

0517177

20 MM-5193

3197

OBTS Number		ARREST / NOTICE TO APPEAR Juvenile Referral Report			1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1		Juvenile		N										
Agency ORI Number FLO 5 0 2 6 0 0		Agency Name PALM BEACH GARDENS POLICE DEPT.			Agency Report Number (N.T.A.'s only) 7 8   2 0   0 0 2 9 8   (   )																		
Charge Type: Check as many as apply		<input type="checkbox"/> 1. Felony		<input checked="" type="checkbox"/> 3. Misdemeanor		<input type="checkbox"/> 5. Ordinance		If Weapon Seized Enter Type		Multiple Clearance Indicator													
<input type="checkbox"/> 2. Traffic Felony		<input type="checkbox"/> 4. Traffic Misdemeanor		<input type="checkbox"/> 6. Other																			
Location of Arrest (Including Name of Business) 9910 ALT AIA, Palm Beach Gardens, SWAMP GRASS WILDLIES						Location of Offense (Business Name, Address) 9910 ALT AIA, Palm Beach Gardens, SWAMP GRASS WILDLIES																	
Date of arrest 0.6.27.20		Time of Arrest 0.2.4.4		Booking Date		Booking Time		Jail Date		Jail Time		Location of Vehicle											
Name (Last, First, Middle) ORTEGA - HOYOS, CARLOS, E												Alias (Name, DOB, Soc. Sec. #, Etc.)											
Race W - White B - Black		1 - American Indian O - Oriental		Sex M		Date of Birth 0.7.09.85		Height 5.11		Weight 200		Eye Color BROWN		Hair Color BLACK		Complexion LIGHT		Build MED					
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) NONE												Marital Status SINGLE		Religion NONE		Indication of: Alcohol Influence Drug Influence		Y		N		Unk.	
Local Address (Street, Apt. Number) NONE				(City)		(State)		(Zip)		Phone (505) 660-2725		Residence Type: 1. City 2. County		3. Florida 4. Out of State		14							
Permanent Address (Street, Apt. Number) 810 SUNSET DR				(City) ESPAÑOLA		(State) NM		(Zip) 87532		Phone (505) 660-2725		Address Source NM DL											
Business Address (Name, Street)				(City)		(State)		(Zip)		Phone ( )		Occupation SALES											
D/L Number, State S0107662A, NM				Sec. Sec. Number		INS Number		Place of Birth (City, State) TOANEDA, MEXICO		Citizenship													
Co-Defendant Name (Last, First, Middle)				Race		Sex		Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large		<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile											
Co-Defendant Name (Last, First, Middle)				Race		Sex		Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large		<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile											
Parent Legal Custodian Other: Address (Street, Apt. Number)				Name (Last)		First (Middle)		Residence Phone ( )		Business Phone ( )													
Notified by: (Name)				Date		Time		Juvenile Disposition 1. Handled/Processed within Dept. and Released 2. TOT DCF 3. Incarcerated															
Released To: (Name)				Relationship		Date		Time															
The above address was provided by <input type="checkbox"/> defendant and/or <input type="checkbox"/> defendant's parent. The child and/or parent was told to keep the Juvenile Court Clerk's Office (Phone 352-2526) informed of any change of address. <input type="checkbox"/> Yes, by (Name) <input type="checkbox"/> No: (Reason)								School Attended		Grade													
Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No		Description of Property				Value of Property																	
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 F. Heroin		H. Hallucinogen M. Marijuana O. Opium/Deriv.		P. Paraphernalia/ Equipment S. Synthetic		U. Unknown Z. Other			
Charge Description BATTERY - SIMPLE				Counts 2		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number 7.8.4.1.0.3				Violation of ORD # 11A.1.1											
Drug Activity N		Drug Type N		Amount / Unit		Offense #		Warrant / Capias Number				Bond											
Charge Description				Counts		Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N		Statute Violation Number				Violation of ORD #											
Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number				Bond											
Charge Description				Counts		Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N		Statute Violation Number				Violation of ORD #											
Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number				Bond											
Charge Description				Counts		Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N		Statute Violation Number				Violation of ORD #											
Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number				Bond											
Instruction No. 1 Mandatory Appearance in Court				Location (Court, Room Number, Address) NORTH COUNTY COURT HOUSE, 3188 PATA BLVD, PBE FL, 33476																			
Instruction No. 2 You need not appear in Court but must comply with instructions on Reverse Side.				Court Date and Time Monday July 27		Year 2020		Time 10:00		A.M.		P.M.											
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 Defendant (or Juvenile and Parent / Custodian)										Date Signed													
HOLD for other Agency Name:				Signature of Arresting Officer X [Signature]				Name Verification (Printed by Arrestee)															
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal		<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:		Name of Arresting Officer (Print) W. Butcher				I.D. # 507															
Intake Deputy Juan Ortiz		Pouch #		Transporting Officer W. Butcher				I.D. # 502															
Agency PBG		Witness here if subject signed with [Signature]																					

