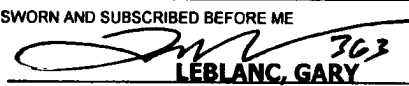


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22M42166AMB 878

OBTS Number		ARREST / NOTICE TO APPEAR		1. Arrest		3. Request for Warrant		1		Juvenile		N	
Agency ORI Number		Agency Name		Agency Report Number (N.T.A.'s only)		7		8		12		2100139211	
FLO 5 0 2 6 0 0		PALM BEACH GARDENS POLICE DEPT.											
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		Multiple Clearance Indicator		1	
Location of Arrest (Including Name of Business)		4298 Magnolia St. Palm Bch Gardens, FL 33418		Location of Offense (Business Name, Address)		4298 Magnolia St. Palm Bch Gardens, FL 33418							
Date of arrest		0.3.16.22		Time of Arrest		2.2.2.5		Booking Date		Booking Time		Jail Date	
Jail Time				Location of Vehicle									
Name (Last, First, Middle)		Simms, Kimberly Martino		Alias (Name, DOB, Soc. Sec. #, Etc.)									
Race		W - White		Sex		W F		Date of Birth		1.0.2.7.7.1		Height	
B - Black		O - Oriental						5'05		Weight		115	
Eye Color		Hazel		Hair Color		Brown		Complexion		Medium		Thin	
Build		Sm		Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)				Marital Status		M		Religion	
Catholic		Indication of: Alcohol Influence		X		N		Unk.					
Local Address (Street, Apt. Number)		(City)		(State)		(Zip)		Phone		561.649.1149		Residence Type:	
4298 Magnolia St. Palm Bch Gardens FL 33418												1. City 2. County 3. Florida 4. Out of State	
Permanent Address (Street, Apt. Number)		(City)		(State)		(Zip)		Phone		()		Address Source	
4298 Magnolia St. Palm Bch Gardens FL 33418												FCIC/NCIC	
Business Address (Name, Street)		(City)		(State)		(Zip)		Phone		()		Occupation	
												Sales Associate	
D/L Number, State		S520613718870		Soc. Sec. Number				INS Number				Place of Birth (City, State)	
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	
Parent Legal Custodian		Name (Last)		(First)		(Middle)		Residence Phone					
Other:													
Address (Street, Apt. Number)		(City)		(State)		(Zip)		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 ☐ defendant and / or ☐ defendant's parent. The child and / or parent was told to keep the Juvenile Court Clerk's Office (Phone 355-2526) informed of any change of address.		School Attended		Grade									
Property Crime?		Description of Property		Value of Property									
☐ Yes ☐ No													
Drug Activity		S. Sell		R. Smuggle		K. Dispense/ Distribute		M. Manufacture/ Produce/ Cultivate		Z. Other			
N. N/A		B. Buy		D. Deliver		E. Use							
P. Possess		T. Traffic											
Drug Type		B. Barbiturate		H. Hallucinogen		P. Paraphernalia/ Equipment		U. Unknown					
N. N/A		C. Cocaine		M. Marijuana		S. Synthetic		Z. Other					
A. Amphetamine		F. Heroin		O. Opium/Deriv.									
Charge Description		Counts		Domestic Violence		Statute Violation Number		Violation of ORD #					
Battery - Simple (Domestic)		1		X		7.8.4.10.3		114.A.1					
Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number		Bond			
N/A		N/A		N/A									
Charge Description		Counts		Domestic Violence		Statute Violation Number		Violation of ORD #					
Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number		Bond			
Charge Description		Counts		Domestic Violence		Statute Violation Number		Violation of ORD #					
Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number		Bond			
Charge Description		Counts		Domestic Violence		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)		Court Date and Time		Day		Year		Time		A.M.	
Instruction No. 2 You need not appear in Court but must comply with instructions on Reverse Side.												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 of Arresting Officer		Name Verification (Printed by Arrestee)									
Name:		X											
☐ Dangerous		☐ Resisted Arrest		Name of Arresting Officer (Print)		ID #		(PRINT)		PAGE			
☐ Suicidal		☐ Other:		S. Warren		463							
Transporting Officer		ID #		Agency		Witness here if subject signed with							
S. Warren		463		PBGPD									

