

STATE OF INDIANA, COUNTY OF ELKHART, Ss:

THE STATE OF INDIANA)	CAUSE NO. <u>20D04-2403-CM-</u>
)	
Vs.)	In the Elkhart Magistrate Court
)	in said County and State
Kelly Fisher)	AFFIDAVIT TO ESTABLISH PROBABLE CAUSE
DOB: 04/12/1969)	Theft / I.C. 35-43-4-2
)	Class A Misdemeanor

Comes now the undersigned affiant and after first being duly sworn upon his oath says the following.

- 1) That his or her name is **Ptl. Ryan Cripe 3A336**
- 2) That this affiant has probable cause to believe the crime of **Theft**, under Indiana Code 35-43-4-2 occurred based on the following facts and circumstances.
- 3) That this affiant believes the following individual, namely Kelly Fisher committed this crime.
- 4) That the facts and circumstances that lead this affiant to believe the above listed crime occurred are as follows: On January 25, 2024 at approximately 1:17 PM, I arrived at the Walmart at 30830 Old US Highway 20 in Elkhart, IN in reference to a theft at Walmart at this location. I arrived at the asset protection office and met with the caller and loss prevention employee Cheryl Tschida who was talking with two females. I observed a white female later identified by her Indiana driver's license as Kelly Fisher DOB 04/12/1969. Cheryl Tschida stated that the accused was observed with her wife "skip scanning" when purchasing items by holding multiple items at once and skipping over select items at the self-checkout registers, placing the items in bags, and then leaving the point of purchase without paying for the items. Cheryl Tschida stated the total value of all the items stolen was \$146.06 and that Wal-Mart would want to prosecute. Cheryl Tschida provided a receipt with the value of all the items stolen in addition to a DVD disk with a recording of the incident.

Items are as follows:

- Paper Shred x 10 - \$1.24 each
- Candy Melt Chocolate - \$13.98
- Basting Adhesive - \$13.98
- Cake Box x 7 - \$4.97 each
- Treat Box x 8 - \$1.97 each
- Baking Cups x 3 - \$1.24 each
- Milkbone Dog Biscuits x 2 - \$4.29 each
- Milkbone Dog Biscuits - \$6.98
- Meltems Marshmallows - \$3.96
- Men's Wear Items x 3 - \$4.00 each
- Men's Wear Items x 2 - \$5.00 each
- Men's Shirt - \$5.00

Kelly Fisher was read Miranda stating she understood her rights and was willing to speak with me. Kelly Fisher stated she was shopping in the store with her wife and has never been accused of stealing before. Kelly Fisher admitted she knew the items her wife was scanning were being skipped over due to being in a hurry. Kelly Fisher stated she was behind her wife and observed the activity. Kelly Fisher was fully cooperative with staff.

Kelly Fisher was cited into Magistrate court at a date to be determined by the court.

- 5) That the material witnesses to these events are: Ptl. Ryan Cripe A336, Cheryl Tschida
- 6) That the affiant's investigation has corroborated the statements of these witnesses.

I swear (affirm), under penalty of perjury as specified by I.C. 35-44.1-2-1, that the forgoing representations are true.

PTL. Ryan A. Cripe #A336

Ptl. Ryan A. Cripe 3A336
Elkhart County Sheriff's Office

The court finds probable cause exists for arrest of defendant.

Date: _____

(Judge's Signature)

Cite and Release