

STATE OF INDIANA)
) SS:
COUNTY OF JOHNSON)

IN THE JOHNSON CIRCUIT/SUPERIOR COURT
CAUSE NUMBER: 41-

STATE OF INDIANA
VS

INFORMATION FOR:
Violation or Failure of Carrier's Duty to Warn

TONY M PERKINS
390 Waterbury Ct., Apt. A
Greenwood, Indiana 46142
DOB: 09/16/1962
SSN: xxx-xx-4210

I.C. 35-42-1-9(b)
a Class D Felony

Count 1

The undersigned affiant, being duly sworn on his oath, says that he is informed and verily believes that:

between July 1, 2008 and September 30, 2009 in Johnson County, State of Indiana, Tony M Perkins did knowingly or intentionally violate or fail to comply with the requirements of I.C. 16-41-7-1, to-wit: Perkins failed to warn a sexual partner, to wit: ██████████, that Perkins had HIV/AIDS.

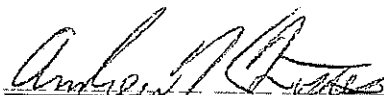
All of which is contrary to the laws of the State of Indiana.

I swear under the penalties of perjury as specified by I.C. 35-44-2-1 that the foregoing representations are true.



Prosecuting Attorney

Approved by me this 19 day of Feb, 2010.



Deputy Prosecuting Attorney
Eighth Judicial Circuit

I/we hereby certify, to the best of our knowledge, that the foregoing document complies with the requirements of Trial Rule 5(G) with regard to information excluded from the public record by Administrative Rule 9(G).

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Count 3

The undersigned affiant, being duly sworn on his oath, says that he is informed and verily believes that:

On or about the month of July 2008, in Johnson County, State of Indiana, Tony M Perkins did knowingly or intentionally violate or fail to comply with the requirements of I.C. 16-41-7-1, to-wit: Perkins failed to warn a sexual partner, to wit: [REDACTED] that Perkins had HIV/AIDS.


All of which is contrary to the laws of the State of Indiana.

I swear under the penalties of perjury as specified by I.C. 35-44-2-1 that the foregoing representations are true.



Prosecuting Attorney

Approved by me this 19 day of Feb, 2010.



Deputy Prosecuting Attorney
Eighth Judicial Circuit

I/we hereby certify, to the best of our knowledge, that the foregoing document complies with the requirements of Trial Rule 5(G) with regard to information excluded from the public record by Administrative Rule 9(G).

ARREST WARRANT AFFIDAVIT FOR PROBABLE CAUSE

STATE OF INDIANA, COUNTY OF JOHNSON, SS;

Detective Rex Saltgaver of the Greenwood Police Department swears or affirms that he believes and has good cause to believe that between July 1st, 2008 to November 15th 2009, Tony M. Perkins, a white male, DOB: 9-16-62, SSN: XXX-XX-XX10, did commit the crime of: Failure To Warn Sexual Partner of HIV, D Felony and Intimidation, an A Misdemeanor

In support of your affiant's assertion of Probable Cause your affiant bases belief on the following attending facts and circumstances that:

On February 13th 2009, the complainant identified as [REDACTED] came to the Greenwood Police Dept to make a complaint. Lt. Brain Blackwell spoke with [REDACTED] and initiated a case report.

[REDACTED] told Lt. Blackwell that a former boyfriend, identified as Tony Perkins has HIV. [REDACTED] states that Tony failed to inform her that he has HIV prior to them having sexual intercourse. [REDACTED] states that Tony is sex addict and was recently diagnosed with Syphilis in November 2009. [REDACTED] states that Tony may have had unprotected sex with 100 different women over the last year. [REDACTED] cannot hold her silence anymore knowing that Tony is spreading HIV.

On Tuesday, February 16th, 2010, I asked [REDACTED] to come to the Greenwood Police Department for a formal interview. [REDACTED] arrived at the station around 4pm.

[REDACTED] told me that she had a relationship with Tony for a little over a year (July 2008 to Sept 2009) [REDACTED] states that the relationship started off well until she received a couple of e-mails from [REDACTED], who is Tony's ex-sister-in-law from Tony's daughter, [REDACTED], on Oct 30th and Nov 4th 2008.

In the e-mail that was sent on November 4th, [REDACTED] told [REDACTED] that her father is dying from AIDS. [REDACTED] told [REDACTED] to get tested. [REDACTED] states that she has seen women die and families ruined because of her father actions. [REDACTED] was able to provide me with copies of these two e-mail from 2008.

On or about November 8th 2008, [REDACTED] and Tony went to an Applebees restaurant on Rockville Road in Avon Indiana. [REDACTED] had her best friend, [REDACTED] with her at the restaurants. [REDACTED] confronted Tony about the AIDS issue. Tony broke down and admitted to both of them that he has AIDS. Tony also openly admitted to them that he has had unprotected sex with many women. [REDACTED] provided this investigator with a written statement about his admission.