OBT Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1	JUVENILE
ADMINISTRATIVE	Agency ORI Number FL FL0502600		Agency Name Palm Beach Gardens Police Department		Agency Report Number 7 8 22-001392				
	Charge Type: Check as many as apply. ☐ 1. Felony ☐ 2. Traffic Felony		☒ 3. Misdemeanor ☐ 4. Traffic Misdemeanor		☐ 5. Ordinance ☐ 6. Other		Special Notes:		
DEFENSE	Name (Last, First, Middle) SIMMS, KIMBERLY MARTINO				Race W		Sex F		Date of Birth 10/27/1971
	Charge Description 784.03(1)(A)(1) BATTERY-SIMPLE (TOUCH OR STRIKE)				Charge Description				
CHARGE	Charge Description				Charge Description				
	Charge Description				Charge Description				
VICTIM	Victim's Name (Last, First, Middle)				Race		Sex		Date of Birth
	Local Address (Street, Apt. Number) (City) (State) (Zip)				Phone		Address Source		
MISDEMEANOR	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 <u>16</u> day of <u>March</u>, <u>2022</u> at <u>22:25</u> (Specifically include facts constituting cause for arrest.)									
PROBABLE CAUSE	On March 16, 2022, at 10:00 p.m. I, Officer Sam Warren, was dispatched to 4298 Magnolia Street, Palm Beach Gardens, Palm Beach County, FL, in reference to a possible domestic disturbance. I met with the neighbor (caller), who wished to remain anonymous, but advised he heard a lot of yelling and female crying next door. My body worn camera was used on this call. The result of my investigation is below.								
	I contacted the possible female involved in the driveway of the above-mentioned residence. The female, Kimberly M. Simms (W/F DOB:10/27/71), was leaving the house and about to get in her vehicle. I immediately detected the odor of alcohol coming from her person and she was unsteady on her feet. I asked her what took place tonight due to her being in a distressed state and appeared to have been crying. She stated she was sad about the "state of affairs", and nothing took place with her husband. Her husband, Michael H. Simms (W/M DOB:9/21/62), was inside the residence and she said we could talk to him. Ms. Simms had minor lacerations on her knee but stated that was from last week.								
STATEMENT	I went inside the residence and contacted Mr. Simms who was sweating and had visible scratches on his left hand, neck, and chest. Mr. Simms provided a sworn verbal statement advising the following: This morning his son told him his mom was inside the house drinking wine at 9:00 a.m. Mr. Simms stated today she showed up to his place of work drunk and caused a scene. When he got home today from work Ms. Simms confronted him about cheating on her with another female. The argument escalated to the point where she approached Mr. Simms, who was sitting in his chair eating scrambled eggs, and she grabbed him and threw the plate of eggs on him. He separated himself from the situation and tried to lock himself in their bedroom. She got into the bedroom, and he forced her out of the room, so it didn't escalate further. She began to knock on the door asking to get clothes so she could leave. She managed to get into the bedroom through the side door and just jumped in the bed. She told him she wasn't leaving. He started to yell at her in hopes she would leave the room because of the yelling. She got up and said she								
	SWORN AND SUBSCRIBED BEFORE ME  LEBLANC, GARY NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) <u>03/16/2022</u> DATE  SIGNATURE OF ARRESTING / INVESTIGATING OFFICER WARREN, SAM (463) NAME OF OFFICER (PLEASE PRINT) <u>03/16/2022</u> DATE								
COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS PAGE 1 OF 2 SCANNED MAR 17 2022									