DISTRIBUTION: WHITE - COURT COPY GREEN - STATE ATTORNEY YELLOW - AGENCY PINK - JAIL GOLD - DEFENDANT

SCANNED PAGE 1 OF 1 JUN 28 2020

PROBABLE CAUSE AFFIDAVIT

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

1 JUVENILE

OBTS Number	Agency ORI Number <b>FL 0502600</b>		Agency Name <b>PALM BEACH GARDENS POLICE</b>	Agency Report Number <b>7 8 20-002981</b>
Charge Type: Check as many as apply.	<input type="checkbox"/> 1. Felony	<input checked="" type="checkbox"/> 3. Misdemeanor	<input type="checkbox"/> 5. Ordinance	Special Notes:
	<input type="checkbox"/> 2. Traffic Felony	<input type="checkbox"/> 4. Traffic Misdemeanor	<input type="checkbox"/> 6. Other	

Name (Last, First, Middle) <b>ORTEGA-HOYOS, CARLOS</b>	Aliases	Race <b>W</b>	Sex <b>M</b>	Date of Birth <b>07/09/1985</b>
Charge Description <b>784.03(1)(A)(1) BATTERY-SIMPLE (TOUCH OR STRIKE)</b>	Charge Description			
Charge Description	Charge Description			

Victim's Name (Last, First, Middle) <b>SEVIER, AUSTIN MICHAEL</b>	Race <b>W</b>	Sex <b>M</b>	Date of Birth <b>09/18/1992</b>
Local Address (Street, Apt. Number) (City) (State) (Zip) <b>2816 S 36TH ST, FORT SMITH, AR 72903</b>	Phone <b>(479) 847-6437</b>	Address Source	
Business Address (Name, Street) (City) (State) (Zip)	Phone	Occupation	

The undersigned certifies and swears that he/she has just and reasonable 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.  was observed by \_\_\_\_\_ who told \_\_\_\_\_ that he/she saw the arrested person commit the below acts.



confessed to \_\_\_\_\_ admitting to the below facts.  was found to have committed the below acts, resulting from my (described) investigation.

On the 27 day of June, 2020 at 02:33 (Specifically include facts constituting cause for arrest.)

On Saturday, June 27, 2020, at approximately 2:33a.m. I responded to Swamp Grass Willies, 9910 Alternate A1A, Palm Beach Gardens, Palm Beach County, Florida, in reference to a male punching people in the parking lot. My Department issued body-worn camera (BWC) was used for the entire investigation.

While enroute, Palm Beach Gardens dispatch advised the suspect was a white/Hispanic male, wearing a black shirt and jeans. Upon arrival, I observed a male matching that description along with several other people in the parking lot. I exited my vehicle and made contact with the suspect (later identified as Carlos Ortega-Hoyos via New Mexico drivers license). Ortega-Hoyos was reluctant to talk to me and was visibly upset. Ortega-Hoyos was read his Miranda Warning from a department issued Miranda card and gave a statement via BWC stating the following; he was in the restaurant when he was attacked by Austin Sevier (identified via Arizona drivers license) and Laird Miller (identified via Florida drivers license). He ran out of the restaurant and into the parking lot trying to get away from them. He said Officers showed up as he was running away. I was the first officer on scene and did not observe him running away, he was walking towards the crowd of people. Ortega-Hoyos denied there being any altercation, just that he was attacked. Ortega-Hoyos had cuts/marks on both of his hands, along the outside of his knuckles. The cuts/marks were indicative of Ortega-Hoyos punching someone. Ortega-Hoyos refused any medical treatment fire rescue.

