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CBTS Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest 3. Request For Warrant 2. N.T.A. 4. Request For Capias		1	Juvenile	N
Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06 21068303				
Charge Type: Check as many as apply <input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		Special Notes						
Defendant Name (Last, First, Middle) NERY ELAINE		Race W		Sex F		Date of Birth 06/04/1973		
Charge BATTERY SIMPLE		Charge BATTERY LEO						
Victim Name (Last, First, Middle)		Race		Sex		Date of Birth		
Local Address (Street, Apt. Number) City State Zip		Phone		Address Source				
Business Address (Street, Apt. Number) City State Zip		Phone		Occupation				
The undersigned 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... <input checked="" type="checkbox"/> committed the below acts in my presence. <input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts. <input type="checkbox"/> confessed to admitting to the below facts. <input type="checkbox"/> was found to have committed the below acts, resulting from (described) investigation. On the <u>23</u> day of <u>MAY</u> 20 <u>21</u> at <u>0300</u> <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM								

On May 23, 2021 at approximately 0302 hours I was dispatched to 2425 10th ave North located in unincorporated Lake Worth Florida 33461 in reference to a Suspicious Person call that was reclassified to a Assault.

Upon my arrival I met with [REDACTED] who stated the owner of the night club Elaine's lounge and night club called on him due to [REDACTED] walking around the plaza taking photographs and logging information for the plaza management.

While making contact with club owner Elaine and her husband, I noticed Elaine walk off towards the back side of the building. As I was speaking with Elaine's husband, I looked up and noticed that Elaine walked over to [REDACTED] and began yelling at him. I immediately spoke up and advised Elaine to walk away. Elaine, at that time hit [REDACTED], making contact with his left arm knocking his cell phone onto the ground.

At that point I reached out to detain Elaine, and she turned to push me off and again attempted to walk away. I then grabbed Elaine and stated she is under arrest for assault to [REDACTED] Elaine then bent over and bit my right arm.

Due to Elaine striking [REDACTED] and biting myself, I find probable cause for the arrest of Elaine Nery For Battery and Felony Battery charges. The offense of battery occurs when a person:

1. Actually and intentionally touches or strikes another person against the will of the other; or
2. Intentionally causes bodily harm to another person.

The foregoing instrument was sworn to and affirmed before me this <u>23</u> day of <u>MAY</u> 20 <u>21</u> , by:	
D/S GRAVELINE 9712	D/S SDAVIS 31812
Name of Notary Public / Clerk of Court / Officer (F.S.S. 117.00)	Name of Arresting/Investigating Officer
Signature of Notary Public / Clerk of Court / Officer (F.S.S. 117.00)	Signature of Arresting/Investigating Officer
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**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	<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 checked="" type="checkbox"/>	FL Constitution, Article 1, 16(b)	Other: Marsy's Law	3
	<input type="checkbox"/>		Other:	

REVIEW COMPLETED BY

Booking Number: 2021012498

Date: 05/24/2021

Specialist Name/ID: C. Denzel/8691