

0492646 2022 MM 4221 2694

OBTS Number		ARREST / NOTICE TO APPEAR Juvenile Referral Report		1 Arrest 3. Request For Warrant 2 NTA 4. Request For Capias		1 Juvenile	
Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06		22070486	
Charge Type Check as many as apply ☐ 1 Felony ☐ 2 Traffic Felony ☒ 3 Misdemeanor ☐ 4 Traffic Misdemeanor ☐ 5 Ordinance ☐ 6 Other		Enter Type		Mugshot 1 Frontal 2 Profile 3 Full Body 4 Other		☐ 0 ☐ 1	
Location of Arrest (Including Name of Business) Sea Glass Way at Quiet Lake Place		Location of Offense (Including Name of Business) 5388 Riverstone Way		Westlake FL 33470			
Date of Arrest 05/24/2022	Time of Arrest 1600	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle Son picked up	
Name (Last, First, Middle) Da Silva		Niacacio		Jose		Alias (Name, DOB, Soc. Sec. # Etc.)	
Race W. White A. American Indian B. Black O. Other/Unknown	Sex M	Date of Birth 03/29/1970	Height 5'08"	Weight 220	Eye Color Blue	Hair Color Brown	Complexion Med
Build Med		Mental Status Married		Religion Christian		Indication of Alcohol/Drug Influence ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5	
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) None		Local Address (Street, Apt. Number) 5388 Riverstone Way		City Westlake	State FL	Zip 33470	Phone 954-470-1919
Permanent Address (Street, Apt. Number) Same as Above		City	State	Zip	Phone	Address Source Verbal	
Business Address (Street, Apt. Number)		City	State	Zip	Phone	Occupation Janitor	
DL Num D24163070091 Illinois	Social Security Number	INS Number	Place of Birth Nagai, Brazil		Citizenship Yes		
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	
Name (Last, First, Middle)		Address (Street, Apt. No.)					Phone
City		State		Zip		Business Phone	
Notified (Name)		Date	Time	Juvenile Detention 1. Held/Processed within Dept. and Released 2. TOT HRS/DYS 3. Incarcerated			
Released (Name)		Relationship		Date	Time		
The above information was provided by: ☐ Defendant and/or ☐ Defendant's parent/guardian ☐ Juvenile Court Clerk's Office (Phone 561-355-3344 extension 4444) ☐ Other (Name) ☐ Yes ☐ No		School Attended		Grade			
Property Description ☐ Yes ☐ No		Value of Property					
Drug Activity N/A P. Possession T. Traffic		Amount/Unit N/A		Offense # 22070486		Warrant/Capias Number	
Charge Description Simple Battery		Counts 1	Vehicle ☐ Yes ☒ No	Statute Violation Number 784.03(1)(a)(1)		Violation or ORD #	
Drug Activity N		Drug Type N	Amount/Unit N/A	Offense # 22070486		Warrant/Capias Number	
Charge Description		Counts	Vehicle	Statute Violation Number		Violation or ORD #	
Drug Activity		Drug Type	Amount/Unit	Offense #		Warrant/Capias Number	
Charge Description		Counts	Vehicle	Statute Violation Number		Violation or ORD #	
Drug Activity		Drug Type	Amount/Unit	Offense #		Warrant/Capias Number	
Charge Description		Counts	Vehicle	Statute Violation Number		Violation or ORD #	
Drug Activity		Drug Type	Amount/Unit	Offense #		Warrant/Capias Number	
Location (Street, Address, Room Number) West County 2950 State Road 15 Belle Glade FL 33430							
Court Date and Time Month June Day 28 Year 2022 Time 9:00 AM ☒ PM ☐							
I AGREE TO APPEAR AT THE ABOVE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT I SHOULD 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) 18:06							
HOLD TO Other Agency		Signature of Arresting Officer D/S Eric Devaul		ID # 19467		Name Verification (Printed by Arrestee)	
☐ Dangerous ☐ Suicidal ☐ Resisted Arrest ☐ Other		Name of Arresting Officer D/S Eric Devaul		ID # 19467		Page 1 of 2	
Intake Dep. # Knight 9383		ID # Pouch # 2694		Transporting Officer D/S Anderson 24100		Agency PBSO	
Witness here if subject signed with an "X"							

OBTS Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest 3. Request For Warrant 2. N.T.A. 4. Request For Copies		1	Juvenile ☐
Agency Ofc Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06 22070686			
Charge Type (Check one) ☐ 1. Felony ☒ 2. Traffic Felony ☐ 3. Misdemeanor ☐ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		Special Notes					
Defendant Name (Last, First, Middle) Da Silva Nicacio Jose				Race W	Sex M	Date of Birth 03/29/1970	
Charge Simple Battery				Charge			
Charge				Charge			
Victim Name (Last, First, Middle) Montes DE Oca Jennifer				Race W	Sex F	Date of Birth 04/08/1984	
Local Address (Street, Apt. Number) 1441 Fairgreen Rd		City West Palm Beach	State FL	Zip 33417	Phone 305-224-2649	Address Source Verbal	
Business Address (Street, Apt. Number) 1590 Metro Dr 116		City Costa Mesa	State CA	Zip 92626	Phone 714-258-8802	Occupation Sales	
The undersign 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 ☐ confessed to admitting to the below facts.				☐ was observed by _____ who told _____ that he/she saw the arrested person commit the below acts ☒ was found to have committed the below acts, resulting from (described) investigation.			
On the 24 day of May 20 22 at 1520 ☐ AM ☐ PM							

