

AFFIDAVIT FOR ARREST WARRANT

S.A. NO. 04-141879
DIVISION Special Prosecution
ASST ST ATTY Mac Heavener

CCR NO. 2004-936048
JUDGE

STATE OF FLORIDA)
COUNTY OF DUVAL)

Before me the undersigned Judge of the Fourth Judicial Circuit, In and for Duval County, Florida, personally came K. M. Jones ID#6814 who, being duly sworn deposes and says that he has reason to believe and does believe that one **Mackie Todd Cottongim**, described as follows: Last Known Address: **1261 North 78th Street, Scottsdale, Arizona** Race **White**; Sex: **Male**; DOB: **11/28/1969**; Ht: **5'9"**; Wt: **190** pounds; Hair: **Brown**; Eyes: **Blue**; Scars, Marks: **Unknown**; did In Duval County, Florida, between the dates September 28th, 2004 and October 11th, 2004, commit the crimes of **Soliciting a Child for Sex Via an On-Line Service**, contrary to the provisions of Section **847.0135(3)**, Florida Statutes; **Transmission of Child Pornography**, contrary to the provisions of Section **847.0137(2)**, Florida Statutes; and **Transmission of Material Harmful to Minors to a Minor by Electronic Device**, contrary to the provisions of Section **847.0138(2)**, Florida Statutes. Affiant's reasons for so believing are as follows:

On September 28th, 2004, at approximately 10:00am, I (your affiant) was working in an undercover capacity investigating internet crimes against children. I was logged onto America On Line (AOL) using an undercover screen name. The public profile associated with the screen name identifies the user as a female who is "still in school". I entered an AOL chat room titled "junirhigh hotties" and remained idle in the room and did not initiate contact with any other person on line. The suspect, using the screen name of "BLB2125" was one of several persons who sent me an instant message attempting to engage me in conversation. The suspect's initial contact of "hi there", "how u doin today" and "i see u r in florida, me too". I asked where in Florida he was from and the suspect responded that he was in Tampa. The suspect then asked "how old r u" to which I responded "13". The suspect replied "oh, I'm 34 u mind?". I replied that I did not mind and a conversation ensued during which the suspect advised me that his name was "Todd" and then sent a picture that he claimed was of him. The suspect asked if I had a "b/f" (meaning a boy friend), when I replied that I did not, the suspect asked if I wanted one (him). The suspect stated that he could come and see me on the weekends and we could stay in a hotel. The suspect asked if he could buy the "13 year old" some sexy underwear and take pictures of her wearing them with a digital camera that he would bring with him. As the chat progressed the suspect asked the "13 year old" if she had ever kissed before, how far she had gone with a boy before, and when I advised "not reely anywhere yet" the suspect asked if I wanted to "try things". The suspect asked if I had ever seen a guy naked and then said that I could see him naked and even touch him if I wanted to. When I said that I didn't know what to do, the suspect said that he had some things on the computer that I could watch and learn a little. Later the suspect indicated that his laptop computer contained movies and pictures of people having sex. The suspect advised that he could send me some pictures but that he did not want my mom to find them. The suspect then sent me an image of an adult female performing oral sex on an adult male. The suspect then went through an elaborate description of how to permanently delete the image so that my mother would not find it. The suspect then sent me an image of a young girl laying on a bed with an adult male preparing to engage in penile/vaginal intercourse with her. The suspect then sent two more images, one of a young girl performing oral sex on a man and another of a young girl engaged in penile/vaginal intercourse with a man (a total of three (3) images containing pornography were sent). I indicated to the suspect that some of the girls did not look much older than me (13 years) to which the suspect responded that a lot of the girls were my age (13) and younger too. At approximately 12:30pm I indicated during the chat that my mother was pulling into the driveway and that I had to sign off.

On September 30th, 2004 your affiant had another on line conversation with the suspect. The suspect immediately began trying to plan a date, time and location for him and the "13 year old" to meet in a motel in Jacksonville.