Austin Sevier gave Officer Witt (492) a sworn statement via BWC stating the following; he was in the bar with his sister Lacey Camacho and friend Laird Miller. Miller was talking to a female he met at the bar, who happened to be Ortega-Hoyos's friend. It appeared that Ortega-Hoyos did not like Miller talking to his friend, and "sucker punched" Miller in the left side of his face with a closed right fist. Camacho tried to get in between them to prevent any further altercation. Sevier did not want his sister to get hurt and grabbed her. While Sevier was trying to protect his sister, Ortega-Hoyos

SWORN AND SUBSCRIBED BEFORE ME	SIGNATURE OF ARRESTING / INVESTIGATING OFFICER
 <b>CESARK, KIM</b>	
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)	<b>BUTZBACH, WILLIAM (507)</b>
<b>06/27/2020</b> DATE	<b>06/27/2020</b> DATE

PROBABLE CAUSE AFFIDAVIT  
SUPPLEMENT

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

**1** JUVENILE

Agency ORI Number <b>FL 0502600</b>	Agency Name <b>PALM BEACH GARDENS POLICE</b>	Agency Report Number <b>7 8 20-002981</b>
--	---	--

Charge Type: Check as many as apply.	<input type="checkbox"/> 1. Felony	<input checked="" type="checkbox"/> 3. Misdemeanor	<input type="checkbox"/> 5. Ordinance	Special Notes:
	<input type="checkbox"/> 2. Traffic Felony	<input type="checkbox"/> 4. Traffic Misdemeanor	<input type="checkbox"/> 6. Other	


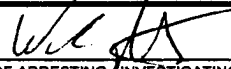
Name (Last, First, Middle) <b>ORTEGA-HOYOS, CARLOS</b>	Alias	Race <b>W</b>	Sex <b>M</b>	Date of Birth <b>07/09/1985</b>
---	-------	------------------	-----------------	------------------------------------

turned his attention to Sevier and with a closed fist, punched him in the back of the head. Everyone exited the bar due to the altercation, however Ortega-Hoyos followed them out to front of the business and Sevier again in the face with a closed first. Shortly after Sevier was punched for the second time, Officers arrived on scene. Sevier had a small laceration on the back of his head, several contusions on both sides of his face, and a small laceration on both his upper and lower lip. Miller had a contusion under his left eye as well as a small laceration in the left corner of his mouth.

Laird Miller gave a statement via BWC stating the following; he was talking to a female he met at the bar. Ortega-Hoyos walked up to him and said "do we have a problem." Miller said no and tried to talk to him. Ortega-Hoyos said it a second time and then "sucker punched" him in the left side of his face, with his right hand in a closed fist. He said after he was punched, Ortega-Hoyos went after his friend Sevier and they all tried to get out of the bar to get away from Ortega-Hoyos. Shortly after they were outside, Officer arrived on scene.

Lacey Camacho gave a sworn statement to Officer Smith stating there was an altercation in the bar between Miller and Ortega-Hoyos. Once everyone made it outside, Ortega-Hoyos (unprovoked), attacked Sevier and punched him multiple times in the face.

Sevier and Miller wished to prosecute; each were given a victim's rights brochure with the case number on it. Based on my investigation, the totality of the circumstances, and the physical injuries, there is probable cause to arrest Carlos Ortega-Hoyos for violation of F.S.S. 784.03(1) (A) (1) - Simple Battery (2 counts). Ortega-Hoyos was transported to the Palm Beach County jail without incident. No further information at this time.

SWORN AND SUBSCRIBED BEFORE ME	SIGNATURE OF ARRESTING / INVESTIGATING OFFICER
 <b>CESARI, KIM</b>	
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)	<b>BUTZBACH, WILLIAM (507)</b>
<b>06/27/2020</b>	NAME OF OFFICER (PLEASE PRINT)
DATE	<b>06/27/2020</b>
	DATE

PROBABLE CAUSE AFFIDAVIT

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

1

JUVENILE

Agency ORI Number <b>FL 0502600</b>	Agency Name <b>PALM BEACH GARDENS POLICE</b>	Agency Report Number <b>7   8   20-002981</b>
--	---	--

