

0513930

20mm353
ARREST / NOTICE TO APPEAR1. Arrest
2. N.T.A.
3. Request for Warrant
4. Request for Capias

1

JUVENILE

AD M I N I S T R A T I O N	OBTS Number	Agency ORI Number 0501700		Agency Name Jupiter Police Department		Agency Report Number (N.T.A.'s only) 5 4 20-000162		If Weapon Seized Enter Type Hands, Feet, Fist, Teeth		Multiple Clearance Indicator		
D E F E N D A N T	Charge Type: Check as many as apply: ☐ 1. Felony ☐ 2. Traffic Felony ☒ 3. Misdemeanor ☐ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		Location of Offense (Business Name, Address) 218 BARCELONA DR, JUPITER, FL 33458		Date of Arrest 01/11/2020		Time of Arrest 00:10		Booking Date 01/11/2020		Booking Time 00:20	
	Name (Last, First, Middle) HORBERG, ANA LUCIA		Alias:		Date of Birth 08/28/1978		Height 5'01		Weight 100		Eye Color BROWN	
	Race W - White B - Black O - Oriental/Asian W		Sex F		Marital Status 0		Religion CATHOLIC		Complexion MEDIUM		Build 5'01	
	Local Address (Street, Apt. Number) 218 BARCELONA DR, JUPITER, FL 33458		(City) JUPITER		(State) FL		(Zip) 33458		Phone (954) 822-5182		Residence Type: 1. City 2. County 3. Florida 4. Out of State 1	
J U V E N I L E	Permanent Address (Street, Apt. Number) 218 BARCELONA DR, JUPITER, FL 33458		(City) JUPITER		(State) FL		(Zip) 33458		Phone (954) 822-5182		Address Source VERBAL	
	Business Address (Name, Street) H616012788080 / FL		(City) JUPITER		(State) FL		(Zip) 33458		Phone		Occupation	
	DL Number, State H616012788080 / FL		Sec. Soc. Number		INS Number		Place of Birth (City, State) CARACAS, FF,		Citizenship US		Indication of: Alcohol Influence Drug Influence Yes ☒ No ☐ Unk. ☐	
	Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth		1. Arrested 2. At Large 3. Felony 4. Misdemeanor 5. Juvenile		1. Arrested 2. At Large 3. Felony 4. Misdemeanor 5. Juvenile	
C O D E F	Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth		1. Arrested 2. At Large 3. Felony 4. Misdemeanor 5. Juvenile		1. Arrested 2. At Large 3. Felony 4. Misdemeanor 5. Juvenile	
	Name (Last, First, Middle)		(City)		(State)		(Zip)		Residence Phone		Business Phone	
	Notified by: (Name)		Date		Time		JUVENTILE DISPOSITION 1. Handled/Processed within Department and Released 2. TOT JAC 3. Incarcerated		Grade		Value of Property	
	Released To: (Name)		Relationship		Date		Time		School		Grade	
