned affiant gives the statement of facts recited herein as being true to the best of his or her knowledge and belief and submits such statement of facts in support of probable cause for detention to be considered by the judicial officer conducting the pretrial release inquiry: On September 28, 2009 Probation and Parole officers Timothy Hooks, Keith Ming and Craighead County Deputy Phillip Wheaton went to 1175 County Road 912 just before 3:00 p.m. Probation and Parole Officers had a White Warrant for Raymond Floyd which they learned was at this residence being that of Phillip Suftin. After arriving at the residence they noticed Phillip Sufin's father mowing the yard directly across from the mobile home that Phillip Suftin resides in. Suftin's father advises Wheaton and Ming that both Floyd and Suftin were inside the mobile home. The officers went to the front door of the mobile home and knocked on the door and identified themselves and asked for Raymond Floyd to come outside. At this time no one would come to the door. Wheaton and Ming went to the back door of the mobile home with Suftin's father and Sutfin's father took a key and opened the back door but was not able to make entry due to the back door being wired shut. Officers Hooks and Ming entered the front door that was unlocked and cleared the house to the right and while Ming went down the hall to the left he shined a flashlight in the bathroom and saw Floyd with a shotgun at first pointing down but raised it up at Ming. Ming advised the officers that Floyd had a gun and they retreated outside to take cover. As they were exiting the home a gunshot was heard coming from inside the home. The officers staged outside of the residence to take cover until other backup could arrive. At this time they noticed that the mobile home began to smoke and catch on fire. The officers observed Suftin and Floyd exit the home and run through the bean field with one having a shotgun and the other one had something long in his hand. The officers heard numerous shots fired on the North side of the bean field coming from Suftin and Floyd. Officers observed Sutfin and Floyd stop at the North edge of the bean field and lay down to hide from the officers. Craighead County Deputies Justin Rolland, Phillip Wheaton, Michael Simino and Jonesboro Police Officer Michael McCanless rode in Rolland's Durango to the North end of the bean field at which point Justin Rolland moved the vehicle slowly East with the other officers walking along side of the vehicle as a moving barricade. Rolland stopped the vehicle some 60-65 yards from the suspects to stage the North end of the field. The officers made several call outs to the suspects to surrender with not results. Officer McCanless stated that he observed the younger dark haired suspect raise up and point the shotgun at the officers. He added that he lowered the gun and looked at it, as to manipulate the gun somehow as if he had a malfunction. McCanless stated that he raised the gun again and pointed the shotgun at the officers again. McCanless stated that he heard two shots and seen the gun recoil in the younger suspect hands. McCanless returned fire and stated that the other officers did as well. McCanless stated the both suspects went down at this point, the younger suspect as if he had been hit and the older suspect as if he had been ducking. McCanless stated that the older suspect raised back up and pointed the shotgun at the officers again in which he returned gunfire along with the other officer. Deputy Rolland stated that the suspect on the right raised up and pointed the shotgun at the officers and brought it down and raised up again. At this time Rolland stated that he fired at the suspect and was getting return gunfire. Rolland stated that both suspects go down to the ground and a short time later the suspect on the left came back up with a long object in his hands and points it at them. Rolland stated that he and the other officers returned fire at the suspect on the left and he went down a second time. Deputy Wheaton stated that Phillip Suftin raised up with the shotgun and pointed at the officers and took it down to look at it and raised it back up and pointed at the officers and gunshot were exchanged. Duputy Wheaton stated that both suspects went down and Raymond Floyd raised up and pointed the shotgun at the

officers. At this time all officer returned gunfire and Wheaton stated that Floyd went down as well. The officer exchanged conversations with Suftin in order to take him into custody in which he was transported to Emergency personal and Floyd was dead at the scene.

DATED: Tuesday, October 06, 2009

S.A. Mike W. Gimes ASP

AFFIANT (officer or other person having knowledge of recited facts)

Subscribed and sworn to before me, an officer empowered to administer oaths, this 6<sup>th</sup> day of October, 09



[Signature]  
Judicial Officer, Clerk of the Court, Notary Public

## IN THE DISTRICT COURT OF JONESBORO, CRAIGHEAD COUNTY, ARKANSAS


STATE OF ARKANSAS

PLAINTIFF

Vs. NO. CR-2009-1070 LEPhillip Suftin

DEFENDANT

The undersigned judicial officer after having conducted an informal, non-adversary hearing pursuant Rule 7.1 of the Arkansas Rules of Criminal Procedure and/or other applicable law, finds that there exists probable/reasonable cause for the issuance of a warrant of arrest and detention of Phillip Suftin pending further proceedings on the allegations by the State of Arkansas that such person or persons committed the criminal offense of: 3 Counts Of Attempted 1<sup>st</sup> Degree Murder.

