22CF2595

ARREST / NOTICE TO APPEAR

1. Arrest 3. Request for Warrant
2. N.T.A. 4. Request for Capias

1 JUVENILE

ADMINISTRATION

OBTS Number: 0500400

Agency: Delray Beach Police Department

Agency Report Number (N.T.A.'s only): 4 0 22-004284

Charge Type (Check as many as apply): ☒ 1. Felony ☐ 2. Traffic Felony ☒ 3. Misdemeanor ☐ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other

If Weapon Seized — Enter Type: UNARMED

Multiple Clearance Indicator: 2

Location of Arrest (Including Name of Business): 29 SE 2ND AVE, DELRAY BEACH, FL

Location of Offense (Business Name, Address): 29 SE 2ND AVE, DELRAY BEACH, FL 33444

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
04/02/2022	02:52	04/02/2022	03:02			

DEFENDANT

Name (Last, First, Middle): NOWICKI, ANDREW THOMAS 3

Alias (Name, DOB, Soc. Sec. #, Etc.): Alias:

Race (W - White, B - Black, I - American Indian, O - Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	M	11/08/1990	5'08	200	BROWN	BLACK	FAIR	MEDIUM

Scars, Marks, Tatoos, Unique Physical Features (Location, Type, Description):

Marital Status: S — Religion: NOT INDICA

Indication of: Alcohol Influence ☐ Yes ☐ No ☐ Unk. ☒ — Drug Influence ☒

Local Address (Street, Apt. Number) (City) (State) (Zip): 1306 WILD DAISY LN, WEST PALM BEACH, FL 33415 — Phone:

Residence Type: 1. City 3. Florida 2. County 4. Out of State: 2

Permanent Address (Street, Apt. Number) (City) (State) (Zip): 1306 WILD DAISY LN, WEST PALM BEACH, FL 33415 — Phone:

Address Source: FL DL

Business Address (Name, Street) (City) (State) (Zip): — Phone:

Occupation:

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
N200018904080 / FL	[redacted]		STUART, FL, United	

CO-DEF

Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	
				☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile
Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	
				☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile

JUVENILE

☐ Parent ☐ Other: ☐ Legal Custodian — Name (Last, First, Middle) — Residence Phone

Address (Street, Apt. Number) (City) (State) (Zip) — Business Phone

Notified by: (Name) — Date — Time — JUVENILE DISPOSITION: 1. Handled/Processed within Department and Released 2. TOT JAC 3. Incarcerated

Released To: (Name) — Relationship — Date — Time

School Attended — Grade

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:

Property Crime? ☐ Yes ☒ No — Description of Property — Value of Property

CODE

Drug Activity: N. N/A, P. Possess, S. Sell, B. Buy, T. Traffic, R. Smuggle, D. Deliver, E. Use, K. Dispense/Distribute, M. Manufacture/Produce/Cultivate, Z. Other

Drug Type: N. N/A, A. Amphetamine, B. Barbiturate, C. Cocaine, E. Heroin, H. Hallucinogen, M. Marijuana, O. Opium/Deriv., P. Paraphernalia/Equipment, S. Synthetic, U. Unknown, Z. Other

CHARGE

Charge Description	Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Statute Violation Number	Violation of ORD #	Bond
BATTERY ON OFFICER, FIREFIGHTER, EMT ETC		N	/		1	☐ Y ☒ N		784.07(2B)		
RESIST/OBSTRUCT OFFICER W/O VIOLENCE		N	/		1	☐ Y ☒ N		843.02		
			/			☐ Y ☐ N				

INTAKE

Health / Apparent Physical Condition of Defendant — Any knowledge of the following: ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deformities ☐ Injuries — Explain:

Check which applies: ☐ Released O.R. ☐ Released to Parent/Guardian ☐ T.O.T. County Jail ☐ Posted Bond ☐ South County Mental Health

PROPERTY - Received By — Released By — Released To

Transported By — Date Transported — Time Transported — Other

NOTICE TO APPEAR

☐ INSTRUCTION NO. 1 - Mandatory appearance in court
☒ INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.

Location (Court, Room): South County 200 W Atlantic Ave Delray Beach, FL 33444

Court Date and Time

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 COMTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.

Signature of Defendant (or Juvenile and Parent/Custodian) — Date Signed

No Photo Available

ADMIN

HOLD for Other Agency

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other

Intake Deputy — I.D. # — Pouch #

Signature of Arresting Officer: [signature] 1195

Name of Arresting Officer (Print): BRUNO, SNYDER — I.D. #: 1195

Transporting Officer: BRUNO — I.D. #: 1195 — Agency: DBPD

Name Verification (Printed by Arrestee) (PRINT)

Witness here if subject signed with an "X".

