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Chief Assistant State Attorney

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Ninth Judicial Circuit of Florida

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Randy J. Means
Director of Investigations
and Administration

March 30, 2010

Dear Chief Demings:

I have reviewed the investigation of the incident involving Officer Jared Famularo wherein Philippe Louis was fatally shot on February 17, 2010.

The incident was thoroughly investigated by Special Agent Daniel Warren of the Florida Department of Law Enforcement and forwarded to my office. The investigation revealed that on February 17, 2010, Officer Famularo attempted to initiate a traffic stop on a truck driven by Mr. Louis, who fled from Officer Famularo. After terminating his pursuit, Officer Famularo observed the same truck driven by Mr. Louis stopped at the intersection of Universal Boulevard and Vineland Road. At that time, Officer Famularo exited his patrol car and approached Mr. Louis on foot with his agency issued firearm drawn because Mr. Louis was seen making furtive movements towards the passenger side compartment of the truck. As Officer Famularo continued his approach, Officer Famularo gave Mr. Louis repeated commands to stop his movements. During this time, Mr. Louis reached out of the truck with his left hand and attempted to grab Officer Famularo's firearm. When Officer Famularo pulled his firearm away, Mr. Louis pulled a firearm from the passenger side of the truck with his right hand and pointed it at Officer Famularo. In response, Officer Famularo discharged his firearm multiple times at Mr. Louis causing fatal injuries.

Officer Dwight Dunkley arrived moments later as back-up. As Officer Dunkley approached the truck occupied by Mr. Louis, he observed Mr. Louis somewhat responsive and slumped over towards the passenger side of the truck. Officer Dunkley also saw a .380 Bersa handgun on the passenger seat under Mr. Louis' right hand, which Officer Dunkley immediately recovered and secured.

Officer Famularo's account of the events is consistent with the testimony of Officer Dunkley and two civilians witnesses, Brent Bauman and Keith Mattern. The physical evidence recovered from the scene and Mr. Louis' truck, and the dispatch logs are also consistent with Officer Famularo's account of the events.

Taking note of the law enforcement decision not to forward a charging

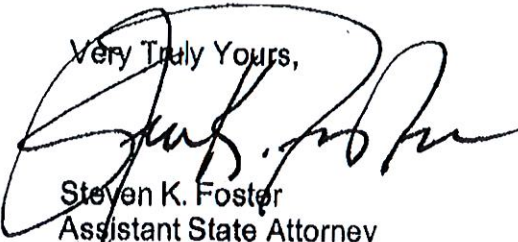
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CHIEF'S OFFICE

affidavit to the Office of the State Attorney based on their investigation, and after a complete review of the investigative reports, I find that the use of deadly force by Officer Jared Famularo was justified and no criminal charges are warranted. This office considers our review of this investigation completed.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Steven K. Foster", is written over the typed name and title.

Steven K. Foster
Assistant State Attorney
Chief, Intake Bureau

Cc: Joyce Dawley, Special Agent in Charge,
Florida Department of Law Enforcement