Charge Type: Check as many as apply.	<input type="checkbox"/> 1. Felony	<input checked="" type="checkbox"/> 3. Misdemeanor	<input type="checkbox"/> 5. Ordinance	Special Notes:
	<input type="checkbox"/> 2. Traffic Felony	<input type="checkbox"/> 4. Traffic Misdemeanor	<input type="checkbox"/> 6. Other	

Name (Last, First, Middle) <b>ORTEGA-HOYOS, CARLOS</b>	Alias	Race <b>W</b>	Sex <b>M</b>	Date of Birth <b>07/09/1985</b>
---	-------	------------------	-----------------	------------------------------------

Charge Description <b>784.03(1)(A)(1) BATTERY-SIMPLE (TOUCH OR STRIKE)</b>	Charge Description
Charge Description	Charge Description

Victim's Name (Last, First, Middle) <b>MILLER, LAIRD ALEXANDER</b>	Race <b>W</b>	Sex <b>M</b>	Date of Birth <b>06/25/1981</b>
---	------------------	-----------------	------------------------------------

Local Address (Street, Apt. Number) (City) (State) (Zip) <b>7458 KINGSLEY COURT, LAKE WORTH, FL 33467</b>	Phone <b>(813) 407-7289</b>	Address Source
--	--------------------------------	----------------

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

The undersigned certifies and swears that he/she has just and reasonable 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.  was observed by \_\_\_\_\_ who told \_\_\_\_\_ that he/she saw the arrested person commit the below acts.



confessed to \_\_\_\_\_ admitting to the below facts.  was found to have committed the below acts, resulting from my (described) investigation.

On the 27 day of June, 2020 at 04:35 (Specifically include facts constituting cause for arrest.)

On Saturday, June 27, 2020, at approximately 2:33a.m. I responded to Swamp Grass Willies, 9910 Alternate A1A, Palm Beach Gardens, Palm Beach County, Florida, in reference to a male punching people in the parking lot. My Department issued body-worn camera (BWC) was used for the entire investigation.

While enroute, Palm Beach Gardens dispatch advised the suspect was a white/Hispanic male, wearing a black shirt and jeans. Upon arrival, I observed a male matching that description along with several other people in the parking lot. I exited my vehicle and made contact with the suspect (later identified as Carlos Ortega-Hoyos via New Mexico drivers license). Ortega-Hoyos was reluctant to talk to me and was visibly upset. Ortega-Hoyos was read his Miranda Warning from a department issued Miranda card and gave a statement via BWC stating the following; he was in the restaurant when he was attacked by Austin Sevier (identified via Arizona drivers license) and Laird Miller (identified via Florida drivers license). He ran out of the restaurant and into the parking lot trying to get away from them. He said Officers showed up as he was running away. I was the first officer on scene and did not observe him running away, he was walking towards the crowd of people. Ortega-Hoyos denied there being any altercation, just that he was attacked. Ortega-Hoyos had cuts/marks on both of his hands, along the outside of his knuckles. The cuts/marks were indicative of Ortega-Hoyos punching someone. Ortega-Hoyos refused any medical treatment fire rescue.

Austin Sevier gave Officer Witt (492) a sworn statement via BWC stating the following; he was in the bar with his sister Lacey Camacho and friend Laird Miller. Miller was talking to a female he met at the bar, who happened to be Ortega-Hoyos's friend. It appeared that Ortega-Hoyos did not like Miller talking to his friend, and "sucker punched" Miller in the left side of his face with a closed right fist. Camacho tried to get in between them to prevent any further altercation. Sevier did not want his sister to get hurt and grabbed her. While Sevier was trying to protect his sister, Ortega-Hoyos

SWORN AND SUBSCRIBED BEFORE ME	SIGNATURE OF ARRESTING / INVESTIGATING OFFICER
 <b>CESAR K. KIM</b> NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)	
<u>06/27/2020</u> DATE	<b>BUTZBACH, WILLIAM (507)</b> NAME OF OFFICER (PLEASE PRINT)
	<u>06/27/2020</u> DATE

PROBABLE CAUSE AFFIDAVIT  
SUPPLEMENT

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

1 JUVENILE

OBTS Number	Agency ORI Number <b>FL 0502600</b>		Agency Name <b>PALM BEACH GARDENS POLICE</b>	Agency Report Number <b>7 8 20-002981</b>
-------------	--	--	---	--