C H A R G E	The above address was provided by ☐ defendant and/or ☐ defendant's parents. The child and/or parent was told to keep the Juvenile Court Clerk's Office (Phone 355-2526) informed of any change of address. ☐ Yes, by: ☐ No:											
	Drug Activity N. N/A P. Possess		S. Sell B. Buy T. Traffic		R. Smuggle D. Deliver E. Use		K. Disperse/ Distribute		M. Manufacture/ Produce/ Cultivate		Z. Other	
	Drug Type N		Amount / Unit /		Offense # 1		Counts 1		Domestic Violence ☒ Y ☐ N		Warrant / Capias Number	
	Charge Description BATTERY - CAUSE BODILY HARM		Statute Violation Number 784.03(1)(A)(2)		Violation of ORD # NO BOND							
C H A R G E	Drug Activity N		Drug Type N		Amount / Unit /		Offense # 1		Counts 1		Domestic Violence ☐ Y ☒ N	
	Charge Description RESIST/OBSTRUCT OFFICER W/O VIOLENCE		Statute Violation Number 843.02		Violation of ORD # OK							
	Drug Activity N		Drug Type N		Amount / Unit /		Offense # 1		Counts 1		Domestic Violence ☐ Y ☒ N	
	Charge Description BATTERY - CAUSE BODILY HARM		Statute Violation Number 784.03(1)(A)(2)		Violation of ORD # NO BOND							
I N T A K E	Health / Apparent Physical Condition of Defendant		Any knowledge of the following: ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deformities ☐ Injuries		Explain:		Released By		Released To			
	Check which applies: ☐ Released O.R. ☐ Released to Parent/Guardian ☒ T.O.T. County Jail ☐ Posted Bond ☐ South County Mental Health		PROPERTY - Received By		Date Transported		Time Transported		Other			
	Transported By		Location (Court, Room) North County PALM BEACH GARD		Court Date and Time 02/12/2020 08:30:00		Date Signed		Signature of Defendant (or Juvenile and Parent/Custodian)			
	I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.		Signature of Arresting Officer MCGILLICUDDY, STEVEN		I.D. # 1216		Name Verification (Printed by Arrestee) (PRINT)		PAGE 1 OF 1			
N O T I C E T O A P P E A R	HOLD for Other Agency		Signature of Arresting Officer MCGILLICUDDY, STEVEN		I.D. # 1216		Name Verification (Printed by Arrestee) (PRINT)		PAGE 1 OF 1			
	Initials Thomas		Fouch #		Transporting Officer S. MCGILLICUDDY		I.D. # 388		Agency JUPITE		Witness here if subject signed with an "X".	
	HOLD for Other Agency		Signature of Arresting Officer MCGILLICUDDY, STEVEN		I.D. # 1216		Name Verification (Printed by Arrestee) (PRINT)		PAGE 1 OF 1			
	Initials Thomas		Fouch #		Transporting Officer S. MCGILLICUDDY		I.D. # 388		Agency JUPITE		Witness here if subject signed with an "X".	