On October 8th at 4:12pm I logged onto AOL using the undercover screen name and the suspect immediately contacted me via instant message (IM). The suspect immediately asked when he could come see me and started to set up a meeting at a motel in the Baymeadows area. During the chat the suspect told me that he grew up in Michigan, but had lived in Arizona for about seven years and has been traveling for the last two. He indicated that he was currently staying in a motel in the Tampa area, and that he had only been there for a few months. Later when discussing our meeting the suspect stated "we need to be careful in public", and "people don't like guys my age with girls ur age unless its family thing", the suspect then stated that he still wanted me as a "girl friend". I asked the suspect for a better picture of him and he sent another photo of himself. The suspect advised that he was 5'9" tall. When discussing the items that the suspect bought for the "13 year old" the suspect advised that he had two small tops, a tiny sexy shirt and a thong. Later the suspect said that he had a pair of fishnet stockings as well. The suspect later said that he was going to buy the "13 year old" a cell phone, a laptop, more clothes and some jewelry. The suspect went on to say that he lived alone and that he was naked at the time we were chatting. The suspect discussed nudist parks and indicated that we could join one and that they were a "family thing" with "moms dads and kids". We discussed the suspect's job, the suspect indicated that he was self employed with a partner and that he drills underground and puts television and telephone cable in the ground. The conversation then went on for some time concerning the meeting between the suspect and the "13 year old" that was scheduled for Saturday the 9th. Toward the end of the conversation the suspect asked "did u like those pics I sent u b4", he then said that he could show me more and "maybe we can try to do those things too if u want". I asked "what ones are the ones u want to do" and the suspect replied "eventually, we will probably do it all". I told the suspect some pictures of what we will do at first and I would tell him if they were ok or not. The suspect sent an image that depicted a young girl and boy lying on a bed, the two were fondling each other's sexual organs. The suspect then sent two more images, one of a very young girl (obviously a child) and a young man standing naked in a shower. The males erect penis was pressed against the female's vagina. The third image was of a female performing oral sex on a male. The suspect asked if those were things that I (the 13 year old) wanted to try. I responded that I would probably not be very good at it to which the suspect replied "u will be great". The above three mentioned photos were reviewed by Dr. J.M. Whitworth, who is a pediatrician and professor with the University of Florida in the Division of Child Protection and Forensic Pediatrics. Dr. Whitworth certified that the images were of children under the age of 18 years old.

On October 9th, 2004, your affiant and another detective went to the proposed area of the meeting between the suspect and the "13 year old". A female JSO undercover detective called the suspect at a telephone number that he had provided and spoke to him. The suspect advised that he was en-route from Tampa to Jacksonville. Detectives waited for an extended period of time and, believing that the suspect was not going to show up, left the area.

On October 11th, 2004, the suspect engaged your affiant in a chat session in which he advised that he had come to Jacksonville and had stayed in "The Inn at Baymeadows".

Subsequent investigation revealed that the suspect, Mackie Cottongim, checked into the Inn at Baymeadows on October 9th and checked out on October 10th. The suspect provided a driver's license as identification to the motel which was copied by the desk clerk. I observed the copy and found that the photo on the license appeared to be the same person who was in the two pictures provided to me by the suspect via e-mail. Subpoenas to AOL regarding the internet connections made by the suspect indicate that the suspect's computer connections on September 28th and October 8th were made in Tampa, the connection on October 9th was made in Jacksonville. Suspect Cottongim's social security number was issued in Michigan, where the suspect said he was born. The suspect's driver's license is from Arizona, where the suspect advised he lived prior to coming to Florida. The AOL account information for the suspect did not use his name; however, the phone number given on the account is the number to the Brandon Motor Lodge in Tampa Florida. The suspect was a resident at this motor lodge at the time of the incidents. The suspect is 5'9" tall and was 34 years old at the time he first contacted me, both match the description that the suspect provided during the chats. A subpoena to Nextel revealed that the mobile telephone number provided by the suspect is listed to a local business. I spoke to the business owner, Mr. Rob Clark, who identified the photo provided by the suspect as being an employee of his named "Todd Cottongim". Todd is the name used by the suspect during the