Charge Type: Check as many as apply.	<input type="checkbox"/> 1. Felony	<input checked="" type="checkbox"/> 3. Misdemeanor	<input type="checkbox"/> 5. Ordinance	Special Notes:
	<input type="checkbox"/> 2. Traffic Felony	<input type="checkbox"/> 4. Traffic Misdemeanor	<input type="checkbox"/> 6. Other	

Name (Last, First, Middle) <b>ORTEGA-HOYOS, CARLOS</b>	Alias	Race <b>W</b>	Sex <b>M</b>	Date of Birth <b>07/09/1985</b>
---	-------	------------------	-----------------	------------------------------------

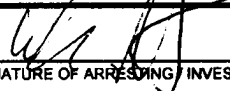
turned his attention to Sevier and with a closed fist, punched him in the back of the head. Everyone exited the bar due to the altercation, however Ortega-Hoyos followed them out to front of the business and Sevier again in the face with a closed first. Shortly after Sevier was punched for the second time, Officers arrived on scene. Sevier had a small laceration on the back of his head, several contusions on both sides of his face, and a small laceration on both his upper and lower lip. Miller had a contusion under his left eye as well as a small laceration in the left corner of his mouth.

Laird Miller gave a statement via BWC stating the following; he was talking to a female he met at the bar. Ortega-Hoyos walked up to him and said "do we have a problem." Miller said no and tried to talk to him. Ortega-Hoyos said it a second time and then "sucker punched" him in the left side of his face, with his right hand in a closed fist. He said after he was punched, Ortega-Hoyos went after his friend Sevier and they all tried to get out of the bar to get away from Ortega-Hoyos. Shortly after they were outside, Officer arrived on scene.

Lacey Camacho gave a sworn statement to Officer Smith stating there was an altercation in the bar between Miller and Ortega-Hoyos. Once everyone made it outside, Ortega-Hoyos (unprovoked), attacked Sevier and punched him multiple times in the face.

Sevier and Miller wished to prosecute; each were given a victim's rights brochure with the case number on it. Based on my investigation, the totality of the circumstances, and the physical injuries, there is probable cause to arrest Carlos Ortega-Hoyos for violation of F.S.S. 784.03(1)(A)(1) - Simple Battery (2 counts). Ortega-Hoyos was transported to the Palm Beach County jail without incident. No further information at this time.

NOT A CERTIFIED COPY

ADMINISTRATIVE	SWORN AND SUBSCRIBED BEFORE ME	 SIGNATURE OF ARRESTING / INVESTIGATING OFFICER <b>BUTZBACH, WILLIAM (507)</b> NAME OF OFFICER (PLEASE PRINT)	<b>SCANNED</b> JUN 28 2020
	NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) <b>CESARK, KIM</b> _____ 06/27/2020 DATE		



**Palm Beach County Sheriff's Office – Arrests Only**

X	Florida State Statute	Description	Page Number(s)
I/E Exemptions	<input type="checkbox"/> 119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	<input type="checkbox"/> 943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	<input type="checkbox"/> 119.071(4)(c)	Undercover personnel.	
	<input type="checkbox"/> 119.071(2)(f)	Confidential informants (CIs).	
	<input type="checkbox"/> 119.071(2)(e)	Confession.	
Public Info. Exemptions	<input type="checkbox"/> 985.04(1)	Juvenile offender records.	
	<input type="checkbox"/> 119.071(h)(i)	Assets of a crime victim.	
	<input type="checkbox"/> 395.3025(7)(a), 456.057(7)(a)	Medical information.	
	<input type="checkbox"/> 394.4615(7)	Mental health information.	
	<input type="checkbox"/> 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)	<input checked="" type="checkbox"/> (iii) 119.0714(1)(i)-(j), 2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	<input type="checkbox"/> (viii) 394.4615(7)	Clinical records under the Baker Act.	
	<input type="checkbox"/> (xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	<input type="checkbox"/> (xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	<input type="checkbox"/>		
	<input type="checkbox"/>		
	<input type="checkbox"/>		
	<input type="checkbox"/>		
Other	<input type="checkbox"/>	Other:	
	<input type="checkbox"/>	Other:	

**REVIEW COMPLETED BY**

<b>Booking Number:</b> 2020015701	<b>Date:</b> 06/28/2020
	<b>Specialist Name/ID:</b> AM/31562

**SCANNED**  
**JUN 28 2020**