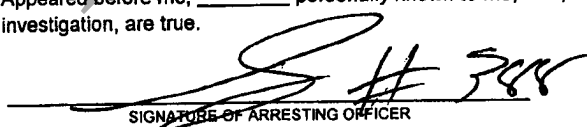
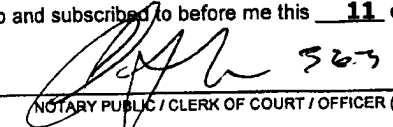
☐ COURT ☐ STATE ATTORNEY ☐ AGENCY ☐ CENTRAL RECORDS ☐ JAIL ☐ CRIME ANALYSIS ☐ DEFENDANT

JAN 11 2020

DOMESTIC VIOLENCE PROBABLE CAUSE

AFFIDAVIT

Palm Beach County

A D M I N	Date / Time 01/11/2020 00:17		Agency ORI Number FL 0501700		Agency Name JUPITER POLICE DEPARTMENT		Agency Report Number 5 4 20-000162	
	Name (Last, First, Middle) HORBERG, ANA LUCIA						Race W	Sex F
C H R G	Charge Description 784.03(1)(A)(2) BATTERY - CAUSE BODILY HARM <i>843.02 RESIST W/O VIOLENCE</i>							
	Victim's Name (Last, First, Middle) FACTOR, SCOTT ANDREW						Race W	Sex M
V I C T I M	Local Address (Street, Apt. Number) (City) (State) (Zip) 218 BARCELONA DR, JUPITER, FL 33458				Phone (561) 801-3645		Address Source	
	Business Address (Name, Street) (City) (State) (Zip)				Phone		Occupation	
O B S E R V E R	Written ☐ Taped ☐ Oral ☐			OBSERVATIONS OF VICTIM (PHYSICAL & EMOTIONAL): FRUSTRATED				
	DEFENDANT'S STATEMENTS: ☐			VICTIM'S STATEMENTS: ☐				
RELATIONSHIP BETWEEN VICTIM & SUSPECT BOYFRIEND/GF								
A D D I T I O N A L I N F O R M A T I O N	PHOTOGRAPHS: Scene:		YES ☐	NO ☒				
	Victim:		☒	☐				
	911 CALL:		☒	☐	CALLER: VICTIM			
	WEAPON USED:		☒	☐	TYPE: HANDS/FIST/FEET			
	WITNESSES:		☒	☐	(If YES, attach witness list)			
	INJURIES:		☐	☒				
	MEDICAL TREATMENT:		☐	☒				
	AT: Scene:		☐	☒	PARAMEDICS:			
	Hospital:		☐	☒	PHYSICIAN(S) / HOSPITAL:			
	ACT COMMITTED IN PRESENCE OF MINOR(S):		☐	☒	NAMES/AGES:			
N A R R	H. R. S. NOTIFIED:		☐	☒				
	VICTIM PREGNANT:		☐	☒				
	VIOLATION OF RESTRAINING ORDER:		☐	☒	CASE #:			
	PRIOR HISTORY OF DOMESTIC VIOLENCE:		☐	☒				
	ALCOHOL OR DRUGS INVOLVED:		☒	☐				
	On 1/10/20 at 2330 hrs I responded to 218 Barcelona Drive in reference to a report of a domestic battery in progress. Prior to my arrival, Ofc. Lowe (SEE SUPP) arrived on scene, where he witnessed Ana Horburg (DEFENDANT) hitting her boyfriend Scott Factor (VICTIM) multiple times in the back. Horburg fled inside the residence after law enforcement arrival. Details of the call also stated that Horburg smashed the phone out							
STATE OF FLORIDA COUNTY OF PALM BEACH Appeared before me, _____ personally known to me, who, being first duly sworn, says that the facts above, based upon my investigation, are true.  SIGNATURE OF ARRESTING OFFICER Sworn to and subscribed to before me this <u>11</u> day of <u>January</u> , <u>2020</u> .  NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)								

COURT

STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIME ANALYSIS

P.I.O.

JAN 11 2020

DOMESTIC VIOLENCE PROBABLE CAUSE

AFFIDAVIT

Palm Beach County
Narrative Continuation

ADMINISTRATIVE	Date / Time 01/11/2020 00:17	Agency Report Number 5 4 20-000162	
	Agency ORI Number FL 0501700	Agency Name JUPITER POLICE DEPARTMENT	

of Factors hand while we were en route. I spoke to Scott and he advised that Horburg had been drinking and had physically hit him. He advised that they were in an intimate relationship as boyfriend/girlfriend and had lived together as such for a lengthy period of time.

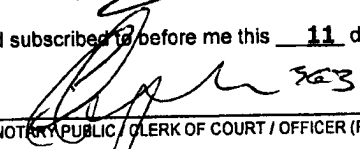
At this point, based on Ofc. Lowe's observations, I had probable cause to arrest Horburg for domestic battery for hitting Factor. Ofc. Lowe and I cleared the first floor of the residence and determined that Horburg must have fled upstairs. I observed spilled wine all over the front living room area as if there had been a disturbance. While at the bottom of the stairs and during our ascent to the second floor, I gave Horburg multiple loud commands advising her that I was the police and ordered her to come to me. She failed to comply with these orders. Horburg eventually opened the door to her bedroom as we were about to enter, after we had given commands for her to come to us. I explicitly advised her that if she did not show herself that she would be considered obstructing my investigation, which is what she did. As Horburg opened the door, she was completely nude. I advised her to put on clothing and she put on a robe. We then relocated downstairs, where she got dressed. I then placed Horburg under arrest for domestic battery and resisting arrest without violence. I transported her to JPD for processing. While at JPD, Horburg slipped her handcuffs to the front and then attempted to strangle herself with the chain linking the hand partitions. She had to be hobbled and secured with extra restraints. I then transported her to county jail. BWC.

