

73 CP 5676

☐ Marsy's Law CVI FL Const. Art. I § 16(b)		ARREST / NOTICE TO APPEAR Juvenile Referral Report		☐ Check if Supplement is Attached	
OBT# Number		Agency ORI Number		Agency Name	
FLO: 5, 0, 0, 0, 0, 0		PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number	
Charge Type: Check as many as apply.		1 Felony 2 Traffic Felony 3 Misdemeanor 4 Traffic Misdemeanor 5 Ordinance 6 Other		II Weapon Seized Enter Type	
Location of Arrest (Including Name of Business)		Location of Offense (Business Name, Address)		Multiple Clearance Indicator	
Date of Arrest		Time of Arrest		Booking Date	
Booking Time		Jail Date		Jail Time	
Location of Vehicle		Okeechobee Blvd/ Meridian Rd, WPB, FL 33417, WPB, FL 33407		0 6 1-23083141	
Name (Last, First, Middle) Dinardo, Alexander, F		Aka (Name, DOB, Soc Sec #, Etc.)			
Race W - White O - American Indian A - Asian N - Black		Sex W M		Date of Birth 3/14/1993	
Height 6'		Weight 200		Eye Color Brown	
Hair Color Brown		Complexion Light		Build Large	
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)		Marital Status Single		Religion NONE	
Local Address (Street, Apt. Number) 15910 Hiller St, Wellington, FL 33414		(City) (State) (Zip)		Mobile Phone (561) 662-2380	
Permanent Address (Street, Apt. Number)		(City) (State) (Zip)		Phone ()	
Business Address (Name, Street)		(City) (State) (Zip)		Phone ()	
DL Number, State D563-006-93-094-0, FL		Soc. Sec. Number		IRS Number	
Place of Birth (City, State) WPB, FL		Citizenship USA			
Co-Defendant (Last, First, Middle) Dinardo, Nickolas, J		Race W		Sex M	
Co-Defendant (Last, First, Middle)		Date of Birth 01/09/1990		1. Arrested 2. At Large	
Parent Legal Custodian Other		Name (Last) (First) (Middle)		Residence Phone ()	
Address (Street, Apt. Number)		(City) (State) (Zip)		Business Phone ()	
Notified by: (Name)		Date		Time	
Released to: (Name)		Relationship		Date	
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 (407) 395-0511) informed of any change of address.		School Attended		Grade	
Property Crime? ☐ Yes ☐ No		Description of Property		Value of Property	
Drug Activity N - No Y - Yes		Drug Type N - No Y - Yes		Drug Type N - No Y - Yes	
Charge Description Burglary (Occupied Conveyance Unarmed)		Counts 01		Domestic Violence ☐ Y ☐ N	
Status Violation Number 810.02(1 and 3)		Warrant / Capias Number		Bond	
Charge Description Criminal Mischief (Over 200 less 1k)		Counts 01		Domestic Violence ☐ Y ☐ N	
Status Violation Number 806.13(1a2)		Warrant / Capias Number		Bond	
Charge Description		Counts		Domestic Violence ☐ Y ☐ N	
Status Violation Number		Warrant / Capias Number		Bond	
Charge Description		Counts		Domestic Violence ☐ Y ☐ N	
Status Violation Number		Warrant / Capias Number		Bond	
Location (Court, Room Number, Address)		Court Date and Time		Month Day Year	
Time 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			
I consent to receive text reminders of court date(s) and times for this case by automated technology to the mobile number identified above. I understand that standard text message rates may apply, and that I may revoke this consent via the text message system if I choose.		Signature			
HOLD for other agency		Signature of Arresting Officer X		Name Verification (Printed by Arrestee)	
Name of Arresting Officer (Print) Det. K. Shulls		I.D. # 30545		IFRINT	
Transporting Officer I.D. #		Agency		PAGE 1 OF 1	

JUL 04 2023

OBTS Number		PROBABLE CAUSE AFFIDAVIT				3		Juvenile	
Agency ORI Number FLO 5 0 0 0 0 0		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE				Agency Report Number 06 - 23083141			
Charge Type: ☒ 1. Felony ☐ 3. Misdemeanor ☐ 5. Ordinance Check as many ☐ 2. Traffic Felony ☐ 4. Traffic Misdemeanor ☐ 6. Other as apply.						Special Notes:			
Defendant's Name (Last, First, Middle) Dinardo, Alexander F.						Race W		Sex M	
Charge Description Burglary (Occupied Conveyance Unarmed) F.S.S. 810.02(1 and 3)						Charge Description Criminal Mischief (Over 200 less 1k) F.S.S 806.13(1ab2)			
Charge Description						Charge Description			
Victim's Name (Last, First, Middle) Irving, Alaysia						Race B		Sex F	
Victim's Local Address (Street, Apt. Number) 1449 8th St						(City) WPB		(State) FL	
						(Zip) 33401		Phone	
Victim's Business Address (Name, Street)						(City)		(State)	
						(Zip)		Phone	
								Address Source DAVID	
								Occupation UK	
The undersigned certifies and swears that I 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 my (described) investigation. On the 1 day of July, 2023 at 1145 ☐ A.M. ☐ P.M. (Specifically include facts constituting cause for arrest).									

