

Superior Court of the District of Columbia

CRIMINAL DIVISION

USW NO.:

45224-05

AFFIDAVIT IN SUPPORT OF AN ARREST WARRANT

DEFENDANT'S NAME: Taylor, Estherlynn Tabitha				CCR:		PDID:	
SEX: Female	RACE: Black	DOB: 12-13-1970	HEIGHT: 5'6"	WEIGHT: 220	EYES: Brown	HAIR: Black	COMPLEXION: Dark
DEFENDANT'S HOME ADDRESS: 3119 Lunar Court Laurel, Maryland 20724					TELEPHONE NUMBER: 301-317-0956		
DEFENDANT'S BUSINESS ADDRESS: Unknown					TELEPHONE NUMBER: Unknown		
COMPLAINANT'S NAME: Ellet, Mildred							
LOCATION OF OFFENSE: 3050 Military Road, NW, Washington DC, 20015				DATE OF OFFENSE: December 10, 2004		TIME OF OFFENSE: 5:00 p.m.	

GIVE BRIEF DESCRIPTION OF WHAT HAPPENED:

Page 1 of 2

On December 13, 2004, the District of Columbia Office of the Inspector General, Medicaid Fraud Control Unit (MFCU) received an unusual incident report (UIR) from Ingleside at Rock Creek (IRC), a long term care facility. The UIR alleged that Mildred Ellett (C1), a ninety-four year old resident of IRC, was physically abused by her caregiver, Esterlynn Taylor (S1). C1 has several medical conditions that necessitate her placement in a nursing home. By definition C1 is a "vulnerable adult."

During the course of the investigation the Affiant located W1, Executive Director of IRC, who relayed that on December 10, 2004, at approximately 5:00 p.m., he was walking the grounds of IRC when he heard a female yelling, "Jesus help me." He walked toward a window that is located at ground level, looked into C1's room and observed C1 lying on her bed yelling "Jesus help me." He observed S1, a Certified Nursing Assistant (CNA), grab C1 by her upper arms and pull her to a sitting position. At this point W1 heard C1 cry out again, "Jesus help me." W1 stated that S1 then struck C1 on the back of the head with her open hand. W1 described this blow as forceful. W1 saw S1 continue to aggressively pull on C1 until she was out of the bed and then drop her into a wheelchair that was adjacent to C1's bed. C1 continued to yell, "Jesus help me." W1 began banging on the window, calling S1's name. W1 stated to Affiant that he gained S1's attention, and S1 open the window and immediately began stating "she says that all the time," before W1 said anything to her. W1 is aware that C1 says this statement on occasion; however W1 stated that he told S1 "she is yelling that because you were hitting and hurting her."

W1 then left the window and traveled to the closest open entrance of IRC in order to direct the on duty Nurse Supervisor, W2, and the LPN Charge Nurse, W3, to relieve S1 of her duties. W1 knows S1 by name because she has worked at IRC since August 2002. W2 and W3 advised Affiant that prior to W1 directing them to relieve S1 of her duties, S1 had come to them and told them of W1's accusations against her. W1 provided the AFFIANT WITH S1'S PERSONNEL FILE WHICH INCLUDED A PHOTOCOPY OF S1'S DRIVERS LICENSE. THE AFFIANT SHOWED W1 THE PHOTOCOPY OF THE LICENSE AND W1 CONFIRMED

AFFIANT'S SIGNATURE:

Arkieva Smith, Special Agent, ID# IG075, 202-727-5935, ORI#DC0010400

PLEASE ISSUE A WARRANT FOR:

Estherlynn Taylor

AK 3/19/05

SUBSCRIBED AND SWORN TO BEFORE ME THIS

CHARGED WITH:

Abuse of a Vulnerable Adult

DAY OF

Jim Greene 3-9-05
ASSISTANT UNITED STATES ATTORNEY

AK
(JUDGE) (DEPUTY CLERK) SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

DO NOT PUT INTO NCK

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CRIMINAL DIVISION

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THAT IT WAS S1.

W1 was very upset and distraught over what he had observed and instructed W2 and W3 to check C1 for injuries. S1 gave a written statement to IRC, and subsequently resigned on December 11, 2004. During the investigation affiant attempted to interview C1. Her conditions made it impossible for her to accurately relate what had happened to her on December 10, 2004. The Affiant contacted S1, who agreed to come in and give a statement. The affiant was advised by S1's attorney that she would not be giving a statement.