STATE OF FLORIDA
COUNTY OF PALM BEACH

Appeared before me, _____ personally known to me, who, being first duly sworn, says that the facts above, based upon my investigation, are true.


SIGNATURE OF ARRESTING OFFICER

Sworn to and subscribed to before me this 11 day of January, 2020.


NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

COURT

STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIME ANALYSIS

JAN 11 2020

VICTIM NOTIFICATION FORM

This form must be completed when one of the following crime(s) has been committed:

- Homicide (Ch.782)
- Attempted Murder
- Stalking (F.S. 784.048)
- Domestic Violence - (This includes any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking or any criminal offense resulting in physical injury or death of one family member or household member by another, who is or was residing in the same single dwelling)
- Sexual Offense (Ch. 794)
- Attempted Sexual Offense
- Dating Violence

Upon completion, this form must accompany the booking paperwork.

If applying for a warrant, attach this form to the filing packet.

1. Incident Report #: 20-000162 Agency: Jupiter Police Department
Offense: SIMPLE BATTERY - DOMESTIC VIOLENCE
Suspect/Offender: ANA HORBURG
D.O.B. 8/28/78 Race: H Sex: F
2. Warrant #(s): _____
- 3a. Victim's Name: SCOTT FACTOR D.O.B. 5/27/1961 Race: W Sex: M
Address: 218 BARCELONA DR
City: JUPITER State: FL ZIP: 33458
Home #: _____ Work #: _____ Other: _____
- 3b. Victim's Next of Kin, Friend or Neighbor: _____
Address: _____
City: _____ State: _____ ZIP: _____
Home #: _____ Work #: _____ Other: _____

NOTE: PURSUANT TO F.S.119.07, THE CONTENTS OF THIS FORM MAY BE SUBJECT TO CONFIDENTIALITY

Victim/Relation Notification Waiver and Confidential Information Request.

(check applicable boxes)

- ☐ **Waiver:** I choose not to be notified when the arrestee is released from custody.
- ☐ **Confidential:** I request the information on this form be kept confidential (applicable only to sexual battery, stalking, child abuse, harassment or domestic violence cases).

Signature of person waiving notification: _____

Printed name of person waiving notification: _____

Officer's Name: S. MCGILLICUDY I.D. # 388/1216 Date: 1/11/2020

SUSPECT/OFFENDER:

(FOR WARRANT USE ONLY)

COURT CASE/WARRANT #:

SCANNED
JAN 11 2020



**PALM BEACH COUNTY
SHERIFF'S OFFICE**
Florida State Statute Exemption Sheet

Palm Beach County Sheriff's Office – Arrests Only

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	☐	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	☐	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	☐	119.071(4)(c)	Undercover personnel.	
	☐	119.071(2)(f)	Confidential informants (CIs).	
	☐	119.071(2)(e)	Confession.	
Public Info. Exemptions	☐	985.04(1)	Juvenile offender records.	
	☐	119.071(h)(i)	Assets of a crime victim.	
	☐	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	☐	394.4615(7)	Mental health information.	
	☐	119.071(4)(d)(2)(a)	Home address, telephone, Social Security number, date of birth, or photos of active/former LE personnel, spouses, and children.	
Florida Rules of Judicial Administration 2.420 (Rule of 23)	☒	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	☐	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	☐	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	☐	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	☐			
	☐			
	☐			
	☐			
	☐			
Other	☐	782.04 (FS)	Other: Witness	
	☐	415.107 (1)	Other: In order to protect the rights of the individual or other persons responsible for the welfare of a vulnerable adult, all records concerning reports of abuse, neglect, or exploitation of the vulnerable adult.	

REVIEW COMPLETED BY

Booking Number: 2020001136

Date: 01/11/2020

Specialist Name/ID: M. Toos #8557

SCANNED
JAN 11 2020