COURT STATE ATTORNEY [illegible]

053088

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PROBABLE CAUSE AFFIDAVIT

1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias | 1 | JUVENILE

A D D I N

OBTS Number:

Agency ORI Number: FL 0500400 | Agency Name: DELRAY BEACH POLICE DEPARTMENT | Agency Report Number: 4 0 22-004284

Charge Type: Check as many as apply. ☒ 1. Felony ☐ 2. Traffic Felony ☒ 3. Misdemeanor ☐ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other

Special Notes:

D E F

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
NOWICKI, ANDREW THOMAS 3		W	M	11/08/1990

C H A R G E S

Charge Description	Charge Description
784.07(2B) BATTERY ON OFFICER, FIREFIGHTER, EMT ETC	843.02 RESIST/OBSTRUCT OFFICER W/O VIOLENCE
Charge Description	Charge Description

V I C T I M

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth

Local Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Address Source

Business Address (Name, Street)	(City)	(State)	(Zip)	Phone	Occupation

P R O B A B L E C A U S E S T A T E M E N T

The undersigned certifies and swears that he/she has just and resonable grounds to believe, and does believe that the above named Defendant committed the following violation of law.

The Person taken into custody . . .

☒ committed the below acts in my presence.

☐ confessed to _____ admitting to the below facts.

☐ was observed by _____ who told _____ that he/she saw the arrested person committ the below acts.

☒ was found to have committed the below acts, resulting from my (described) investigation.

On the 2 day of April, 2022 at 01:30 (Specifically include facts constituting cause for arrest.)

The following incident occurred in the city of Delray Beach, Palm Beach County, Florida.

On 4/2/2022 at approximately 0130 hours, I responded to Throw Social located at 29 SE 2nd Ave in reference to a customer refusing to leave. Officer Jesal Patel of the Delray Beach Police Department stated that a white male was inside the establishment and was requesting a supervisor. The male, later identified as Andrew Nowicki, waited outside on the sidewalk, and continued to ask for a supervisor. Officer Morales stated that one was contacted and would be responding to the scene. Nowicki then made it a point to intentionally stand close to Officer Morales and Officer Patel. Nowicki continued to attempt to strike an argument with officers and stated that he could be a "jackass" because it was not against the law. As I observed Nowicki still come closer to Officers Morales and Patel, I stepped in between the parties and asked Nowicki to stand a bit further away.

Nowicki at that time was not being detained and was free to go, Nowicki stayed in the area while demanding a supervisor. I again asked Nowicki to stand further back, to create more space for all parties to wait comfortably without the feeling of being crowded or cramped in an outdoor space. I made multiple hand gestures to wave Nowicki backwards and Nowicki decided to stand his ground and refuse to back up. I put one arm out to attempt to gain better distance from Nowicki and I. Nowicki immediately grabbed my arm, and I pulled my arm back and struck Nowicki once in the chest with an open hand to push him away. Nowicki fell into the bushes and officers on scene immediately grabbed Nowickis arm and Nowicki refused to place his arms behind his back. Nowicki then braced his arms and refused to place his hands behind his back after Officer Daniel Ferreiro stated he was under arrest.

A D M I N I S T R A T I V E

SWORN AND SUBSCRIBED BEFORE ME

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

04/02/2022
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

BRUNO, SNYDER (1195)
NAME OF OFFICER (PLEASE PRINT)

04/02/2022
DATE

COURT | STATE ATTORNEY | CENTRAL RECORDS | JAIL | CRIME ANALYSIS | P. I. O.

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

OBTS Number | 1. Arrest 2. N.T.A 3. Request for Warrant 4. Request for Capias | 1 | JUVENILE

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FL0500400	DELRAY BEACH POLICE DEPARTMENT	1-0-22-004284

Charge Type (Check as many as apply): [X] 1. Felony [X] 3. Misdemeanor [ ] 5. Ordinance [ ] 2. Traffic Felony [ ] 4. Traffic Misdemeanor [ ] 6. Other

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
NOWICKI, ANDREW THOMAS 3		W	M	11/08/1990

PROBABLE CAUSE STATEMENT

After Nowickis continued non-compliance, I drew my department issued Axon Taser 7 and turned it on activating my department issued, Axon brand body worn camera. I then warned Nowicki to stop resisting or he would be tased, I then activated the taser ARC feature that was used for pain compliance in close quarters situations. Nowicki then complied and his hands were placed behind his back with less effort, and he was placed in handcuffs.

Based on the above stated facts, I find probable cause to charge the defendant Andrew Nowicki with violation of one count F.S.S. 784.07(2B)-Battery on Leo and violation of one count F.S.S.843.02.

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

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

04/02/2022
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

BRUNO, SNYDER (1195)
NAME OF OFFICER (PLEASE PRINT)

04/02/2022
DATE

COURT | STATE ATTORNEY | CENTRAL RECORDS | JAIL | CRIME ANALYSIS | P.I.O.

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	☐		Other:	
	☐		Other:	

REVIEW COMPLETED BY

Booking Number: 2022008512	**Date:** 4/3/2022
	Specialist Name/ID: Chantel Daniels/30347