chats and the suspect's middle name. The suspect is employed to lay phone line and cable underground, as the suspect described in the chats. The suspect's employer also identified the telephone number used by the suspect during the undercover contact with the suspect as belonging to his company. The telephone was one that was provided to Cottongim's partner at work for business purposes. I contacted the person that was Mr. Cottongim's partner at work, Mr. Pete Larkin. Mr. Larkin advised that three or four weeks ago (the time of the attempted meeting) the suspect borrowed Mr. Larkin's vehicle and the cell phone in question and advised that he was driving to the east coast of Florida to meet a "niece or cousin or something".

On October 26th, 2004 the suspect was stopped in Mr. Larkin's vehicle by Tampa Police and arrested as a result of an outstanding warrant for aggravated DUI from Maricopa County Arizona. The suspect is presently in the Hillsborough County Jail in Tampa Florida awaiting extradition to Arizona.

Affiant, Det. K.M. Jones #6814
Agency: Jacksonville Sheriff's Office
Duty Section: Vice

Sworn to and subscribed before me this _____ day of _____, 20____, by the
aforementioned Affiant [] who is personally known to me or [] who has produced _____
as Identification and who did take an oath.

Judge of the Circuit Court of the Fourth
Judicial Circuit In and for Duval County, Florida

ARREST WARRANT

S.A. NO. 04-141879
DIVISION Special Prosecution
ASST ST ATTY Mac Heavener

CCR NO. 2004-936048
JUDGE

IN THE NAME OF THE STATE OF FLORIDA
TO ALL SINGULAR THE SHERIFFS OR DEPUTY
SHERIFFS OF THE STATE OF FLORIDA

WHEREAS, upon the sworn affidavit, complaint or other sworn testimony of Det. K.M. Jones #6814, the undersigned Judge of the Fourth Judicial Circuit of Florida, In and for Duval County, has found that there exists probable cause to believe that one **Mackie Todd Cottongim** did, between the dates of September 28th, 2004 and October 11th, 2004, In Duval County, Florida, commit the offenses of; **Soliciting a Child for Sex Via an On-Line Service**, contrary to the provisions of Section **847.0135(3)**, Florida Statutes; **Transmission of Child Pornography**, contrary to the provisions of Section **847.0137(2)**, Florida Statutes; and **Transmission of Material Harmful to Minors to a Minor by Electronic Device**, contrary to the provisions of Section **847.0138(2)**, Florida Statutes. You are HEREBY COMMANDED to arrest **Mackie Todd Cottongim**; Last Known Address: **1261 North 78th Street, Scottsdale, Arizona**; Race:**White**; Sex: **Male** ; DOB: **11/28/1969**; Ht: **5'9"**; Wt: **190**; Hair: **Brown**; Eyes:**Blue**; Scars, Marks:**Unknown**; If be found In your county, and safely keep **him** so that you have **his** body before a Judge of the Duval County Circuit Court, at the Courthouse In Jacksonville, Instate, to be dealt with according to law. Appearance bond Is fixed at \$_____.

Given under my hand and seal this _____ day of _____, 20__.

Judge of the Circuit Court of the Fourth
Judicial Circuit In and for Duval County, Florida

Enter In NCIC or FCIC: [] Yes [] No (CHECK ONE) If YES, Extradition Code: C/E/O/S/D (CIRCLE ONE) ASA Approval: _____

Received this Arrest Warrant the _____ day of _____, 20____, and executed It on the _____ day of _____, 20____, by arresting the within named _____ and having him / her now before the Court this _____ day of _____, 20____.

Arresting Officer: _____ ID # _____
Agency: _____
Duty Section: _____

JAIL DOCKET NO. _____