

STATE OF INDIANA)
COUNTY OF ST. JOSEPH)
STATE OF INDIANA)
VS)
DAVID A. FAZIO)

IN THE ST. JOSEPH SUPERIOR COURT

AFFIDAVIT IN
SUPPORT OF PROBABLE CAUSE

Amy S Cressy affirms under the penalty of perjury and states:

I am a Deputy Prosecuting Attorney for the 60th Judicial Circuit, and make this affidavit after reviewing verified South Bend Police Department reports and video evidence submitted to me.

On or about July 1, 2024, officers from the South Bend Police Department responded to the St. Joseph County Courthouse complex located at 101 South Main Street, South Bend, Indiana regarding a disturbance. A male party, identified as Lakenn Gean Bartley, had been physically removed from the courthouse by St. Joseph County Sheriff's Department officers.

South Bend officers arrived on scene and found that Mr. Bartley was upset by the manner in which he had been removed from the courthouse. Mr. Barley claimed to have been chest bumped and spit upon by the officers. He advised the South Bend officers that he wanted a police report taken. Lt. David Fazio came out of the courthouse building, introduced himself to Mr. Bartley, and began to explain the process for filing a formal complaint with St. Joseph County.

As Lt. Fazio was explaining the procedure, Mr. Bartley raised his Apple iPhone to take a photograph of Lt. Fazio. Lt. Fazio brushed Mr. Bartley's hand down and said, "No. I'll tell you what my name is."

Mr. Bartley stepped back and again raised his iPhone to take a photograph of Lt. Fazio. Lt. Fazio then stepped forward, knocked the iPhone from Mr. Bartley's hand and knocked it to the ground. Lt. Fazio then walked away.

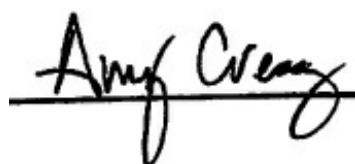
Mr. Bartley's iPhone was broken when it hit the sidewalk.

All of the above events occurred in St. Joseph County, Indiana.

DETENTION CONSIDERATIONS

The defendant appears to be **eligible** for Criminal Rule 2.6 consideration.

I affirm under the penalty for perjury that the foregoing representations are true.



Amy S Cressy
Chief Deputy Prosecuting Attorney

