

**IN THE DISTRICT COURT OF TULSA COUNTY
THE STATE OF OKLAHOMA**

THE STATE OF OKLAHOMA,)
)
 PLAINTIFF,)
)
 vs.)
)
 Toni Heath)
)
 Alex Robin Schmitt)
)
)
 DEFENDANTS.)

Case No.:

CF -20 18 - 5440

**DISTRICT COURT
FILED
NOV 28 2018**

**DON NEWBERRY, Court Clerk
STATE OF OKLA. TULSA COUNTY**

INFORMATION

In the name and by the authority of the State of Oklahoma comes now MIKE HUNTER, Attorney General of Oklahoma, in and for the State and County aforesaid, gives the court to know and be informed as follows:

COUNT 1
21 O.S. 701.7 (B)

TONI HEATH AND ALEX ROBIN SCHMITT, acting in concert, between the dates of August 26, 2018 and August 28, 2018, in Tulsa County, State of Oklahoma and within the jurisdiction of this court, did then and there commit the crime of FELONY MURDER - FIRST DEGREE, a felony, by unlawfully and willfully, without authority of law, effect the death of one Eric Van Adams by Distributing a Controlled Dangerous Substance - Heroin, in violation of Title 63 O.S. § 2-401 (A) (1), thereby inflicting certain moral damage to the body of Eric Van Adams from which moral damage the same Eric Van Adams did languish and die of heroin toxicity on the 28th day of August, 2018.

COUNT 2
21 O.S. 421 (A) (1)

TONI HEATH AND ALEX ROBIN SCHMITT, acting in concert, between the dates of August 26, 2018 and August 28, 2018, in Tulsa County, State of Oklahoma and within the jurisdiction of this court, did then and there commit the crime of CONSPIRACY TO COMMIT A FELONY, a felony, by unlawfully and willfully, and intentionally, without authority of law, did Conspire to Distribute a Controlled Dangerous Substance - Heroin, schedule I, in violation of Title 63 O.S. § 2-401 (A) (1).

COUNT 3
63 O.S. 2-401

TONI HEATH AND ALEX ROBIN SCHMITT, acting in concert, on November 21st, 2018, in Tulsa County, State of Oklahoma and within the jurisdiction of this court, did then and there commit the crime of POSSESSION OF CONTROLLED DANGEROUS SUBSTANCE WITH INTENT TO DISTRIBUTE , a felony, by unlawfully and willfully, and intentionally, without authority of law, did Possess Controlled Dangerous Substances - Heroin, schedule I, and Methamphetamine, schedule II, with the intent to distribute the same.

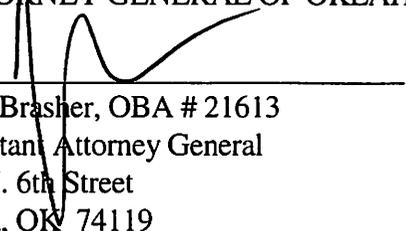
COUNT 4
63 O.S. 2-503.1 (A)

TONI HEATH AND ALEX ROBIN SCHMITT, acting in concert, between August 26st, 2018 and November 21st, 2018, in Tulsa County, State of Oklahoma and within the jurisdiction of this court, did then and there commit the crime of ACQUIRE PROCEEDS FROM DRUG ACTIVITY, a Felony, by unlawfully, knowingly and intentionally, received money derived from drug transactions, which is a violation of Title 63 O.S. 2-101 et seq.

COUNT 5
13 O.S. 176.3(8)

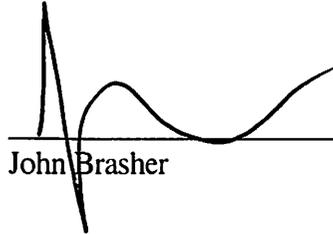
TONI HEATH AND ALEX ROBIN SCHMITT, acting in concert, between the dates of August 26, 2018 and August 28, 2018, in Tulsa County, State of Oklahoma and within the jurisdiction of this court, did then and there commit the crime of USE OF A COMMUNICATION DEVICE IN DRUG TRANSACTION, a Felony, by unlawfully and willfully, without authority of law, did use a telephone to cause or facilitate the distribution of Heroin, classified as a controlled dangerous substance in Schedule I of the Uniform Controlled Dangerous Substances Act of this State.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

By: 
John Brasher, OBA # 21613
Assistant Attorney General
15 W. 6th Street
Tulsa, OK 74119
(918) 581-2128
John.Brasher@oag.ok.gov

County of Tulsa)
State of Oklahoma) SS

I do solemnly swear that the statements and allegations set forth in the within information are true and correct to the best of my information and belief.