DATE: Tuesday, October 06, 2009  
Judicial Officer

IN THE DISTRICT COURT OF JONESBORO, CRAIGHEAD COUNTY, ARKANSAS

STATE OF ARKANSAS

PLAINTIFF

VS. NO. CR-2009-1070 LE

DEFENDANT

Phillip Suftin

FIRST APPEARANCE OF

(Name of Defendant)

(Case No.)

You are informed that you are charged with the following crimes:

<u>NAME OF CRIME</u>	<u>STATUTE</u>	<u>PENALTY AND FINE</u>
ATTEMPTED 1 <sup>st</sup> degree MURDER 3cts	5-3-201 (5-10-102) (CLASS A)	6/30YRS AND OR A FINE N/T EXC. \$15,000 <i>on each count</i>

In addition, you are informed that you are not required to say anything and that anything you say can be used against you; you have the right to have an attorney and to have one appointed free of charge if you cannot afford one; you have the right to communicate with your family and reasonable means will be provided for you to do so.

I have been informed that my next court date is NOV 24th, at 8:30 a.m. at Craighead County Courthouse, Main and Washington, Jonesboro, Arkansas; and, that if I fail to appear, a warrant will be issued for my arrest.

The judicial officer read the above statement to me and I understand it.

DEFENDANT *Phillip Suftin*

DATE: *10/7/09*

The prosecuting attorney or his deputy made the following recommendations:

- 1. Advisability and appropriateness of pretrial release:

Yes  No

*per Alamo Capelin*

- 2. Amount and type of bail bond: \$ 400,000

The judicial officer finds and orders as follows:

Defendant is released on his own personal recognizance

The following conditions of release are found necessary:

and the defendant is advised that if he does not comply with the conditions he may be arrested and brought before a judicial officer who may impose additional conditions of release or revoke his release.

It is determined that no other conditions will reasonably ensure the appearance of defendant in court and money bail should be set as follows:

Execution of unsecured bond of \$ \_\_\_\_\_ signed by defendant and \_\_\_\_\_

Execution of unsecured bond of \$ \_\_\_\_\_ accompanied by a deposit of cash or securities equal to 10% of the face amount of the bond.

Execution of a bond of \$ \_\_\_\_\_ secured by the deposit of the full amount in cash or by other property, \_\_\_\_\_ or by obligation of qualified sureties.

The undersigned judicial officer having conducted an informal, non-adversary hearing pursuant to Rule 8.8(c) and Rule 2.1 of the Arkansas Rules of Criminal Procedure, finds that probable cause exists for the detention of Phillip Suftin pending further proceedings on the allegations by the State of Arkansas that such person or persons committed the criminal offense of ATTEMPT. 1<sup>st</sup> DEGREE MURDER 3 Cts.

Bail bond is fixed in the amount of \$ 400,000

IT IS SO ORDERED, this 7<sup>th</sup> day of Oct., 2009

*Scott Blackman*  
Judicial Officer

CR-2009-1070(LF)  
**BENCH WARRANT**

IN THE DISTRICT COURT OF CRAIGHEAD COUNTY, ARKANSAS

STATE OF ARKANSAS

VS. NO. \_\_\_\_\_

PHILLIP SUFTIN                      07 /16 /67                      W                      M                      [REDACTED]  
**DEFENDANT**                                      **DOB**                                      **RACE**                                      **SEX**                                      **SSN**

1175 COUNTY ROAD 912, BROOKLAND, AR.                      \_\_\_\_\_  
**ADDRESS**    **TELEPHONE**

X **FELONY**                      \_\_\_\_\_ **CLASS //**                      5'6" **HEIGHT**                      130 **WEIGHT**  
\_\_\_\_\_ **MISDEMEANOR**                      \_\_\_\_\_ **CLASS //**                      GREY **HAIR**                      BRO **EYES**

**TO ANY SHERIFF, CORONER, JAILER, CONSTABLE, MARSHALL, OR POLICEMAN IN THE STATE:** You are hereby commanded forthwith to arrest:

PHILLIP SUFTIN

And bring him/her before a judicial officer without unnecessary delay to answer charges pursuant to the attached affidavit / indictment / information / order to show cause against him/her for the offense(s) of: 3 COUNTS OF ATTEMPTED 1<sup>ST</sup> DEGREE MURDER, or if a judicial officer be unavailable, that you deliver him/her to the jailer of Craighead County, Arkansas, for first appearance before a judicial officer without unnecessary delay in accordance with Rule 8 of the Arkansas Rules of Criminal Procedure.

The undersigned finds reasonable and probable cause for issuance of the Bench Warrant from:

✓ Sworn affidavit of Mike W. Grimes

Dated: 10-6-09

\_\_\_\_\_ Probable Cause Finding after Hearing by Craighead County District Court Dated: \_\_\_\_\_

[Signature]  
Craighead County District Judge

STATE OF ARKANSAS )  
 ) SS  
COUNTY OF CRAIGHEAD )

I have this 7 day of Dec, A.D. 20 09

duly served the within by making warrant to Phillip Supton.

JACK MCCANN, Sheriff

By: John Varner D.S.