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

NARRATIVE:

On June 27th, 2023, I was contacted by Detective Sergeant J. Newcomb regarding a incident that occurred along Okeechobee Boulevard corridor. I was advised to contact Deputy M. Gitschier for further information about what occurred. Deputy Gitschier informed me that incident between the victim, Alaysia Irving, and the two unknown individuals occurred near the intersection of Okeechobee Boulevard and Meridian Drive, West Palm Beach, Florida 33417. The incident was believed to have been road rage related.

Irving told Deputy Gitschier that she was driving westbound on Okeechobee Boulevard and North Military Trail when the incident began. Irving claimed to have gone around a black transit van after it was driving slowly at this intersection. It was after this that the occupants in the transit van threw something at Irving's vehicle as she continued to travel westbound on Okeechobee Boulevard. As Irving approached the red light at Meridian Drive, the two occupants exited the black Chevy transit van. First, the passenger exited and approached Irving's the passenger side of her vehicle. The male subject began hitting her window with a large metal object until it ultimately broke causing glass to hit Irving. Once the window was broken, the subject then proceeded to reached into Irving's vehicle, taking her purse and her keys. The subject subsequently discarded her purse in the roadway after removing it from the inside of her vehicle and eventually threw her keys towards the median in the roadway. Irving had exited her vehicle in attempts to gather her belongings when the driver of the vehicle exited the vehicle. Irving tried to ask for her keys back from the driver but was unsuccessful so she went to get back into her vehicle. At this time, the driver opened her door, pulled her out and struck her. After this, she ended up in between the two male subjects on the passenger side of the vehicle as both subjects physically struck her. As multiple people began to exit their vehicles and intervene, the two subjects fled the area. Irving attempted to chase the transit van after the physical altercation to obtain its tag information for law enforcement but was subsequently involved in an unrelated motor vehicle accident.

Irving described the driver of the transit van to Deputy Gitschier as a Hispanic male approximately 5 foot 11 inches and having a medium build. He had brown hair and it was styled up with gel. Irving advised the driver also had facial hair on the sides of his face but not a beard. Irving described the passenger of the van as a Hispanic male to be shorter, approximately 5 foot 5 inches with short or medium black hair that appeared to be also styled with gel. She believed the passenger was wearing a dark colored company shirt and was uncertain about what the driver was wearing. Irving confirmed they were driving was black transit van that had a company logo on the side of "5four", specifically that the four was spelled out and the five was numerical.

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Defendant's Name (Last, First, Middle)
Dinardo, Alexander F.

NARRATIVE CONTINUATION

Deputy Gitschier also advised there were a number of witness's to this incident that called into PBSO to report what they saw. Deputy Gitschier obtained a sworn recorded statement from Irving captured on his BWC. It should be noted that when Deputy Gitschier made contact with Irving, she was crying and appeared distraught. He noticed that her hair out of place and as if she was just in a physical altercation.

Deputy J. Velix met with a witness, Paul Sandino, who was in the immediate are of the incident. Sandino, who operates a hot dog stand on the side of Okeechobee Boulevard near 5737 Okeechobee Boulevard, West Palm Beach, Florida 33417. Sandino said he observed two vehicles stopped on the roadway of Okeechobee Boulevard and then witnessed the transit van throw something at Irving's vehicle prior to the vehicles getting to the intersection of Meridian and Okeechobee Boulevard. After this, Sandino proceed to towards the intersection on foot at which time he heard a "smash" and observed glass on the ground. Sandino did not see the physical altercation between Irving and the two subjects but did witness one subject throw an unknown object. Sandino he attempted to stand in front of the transit van that was attempting to flee however, he believed they were going to run him over so he moved out of the way. Sandino advised both vehicles fled the area after one another. Sandino also took pictures of the transit van as well as Irving's purse in the roadway. Sandino described the driver of the transit van to be a white male and was unsure what he passenger looked like. Deputy Velix's interview with Sandino was also captured on his BWC. After reviewing the photos Sandino took of the transvit van clearly depicted the logo "5Four" on the side as well as Florida tag # "QBXN0A".

