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Marsy's Law CVI FL. Const. Art. 1 § 16(b)

Check if Supplement is Attached

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 0 0 0 0		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number (N.T.A.'s only) 0 6 1-22-090784									
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		0 1	
Location of Arrest (Including Name of Business) 3040 S Military Trl (Kanele Lounge) # B, Lake Worth, FL 33463		Location of Offense (Business Name, Address) 3040 S Military Trl (Kanele Lounge) # B, Lake Worth, FL 33463											
Date of Arrest 07/23/2022		Time of Arrest 04:11		Booking Date		Booking Time		Jail Date		Jail Time		Location of Vehicle	
Name (Last, First, Middle) Rosales Almaral, Yirandy		Alias (Name, DOB, Soc. Sec. #, Etc.)											
Race W - White B - Black		1 - American Indian O - Oriental/Asian		Sex M		Date of Birth 4/15/1981		Height 5'06		Weight 205		Eye Color Blue	
Hair Color Brown		Complexion Light		Build Medium									
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) Tattoos cHest, Back and Arms		Marital Status Single		Religion NONE		Indication of Alcohol Influence Drug Influence		Y N Unk					
Local Address (Street, Apt. Number) 905 Sumter Rd E, West Palm Beach, FL 33415		(City) (State) (Zip)		Phone () 361-765-3782		Residence Type: 1. City 2. County 3. Florida 4. Out of State		Y N Unk				2	
Permanent Address (Street, Apt. Number)		(City) (State) (Zip)		Phone ()		Address Source FL DL							
Business Address (Name, Street)		(City) (State) (Zip)		Phone ()		Occupation Truck Driver							
D/L Number, State R242960811350, FL		Soc. Sec. Number		INS Number		Place of Birth (City, State) Cuba		Citizenship No					
Co-Defendant (Last, First, Middle)		Race		Sex		Date of Birth		1. Arrested 2. At Large		3. Felony 4. Misdemeanor 5. Juvenile			
Co-Defendant (Last, First, Middle)		Race		Sex		Date of Birth		1. Arrested 2. At Large		3. Felony 4. Misdemeanor 5. Juvenile			
Parent Legal Custodian Other:		Name (Last) (First) (Middle)		Residence Phone ()									
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 HRS/DYS 3. Incarcerated							
Released To: (Name)		Relationship		Date		Time							
The above address was provided by ☐ defendant and / or ☐ defendant's parents. The child and / or parent was told to keep the Juvenile Court Clerk's Office (Phone (561) 355-6611) informed of any change of address.		School Attended		Grade									
Property Crime? ☐ Yes ☐ 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			
Charge Description Simple Battery		Counts 1		Domestic Violence ☐ Y ☐ N		Statute Violation Number 184.03 1a1		Violation of ORD #					
Drug Activity N		Drug Type N		Amount / Unit		Offense # 22-090784		Warrant / Capias Number		Bond			
Charge Description		Counts		Domestic Violence ☐ Y ☐ N		Statute Violation Number		Violation of ORD #					
Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number		Bond			
Charge Description		Counts		Domestic Violence ☐ Y ☐ N		Statute Violation Number		Violation of ORD #					
Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number		Bond			
Charge Description		Counts		Domestic Violence ☐ Y ☐ N		Statute Violation Number		Violation of ORD #					
Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number		Bond			
Location (Court, Room Number, Address) 3228 Gun Club Rd West Palm Beach FL 33406		Court Date and Time Month August Day 9th Year 2022 Time 8:30 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 07/23/2022									
HOLD for other agency		Signature of Arresting Officer		Name Verification (Printed by Arrestee)									
☐ Dangerous ☐ Suicidal		☐ Repeated Arrest ☐ Other		Name of Arresting Officer (Print) D/S D. Fundora		I.D. # 33089		(PRINT) JUL 23 2022		PAGE			
Intake Deputy		I.D. #		Pouch #		Transporting Officer D/S Caputo		I.D. # 34267		Agency PBSO		Witness here if subject signed with an "X"	
												OF 1	