Based upon interviews with C1, W1, W2 and W3 during the course of this investigation, the Affiant believes S1 committed Criminal Abuse of a Vulnerable Adult in violation of DC Codes §§ 22-932, 22-933. Based upon the above mentioned facts and circumstances probable cause exists for the District of Columbia Superior Court Judge to issue a warrant for the arrest of Esterlynn Tabitha Taylor for the criminal abuse of C1.

PLEASE ISSUE A WARRANT FOR:

Estherlynn Taylor

CHARGED WITH: Abuse of a Vulnerable Adult

Jim Green
ASSISTANT UNITED STATES ATTORNEY

AFFIANT'S SIGNATURE:

Arkieva Smith, Special Agent, ID# IG075, 202-727-5935,
ORI#DC0010400 *Arkieva Smith*

SUBSCRIBED AND SWORN TO BEFORE ME THIS

9th DAY OF March 2005

John R. New
(JUDGE) (DEPUTY CLERK) SUPERIOR COURT
OF THE DISTRICT OF COLUMBIA

DO NOT PUT INTO

NEIC

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

United States of America
District of Columbia

* APPEAL RIGHT GIVEN *

Case No.: 2005 CMO 10811
PDID No.: 578606

vs.

ESTHERLYNN TAYLOR

JUDGMENT AND COMMITMENT/PROBATION ORDER

The above-named defendant having entered a plea of Not Guilty Guilty to the Charge(s) of _____

CRIMINAL ABUSE VULNERABLE ADULT

and having been found guilty by Jury Court, it is hereby ORDERED that the defendant has been convicted of and is guilty of the offense(s) charged, and is hereby SENTENCED to AS TO COURT "A"

180 DAYS IN JAIL, LESS ALL BUT 20 DAYS, 2 YEAR SUPERVISED

PROBATION, DURING THAT PROBATION PERIOD UNTIL SUCH TIME THAT YOU ARE PROPERLY CERTIFIED BY A THERAPIST THAT YOU ARE NO DANGER TO

THAT ALLOW YOU TO BE IN POSITION OF TRUST AND CARE WITH VULNERABLE ADULTS AS THAT TERM IS DEFINED, YOU SHOULD NOT ENGAGE IN SUCH CONDUCT UNTIL THERE IS AN ASSESSMENT DONE BY

A MANDATORY MINIMUM term of _____ applies to the sentence imposed
 A PROFESSIONAL THAT YOU DO NOT POSE A RISK OR A DANGER TO OR SUCH INDIVIDUALS. YOU ARE TO STAY AWAY FROM THE EGGLESTIDE ROAD

ORDERED that the defendant be committed to the custody of the Attorney General for imprisonment for the period imposed above. CREEK FACILITY AS WELL AS THE SPECIFIC EMPLOYEE'S THAT WERE INVOLVED IN THIS CASE MRS. NWAGU, MR. HEAT AND MRS. SHALU

ORDERED that the defendant be committed to the custody of the Attorney General for treatment and supervision provided by the D.C. Department of Corrections pursuant to Title 24, Section 903[b] of the D.C. Code [Youth Rehabilitation Act 1985].
 ORDERED that the defendant be placed on probation in charge of the Director, Social Services Division, and it is further ORDERED that while on probation the defendant observe the following marked conditions of probation:

- Observe the general conditions of probation listed on the back of this order.
- Cooperate in seeking and accepting medical, psychological or psychiatric treatment in accordance with written notice from your Probation Officer.
- Treatment for alcohol problems drug dependency or abuse as follows:

Restitution of \$ _____ in monthly installments of \$ _____ beginning _____ (see reverse side for payment instructions.)

The Court will distribute monies to \$ 500.00 FINE TO PAY WITHIN 6 MONTHS AFTER YOUR RELEASE FROM JAIL

Costs in the aggregate amount of \$ 50.00 have been assessed under the Victims of Violent Crime Compensation Act of 1981, and have have not been paid.

ORDERED that the Clerk deliver a true copy of this order to appropriate authorized official(s) and that the copy shall serve the commitment/order for the defendant.

1/27/06
Date
Certification by Clerk pursuant to Criminal Rule 32(d).
1/27/06
Date

Notice of Appeal given

[Signature]
Judge
[Signature]
Deputy Clerk