On 05/24/2022 Deputies were dispatched to 5388 Riverstone Way in the city of Westlake Florida in reference to a battery that had just occurred. Deputies spoke with Jennifer Montes De Oca DOB 04/08/1984. Jennifer met with deputies down the street away from the residence she stated this incident occurred.

Jennifer stated the following not verbatim. She was going door to door advertising for a company she works for. The company is Aquakleen Water Refinement Systems. She said she walked up to the front door of 5388 Riverstone Way and a male answered the door. She told him what her purpose was being there and asked if he was interested in hearing about the company and he said no. She said she then started to walk away and the male came outside and started yelling at her demanding to know what company she works for. Jennifer showed him her ID which was attached to a lanyard around her neck with her name, picture and company name on it. Jennifer said that the male grabbed her ID which was still attached to her neck and yanked it off the lanyard. This action she said caused her head to go forward and down with force since he was ripping the ID off her neck. Jennifer said the ID was ripped off her neck and he took it. She said her neck was sore that is how hard he grabbed it. She said she told him she was calling the police and walked away from him since he was being so belligerent and aggressive. Before Deputies arrived she said the male got in a black truck and drove away.

While Deputies were speaking with Jennifer the male drove by and Jennifer said that was the person that grabbed her ID that was now missing. Deputies got behind the truck and stopped it at the corner of Sea Glass Way at Quiet Lake Place still within the complex of Skycove. Deputies then spoke with the driver who was identified by his Illinois DL as Nicacio Dasilva DOB 03/29/1970. Nicacio stated he didn't know what I was talking about when I asked him if he had a conflict with a woman earlier. He stated he didn't do anything and had no clue what I was talking about. He denied ever meeting someone at his house but he did ask if she was here legally.

The foregoing instrument was sworn to and affirmed before me this 24 day of May 20 22 by		
D/S A. Anderson 24100 Name of Notary Public / Clerk of Court / Officer (F.S.S. 117.00)		D/S Eric Devaul 19447 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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OBTS Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.		3. Request For Warrant 4. Request For Copies		Juvenile ☐			
Agency ORI Number FLO 5 0 0 0 0 0		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06		22070686					
Charge Type Check all that apply ☐ 1. Felony ☒ 2. Traffic Felony ☐ 3. Misdemeanor ☐ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		Special Notes									
Defendant Name (Last, First, Middle) Da Silva		Nicacio		Jose		Race W		Sex M		Date of Birth 03/29/1970	
Charge Simple Battery		Charge									
Charge		Charge									
Victim Name (Last, First, Middle) Montes DE Oca		Jennifer		Race W		Sex F		Date of Birth 04/08/1984			
Local Address (Street, Apt. Number) 1441 Fairgreen Rd		City West Palm Beach		State FL		Zip 33417		Phone 305-224-2649		Address Source	
Business Address (Street, Apt. Number) 1590 Metro Dr 116		City Costa Mesa		State CA		Zip 92626		Phone 714-258-8902		Occupation	
The undersign 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.											
☐ confessed to admitting to the below facts.											
☐ was observed by _____ who told that he/she saw the arrested person commit the below acts.											
☒ was found to have committed the below acts, resulting from (described) investigation.											
On the 24 day of May 20 22 at 1520 ☐ AM ☐ PM											

Jennifer was driven to my location and she gave a positive ID that Nicacio was in fact the person who grabbed her ID and ripped it off her neck causing her neck to have pain. Jennifer filled out a witness statement and was sworn to and stated she wished to press charges on Nicacio.

Nicacio was arrested at that point for Simple Battery Intentionally grabbing the ID that was attached to a lanyard around Jennifer's neck. He was placed into handcuffs which were double locked and checked for proper fit. While searching Nicacio I located Jennifer's ID in his right front pocket. When I asked how he got this ID he stated he found it on the ground she dropped it. Nicacio was transported to the Palm Beach County jail and booked for the listed charge without incident.

The foregoing instrument was sworn to and affirmed before me this 24 day of May 20 22 , by	
D/S A. Anderson 24100	
Name of Notary Public / Clerk of Court / Officer (F.S.S. 117.00)	
D/S Eric Devaul 19467	
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	☐	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: 2022013489	Date: 5/25/2022
	Specialist Name/ID: Chantel Daniels/30347