

5-0516604 20MM 4287 P-3086

ARREST / NOTICE TO APPEAR

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

Agency ORI Number: 0500400 Agency Name: Delray Beach Police Department Agency Report Number (N.T.A.'s only): 4 0 20-007336

Charge Type: 3. Misdemeanor 5. Ordinance 6. Other Enter Type: None/not Applicable Multiple Clearance Indicator: 1

Location of Arrest (Including Name of Business): 300 W LINTON BLVD DELRAY BEACH FL 33444 Location of Offense (Business Name, Address): 300 W LINTON BLVD, DELRAY BEACH, FL 33444

Date of Arrest: 05/23/2020 Time of Arrest: 19:47 Booking Date: 05/23/2020 Booking Time: 19:57 Jail Date: // : : Jail Time: Location of Vehicle: IMPOUNDED

Name (Last, First, Middle): GUTIERREZ, ROSIE TATIANA Alias:

Race: W-White 1-American Indian 2-Black 3-Asian 4-Hispanic/Latino 5-Other Date of Birth: 10/04/1994 Height: 5'06 Weight: 145 Eye Color: Brown Hair Color: BLACK Complexion: MEDIUM Build: MEDIUM

Local Address (Street, Apt. Number): 380 JEFFERSON DR UNIT 202, DEERFIELD BEACH, FL 33442 Phone: (813) 352-1827

Permanent Address (Street, Apt. Number): 380 JEFFERSON DR UNIT 202, DEERFIELD BEACH, FL 33442 Phone: (813) 352-1827

Business Address (Name, Street): BOCA WEST COUNTRY CLUB, Receptionist

D/L Number, State: G362738948640 / FL Soc. Sec. Number: [Redacted] INS Number: [Redacted] Place of Birth (City, State): FT. LAUDERDALE, FL Citizenship: US A

Co-Defendant Name (Last, First, Middle): [Redacted] Race: [Redacted] Sex: [Redacted] Date of Birth: [Redacted]

Co-Defendant Name (Last, First, Middle): [Redacted] Race: [Redacted] Sex: [Redacted] Date of Birth: [Redacted]

Parent / Other: [Redacted] Name (Last, First, Middle): [Redacted] Address (Street, Apt. Number): [Redacted] (City) (State) (Zip): [Redacted]

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

Released To: (Name) [Redacted] Relationship: [Redacted] Date: [Redacted] Time: [Redacted]

The above address was provided by [Redacted] defendant and/or [Redacted] 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.

Drug Activity: S. Sell N. N/A P. Possess R. Smuggle D. Deliver T. Traffic K. Disperse/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. F. Paraphernalia/Equipment S. Synthetic U. Unknown Z. Other

Charge Description: DISORDERLY INTOXICATION Statute Violation Number: 856.011 Violation of ORD #: [Redacted]

Drug Activity: N Drug Type: N Amount / Unit: / Offense #: / Courts: I Domestic Violence: [Redacted] Warrant / Capias Number: [Redacted]

Charge Description: [Redacted] Statute Violation Number: [Redacted] Violation of ORD #: [Redacted]

Drug Activity: [Redacted] Drug Type: [Redacted] Amount / Unit: [Redacted] Offense #: [Redacted] Courts: [Redacted] Domestic Violence: [Redacted] Warrant / Capias Number: [Redacted]

Health / Apparent Physical Condition of Defendant: [Redacted] Any knowledge of the following: [Redacted] Explain: [Redacted]

Check which applies: [Redacted] Released O.R. [Redacted] Released to Parent/Guardian [Redacted] T.O.T. County Jail [Redacted] PROPERTY - Received By: [Redacted] Released By: [Redacted] Released To: [Redacted]

Transported By: [Redacted] Date Transported: [Redacted] Time Transported: [Redacted] Other: [Redacted]

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: 06/25/2020 08:30:00

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): [Redacted] Date Signed: [Redacted]

HOLD for Other Agency: [Redacted] Signature of Arresting Officer: [Redacted] Name Verification (Printed by Arrestee): [Redacted]

Name of Arresting Officer (Print): SMITH, MILTON ALEXANDER LD. # 1016 Agency: DELRA Witness here if subject signed with an "X": [Redacted]

No Photo Available

AM 7:00

PROBABLE CAUSE AFFIDAVIT

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

1 JUVENILE

OBTS Number

Agency ORI Number: FL 0500400 Agency Name: DELRAY BEACH POLICE DEPARTMENT Agency Report Number: 4 | 0 20-007336