OBTS Number		PROBABLE CAUSE AFFIDAVIT SUPPLEMENT		1. Arrest 2. N.T.A.	3. Request for Warrant 4. Request for Capias	1	JUVENILE	
A D M I N I S T R A T I V E	Agency ORI Number FL FLO502600		Agency Name Palm Beach Gardens Police Department		Agency Report Number 7 8 22-001392			
	Charge Type: ☐ 1. Felony ☐ 2. Traffic Felony ☒ 3. Misdemeanor ☐ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		Special Notes:					
D E F	Name (Last, First, Middle) SIMMS, KIMBERLY MARTINO				Race W	Sex F	Date of Birth 10/27/1971	
	Alias							
was getting in the shower and threw the house phone at him. The phone hit him in the left hand, leaving a red mark. She grabbed his phone which he grabbed back, and she accused him of hitting her in the face. She finally left the bedroom and began to beat on the door again asking for more items. I observed red marks from nails on the left side of Mr. Simms neck. I also observed a red mark on his chest and left hand. I observed pieces of scrambled egg on Mr. Simms' chair where he was sitting. There were also pieces of it on the ground by the chair and in the kitchen. There were several items on the floor by the master bedroom that were broke and appeared to be thrown around. The house phone was inside the bedroom in two pieces due to being thrown at Mr. Simms and hitting the ground. I went outside to speak with Kimberly again after gathering facts from Mr. Simms. Ms. Simms stated she did try to get inside the bedroom. I read Ms. Simms her Miranda Warnings from a preprinted card which she stated she understood. She stated she wanted to get into the bedroom to get clothes to go to her parents' house. She stated she does not remember what happened inside the house. At the police vehicle, Ms. Simms spontaneously admitted to throwing the scrambled eggs on Mr. Simms. Based on the above facts and statements, probable cause exists to arrest and charge Kimberly M. Simms (W/F DOB:10/27/71) with Simple Battery (Domestic) pursuant to F.S.S. 784.03(1) (A) (1). Kimberly Simms was transported to the County Jail without incident.								
A D M I N I S T R A T I V E	SWORN AND SUBSCRIBED BEFORE ME  LEBLANC, GARY NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)				 SIGNATURE OF ARRESTING / INVESTIGATING OFFICER			
	03/16/2022 DATE				WARREN, SAM (463) NAME OF OFFICER (PLEASE PRINT)			
					03/16/2022 DATE			
					PAGE 2 OF 2			

COURT

STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIMINALS

P. I. O.

VICTIM NOTIFICATION FORM

This form must be filled out in a case involving one of the following crimes:

- Homicide (Ch. 782)
- Sexual Offense (Ch. 794)
- Attempted Murder
- Attempted Sexual Offense
- Stalking (S. 784.048)
- Domestic Violence - (This includes any assault, agg. assault, battery, agg. battery, sexual assault, sexual battery, stalking, agg. 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.)

Upon completion, this form must accompany the booking paperwork. If applying for a warrant, attach this form to the filing packet.

1. Incident Report #: 22-001392 Agency: Palm Bch Gardens
Offense: Battery Domestic
Suspect/Offender: Kimberly Martino Simms
D.O.B. 10/27/71 Race: White Sex: Female
2. Warrant #(s): _____
3. Complete one (1) of the following:
 - a. Victim's name: Michael Simms
Address: 4298 Magnolia St.
City: Palm Bch Gardens State: Florida Zip: 33418
Home #: 562-900-0100 Work #: 772-486-2200 Other: _____
 - b. Victim's next of kin: _____
Address: _____
City: _____ State: _____ Zip: _____
Home #: _____ Work #: _____ Other: _____
 - c. Victim's designated contact other than next of kin (for example: a friend or neighbor):
Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Home #: _____ Work #: _____ Other: _____
4. Relevant identification or case numbers assigned to the case (please specify):

WAIVER: I CHOOSE NOT TO COMPLETE THIS VICTIM NOTIFICATION FORM, AND UNDERSTAND THAT I AM WAIVING MY RIGHT TO BE NOTIFIED OF THE RELEASE OF THE SUSPECT/OFFENDER.

Signature of person waiving notification: _____
Printed name of person waiving notification: _____

Officer's Name: H. Garito I.D.: 500 Date: 3/16/22
White-Warrants Division Yellow-Corrections or State Attorney (Warrant Application) Pink-Central Records

SUSPECT/OFFENDER: Kimberly Simms

COURT CASE/WARRANT #: _____
(FOR WARRANTS USE ONLY)

SCANNED

MAR 17 2022



**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: 2022006969	Date: 3/17/2022
	Specialist Name/ID: M. Tooks #8557

SCANNED
MAR 17 2022