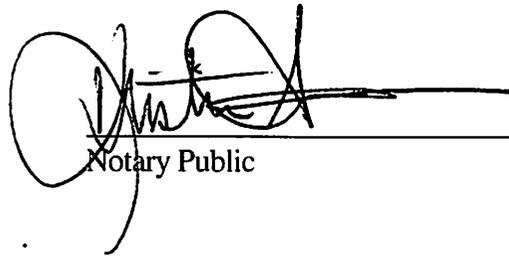


John Brasher

Signed and sworn to before me on the 24th day of November, 2018, by John Brasher.

(SEAL)



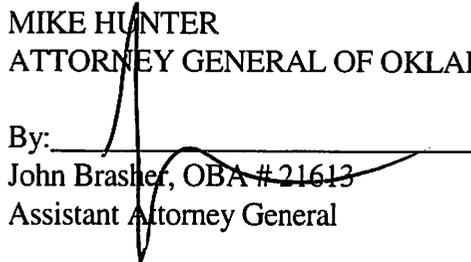


Notary Public

My Commission Expires:

I have examined the facts in this case and recommend that a warrant do issue.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

By: 

John Brasher, OBA # 21613
Assistant Attorney General

FED STA MUN	FEL MISD	CRIME DESCRIPTION	TITLE	SECT	PARA	DATE OF OFFENSE	WARRANT NUMBER	ORI	BOND	O.R.	UCR
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Your affiant states that on August 28th, 2018, Eric Adams died in Tulsa County of an apparent heroin overdose. His brother, Dylan Adams, found Eric Adams unconscious on the bathroom floor shortly after 1900 hours. A syringe was located on the floor next to Eric Adams. Broken Arrow Fire Department arrived on scene and pronounced Adams deceased at 1956 hours. The Medical Examiner's Office took custody of the body and determined Eric Adams' cause of death to be heroin toxicity.

Investigation revealed that Eric Adams purchased heroin from Toni Heath approximately 24 hours before his fatal overdose. Investigation also revealed that Toni Heath and Alex Schmitt were working in concert to distribute heroin in Tulsa County.

According to Oklahoma State Statute 21-701.7B; A person commits the crime of murder in the first degree, regardless of malice, when that person or any other person takes the life of a human being during, or if the death of a human being results from the unlawful distributing or dispensing of controlled dangerous substances or synthetic controlled substances.

On 11/21/18, a Tulsa County search warrant was executed at 3414 S Memorial Dr, Room 216, where Toni Heath and Alex Schmitt were staying. Both subjects were present at the time the warrant was served.

During the service of the search warrant, Officers recovered heroin, methamphetamine, digital scales, and evidence of drug distribution.

Alex Schmitt was transported to Detective Division where he was read his Miranda Rights from a Tulsa Police Department Miranda Waiver. He voluntarily waived her rights. Post Miranda, he admitted to purchasing heroin for Toni Heath. He stated that he would obtain the heroin and that he would give it to Toni, who would then distribute it. He stated that he and Toni Heath went together to obtain the heroin that was then subsequently sold to Eric Adams which resulted in his death.

Alex Schmitt stated that he was a small time drug dealer and that he only sold enough heroin to support his own habit.

All of these events occurred in the City/County of Tulsa Oklahoma.

THE BELOW SIGNED OFFICER SWEARS AND AFFIRMS THAT THE ABOVE INFORMATION IS TRUE AND CORRECT AND PRAYS THIS HONORABLE COURT TO FIND PROBABLE CAUSE TO DETAIN THE ARRESTEE PENDING FURTHER PROCEEDINGS.

[Signature]
 OFFICER'S SIGNATURE

D.G. LITTLEFIELD TPD MVD 596 9227
 PRINT OFFICER'S NAME, DEPT, DIVISION, PHONE NUMBER

SUBSCRIBED AND SWORN TO BEFORE ME THIS 23 DAY OF Nov 2018

MY COMMISSION NUMBER IS _____ MY COMMISSION EXPIRES 3-20-20
[Signature]
 NOTARY PUBLIC OR COURT CLERK

I FIND THAT THERE IS IS NOT PROBABLE CAUSE TO DETAIN THE ARRESTEE PENDING FURTHER PROCEEDINGS.

DATE 11-23-18 TIME 9am Bickel JUDGE OF THE DISTRICT COURT