Charge Type: 1. Felony 2. Traffic Felony 3. Misdemeanor 4. Traffic Misdemeanor 5. Ordinance 6. Other

Name (Last, First, Middle): GUTIERREZ, ROSIE TATIANA Race: W Sex: F Date of Birth: 10/04/1994

Charge Description: 856.011 DISORDERLY INTOXICATION

Charge Description

Victim's Name (Last, First, Middle): State Of Florida 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

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 Torni who told OFCS that he/she saw the arrested person commit the below acts. was found to have committed the below acts, resulting from my (described) investigation. On the 23 day of May 2020 at 18:41 (Specifically include facts constituting cause for arrest.)

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

The following is a summary, for verbatim account refer to BWC. On 5/23/2020 at approximately 1841 hours I responded to the area of 3025 S Federal Highway in reference to a Vehicle Burglary in progress. Upon arrival, I met with the caller and owner of the vehicle being burglarized, Betim Torni. Torni was sworn in on BWC and advised that he was contacted by one of his employees that a female was in his Grey Ford Truck bearing Florida tag GMVY63. Torni went to check on the truck and saw a Hispanic female later identified as Rosie Gutierrez standing next to his truck with the passenger door open arguing with another female, later identified as Jasmine Anleu. Torni advised he noticed some checks missing and was trying to ask Gutierrez about his checks. Torni advised both females then started verbally attacking and cursing at him and Torni advised Gutierrez appeared messed up. Torni advised Gutierrez fled to Anleu's silver Hyundai Elantra where they circled the parking lot yelling and cursing at Torni and fled north bound on S Federal Highway. Torni identified Gutierrez as wearing a white t-shirt that was ripped up. It should be noted that the subjects dropped a Florida DL which belonged to Gutierrez's in the parking lot. Ofc. Mintus located the vehicle and initiated a traffic stop at 300 W Linton Boulevard. Upon contact with the vehicle, Anlea was the driver and Gutierrez was the front passenger wearing a white t-shirt that appeared all ripped up. It was clear that both females were heavily intoxicated as they were both crying, slurring their speech, and had glossy red eyes. Ofc. Pimentel responded and made an arrest in reference to a DUI on Anlea (Case # 20-7332). Gutierrez was not making coherent statements and repeatedly asked several times to give her phone number and consistently gave her address instead believing she was answering the question. Gutierrez was unable to comprehend instructions and upon asking for her address Gutierrez couldn't remember her address. Gutierrez admitted to drinking wine earlier. Due to Gutierrez's intoxicated state DBFR was called. While Gutierrez was being accessed by DBFR she became confrontational and belligerent towards medics and officers. DBFD

SWORN AND SUBSCRIBED BEFORE ME

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

05/23/2020 DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

SMITH, MILTON ALEXANDER (1016) NAME OF OFFICER (PLEASE PRINT)

05/23/2020 DATE

PROBABLE CAUSE AFFIDAVIT  
SUPPLEMENT

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

1

JUVENILE

OBTS Number	Agency OR/ Number <b>FL,0500400</b>		Agency Name <b>DELRAY BEACH POLICE DEPARTMENT</b>	Agency Report Number <b>4   0   20-007336</b>	
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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>GUTIERREZ, ROSIE TATIANA</b>	Alias	Race <b>W</b>	Sex <b>F</b>	Date of Birth <b>10/04/1994</b>
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stated that they would be transporting her for medical treatment and escorted her into the rescue. Once in the rescue, she became combative with paramedics at which time she was removed from the rescue and taken into custody by K9 Officer Mintus and Sgt. Grammatico.

Based on the above, Probable Cause exists to charge the defendant, Rosie Gutierrez, with one count of Disorderly Intoxication in violation of F.S.S. 856.011(1).

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	<b>GRAMMATICO, JOSEPH</b> NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)	 SIGNATURE OF ARRESTING / INVESTIGATING OFFICER
	<b>05/23/2020</b> DATE	<b>SMITH, MILTON ALEXANDER (1016)</b> NAME OF OFFICER (PLEASE PRINT)
		<b>05/23/2020</b> DATE



**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"/>			
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	<input type="checkbox"/>			
Other	<input type="checkbox"/>		Other:	
	<input type="checkbox"/>		Other:	

**REVIEW COMPLETED BY**

Booking Number: 2020013364	Date: 05/24/2020
	Specialist Name/ID: AM/31562