[REDACTED] thought she could convince Tony to stop having sex and seek help for his problems. Tony specifically told [REDACTED] that since he got AIDS from a whore and if any woman was dumb enough to sleep with him, in his eyes, he would be giving it back to a whore.

[REDACTED] finally decided to come to the police about Tony's situation because of her recent scare at St Francis Hospital. [REDACTED] states that before Tony's admission, she had unprotected sexual intercourse with Tony at least 50 times at his apartment located at 829 Clearview Way Apt B in Greenwood, Indiana. [REDACTED] currently has tested negative for HIV.

[REDACTED] also states that Tony has stopped taking his medication in Oct 2008. [REDACTED] states that Tony was taking a orange circular shaped pill that had the number 3 on it. Tony has had HIV/AIDS complications which include head and body lesions, bloody stools, and circulatory problems. Tony has told women that he has cancer and not AIDS. He also claims to have nicked his head and face with a razor to

explain his lesions that people see.

█ went on to say that Tony meets most of his women through a popular singles web site called Plenty Of Fish.com. █ states that Tony keeps all of his sexual contacts either on his cell phone or in a small black book that he keeps in his bedroom. █ last contact was in December 2009.

█ advised me that Tony has made repeated physical threats to her and to her daughter. Tony has told █ that if she goes to the police he will kill her. █ began to show me some of the text messages that she has received today. █ states that Tony's user name when texting is DICK. I began to read some of these messages. Pictures were taken. They are:

Feb 12th 2010 at 7:10pm Your friends put them to it now u guys will pay

Feb 12th 2010 at 6:46pm U created profile of me u will pay now u went way to fuckn far u will be sorry im not showing u no mercy now you fucken whore i hate you

Feb 12th 2010 at 7:07pm Im making up fliers now going up all over town and that's just the beginning u █ will both be sorry for fucking with me im to my fucking limit

Feb 15th 2010 at 1:17pm U ignorant whore u r pushing me to far! I know now to take something from u love.

Feb 15th 2010 at 1:47pm Snapped (█ states that he has used this word before to say that he will do this to her neck.)

On Wednesday February 17th 2010 I spoke to another victim identified as █. █ told me that she met Tony Perkins at a Plenty of Fish party at Clancy's during the summer of 2008.

In July, Tony sent █ an e-mail message and asked her if she wanted to go for a motorcycle ride. █ recalls that they went for a ride on a Saturday night. █ believes that they went to a car show at the Dog-N-Suds in Greenwood and they went back to his one bedroom apartment in Greenwood.

When they arrived back at his apartment they had unprotected sexual intercourse. Tony did not tell her that he had HIV.

On July 11th 2008, █ and Tony went to a Kid Rock concert at the Verizon Center in Noblesville Indiana and went out to see a movie called Tropic Thunder.

That weekend, Tony went back to █'s residence in Fishers Indiana and they both had unprotected sexual intercourse. █ again advised me that Tony did not tell her that he was HIV positive.

Another couple of weeks went by and █ called Tony and wanted to know if they could do something together. Tony told her no, citing that you slept with me on the first date. Why would I want to go back out with you.

█ stated that she was recently tested and so far her tests have come back negative for HIV.

On Thursday February 18th 2010, I spoke with Marsha Ford at the Indiana State Board Of Health. Marsha told me that their office has known of Tony's condition since September 9th 2004. Marsha told me that they have had complaints of Tony's dangerous behavior.

Documented within a case report prepared by the Indiana State Dept of Health, Tony was told about the duty to warn, Indiana Code 46-1-17. This was specifically told to Tony by Tamie Lemon on 8-31-04. Tony was also told that he could not donate plasma or any other blood product.

In another case report prepared by the Indiana State Dept of Health, Tony was told again about the duty to warn, Indiana Code 46-1-17. This was specifically told to Tony by L.P.N. Ameena Burks on 11-7-08.

Also in this report, Tony openly admitted to having unprotected sexual intercourse.

Case manager, Dana Cheatem was assigned to Tony's case. In a follow up interview conducted on 1-9-09, Tony told Dana that his girlfriend knew about his HIV and he was using condoms at all times. Tony even told Dana that he had stopped taking his HIV medicine for a couple of weeks.

Marsha Ford provided this investigator copies of both reports.

This investigator has probable cause to believe that Tony failed his duty to warn his sexual partners therefore endangering the health and life of [REDACTED] and [REDACTED].

Based on the above facts and circumstances your affiant asks that a warrant be issued for the arrest of Tony M. Perkins, a white male, DOB: 9-16-62, SSN: XXX-XX-XX10, on the charges of Failure To Warn Sexual Partner of HIV, a D Felony and Intimidation, an A Misdemeanor.

All these events occurred in Johnson County, Indiana.

I swear, under penalty of perjury, as specified by IC 35-44-2-1, that the foregoing representations are true. (IC 35-34-1-2.4).

Signed: _____

Printed: Rex Saltsgaver

Reviewed by: _____

Deputy Prosecuting Attorney
8th Judicial Circuit Court

Probable cause found.

Judge of _____
Court of Johnson County