		PROBABLE CAUSE AFFIDAVIT		1 Arrest 2 NTA		3 Request for Warrant 4 Request for Capias		1		Juvenile		N	
ADMIN	OBTS Number			Agency ORI Number		Agency Name		Agency Report Number					
	FLO. 5 0 0 0 0 0		PALM BEACH COUNTY SHERIFF'S OFFICE		22- 090784								
CHARGES	Charge Type	☐ 1 Felony ☐ 2 Traffic Felony ☒ 3 Misdemeanor ☐ 4 Traffic Misdemeanor ☐ 5 Ordinance ☐ 6 Other		Special Notes									
	Charge Description	Simple Battery											
DEF	Name (Last, First, Middle)	Rosales Almaral, Yirandy.		Alias		Race		Sex		Date of Birth			
	H		M		4/15/1981								
VICTIM	Charge Description												
	Charge Description												
VICTIM	Name (Last, First, Middle)			Race		Sex		Date of Birth					
	H		F										
VICTIM	Local Address (Street, Apt Number)	(City) (State) (Zip)		Phone		Address Source							
	FL DL												
VICTIM	Business Address (Name, Street)	(City) (State) (Zip)		Phone		Occupation							
	Unknown												
The undersigned certifies and swears that I have just and reasonable grounds to believe, and do believe that the above named Defendant committed the listed violation(s) 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>23</u> day of <u>July</u> 20 <u>22</u> at <u>4:00</u> ☒ A.M ☐ P.M (Specifically include facts constituting cause for arrest.)													
☒ Marsey's Law CVI FL. Const. Art.1 § 16(b) On 07/23/2022 at approximately 0357 hours, I was conducting a business check at 3040 S Military Trl., in unincorporated West Palm Beach, Palm Beach County, FL. While in the plaza's parking lot, I was flagged down by the security at Kanela Lounge who told me a white male grabbed a female butt. Security then grabbed the unknown male and escorted him outside the club. The unknown male was later identified as Yirandy Rosales. I then met with the victim _____ who on a sworn written statement verbatim stated the following: while inside Kanela Lounge she went to the restroom and Yirandy grabbed her butt. He then grabbed her by the face to kiss her but her friends got in between. The grabbing of the butt and face was unwanted. She never met Yirandy and did not know who he was. I then made contact with Yirandy who was highly intoxicated by alcoholic beverages. As I was providing Yirandy with his Miranda warnings, he stated he wanted his lawyer and refuse to speak with me. Yirandy was determined to be the primary aggressor. Yirandy was handcuffed with his hands behind his back, double-lock, and checked for proper fitting. He was then placed in the rear of D/S Caputo's patrol vehicle with the in-car camera activated and transported to jail. My investigation concludes the following: Yirandy did actually and intentionally touch and strike _____ against the will of the victim, contrary to Florida Statute 784.03(1)(a)(1).													
ADMINISTRATIVE	STATE OF FLORIDA COUNTY OF PALM BEACH <u>#33099</u> D/S D. Fundora (Signature of Arresting/Investigative Officer)												
	The foregoing instrument was sworn to or affirmed and subscribed before me this <u>23</u> day of <u>July</u> 20 <u>22</u> by <u>D/S D. Fundora</u> (Print name of Arresting/Investigative Officer, who is personally known to me and/or produced identification. Type of identification produced <u>LEO</u>) D/S Caputo 34267 Notary Public, Clerk of Court, Officer (F.S.B. 17.1.0)												
PAGE <u>1</u> OF <u>1</u>													

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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	☒	FL Constitution, Article 1, 16(b)	Other: Marsey's Law	3-4
	☐		Other:	

REVIEW COMPLETED BY

Booking Number: 2022018952	Date: 07/24/2022
	Specialist Name/ID: T.Howard/7185