On the date of the incident, I immediately responded to the intersection of Meridian Rd and Okeechobee Blvd in attempts to obtain video surveillance. At the Mobile gas station located at 5850 Okeechobee Blvd, I collected video surveillance which captured the incident from a distance. At approximately 1110 hours, you can see a black sedan (Irving's vehicle) approach the intersection in traffic. Behind Irving's vehicle is the a black transit van. It appears that an occupant exit the passenger side of transit van and approach Irving's vehicle followed by the driver doing the same. However, due to the distance you are unable to clearly see the altercation that occurred.

I also contacted Sharon Engram, a witness to the altercation. Sharon sent me a video taken during the altercation between Irving and the two subjects. The video clearly showed Irving at her passenger side of her vehicle, with the two male subjects. At this time, Irving's black purse was already laying in the roadway. The subject seen wearing a black long sleeve appeared to be inside of Irving's vehicle as she stood behind him. The subject in a white long sleeve was picking up the black purse from the roadway and approaching Irving and the other male. The one in the black is seen tossing something over the roof of the vehicle as Irving attempts to stop him. The subject in the white shirt strikes Irving in the face with the black bag still in his hand. In the video, you can clearly see Irving's head moving as a result of being struck in the face. The subject in the white shirt drops the black bag and Irving turns her attention towards him at which time he begins to back up towards the transit van. The subject in the black shirt follows to the transit van at which time both subjects get into the vehicle and drives off. Irving's enters into her vehicle and is seen taking off behind them.

I later met with Sharon Engram, the witness who filmed the video of the altercation. Engram explained that she observed the two vehicles parked along Okeechobee Boulevard. Once at Meridian Road, Engram said she watched two males approach Irving's vehicle. One subject went to the passenger side window and breaking the window. She said while this happened the other male opened up Irving's driver's side door, struck her and physically pulled her out of the vehicle. Engram said this was when she called 911 and eventually began to video the altercation. Engram said she saw one male inside Irving's vehicle and saw him take her purse. She said she also saw him take something else from inside the vehicle but was unsure of what it was. Engram said the both vehicles took off and she was not able to keep up. A sworn statement was obtained from Engram which was captured on my BWC.

After further investigation, the transit van was confirmed to be registered to 5FourDetailing LLC as well as Nickolas Dinardo of Wellington, Florida. On June 28th, 2023, Detective L. Schilling responded to the listed business address for 5Four Detailing in Wellington, Florida. He met with the leasing office who informed him that 5Four Detailing often operates out of the window tinting business at this location. Detective Schilling made

NARRATIVE CONTINUATION

contact with another business owner in the area of the tint shop, Jeff Brandt, who was shown the video taken by Engram. Brandt stated that appeared to be "Nick and Alex". Brandt said he has known them for years and that they are "good guys". With this information, Detective Schilling responded to Nickolas Dinardo and Alexander Dinardo's listed address. In the driveway at this address, Detective Schilling observed the black transit van parked in the driveway. Contact was not made with Alexander or Nickolas at this time, nor was it attempted. Later in the day, Detective Schilling received a call that Alexander and Nickolas were at the PBSO District 8 location in Wellington, Florida, asking why Detectives were looking for them. Detective Schilling and I then responded to District 8 to speak with Nickolas and Alexander.

Alexander and Nickolas were invited inside to speak with me to which they agreed. I advised them both they were free to leave and did not have to speak with me. They understood this however, told me that they were on Okeechobee when another driver cut them off and their vehicle was struck. They said they tried to wave down the driver but she "went crazy" and threw a glass bottle at the van. They said the vehicle pulled over and waited for them to "escalate it further". Then they were at the red light and were "very mad". Based on Alexander and Nickolas's explanation of the altercation, I then separated them and read them their Miranda Warnings to question them further. While speaking with Alexander, he confirmed the incident occurred between Military Trail and Meridian Road. He advised that the female clipped the front of the van and threw a glass bottle at the window and knocked the mirror off. He said at the red light, they were seeing red and when they light turned green they left the area and "lost her". Alexander explained that Jeff told them about the video to which he said, "it's probably going to look terrible. Two guys on one lady". Alexander admitted to being the passenger in the transit van and explained that he reached into her vehicle and took Irving's keys and threw them so she couldn't chase them. Alexander said he threw his water bottle at Irving's window, specifically a Yeti jug. He said his bottle went into the vehicle and that's why he was reaching into her vehicle to look for it. Alexander said that no one physically struck anyone and he specifically denied striking Irving. Alexander said they did not call law enforcement because they chalked it up to a road rage incident. He also said they did not take any photos of the damage to the transit van.

Upon speaking with Nickolas, he also stated that Irving struck their transit van causing the "bumper to hang off". Nickolas said Irving kept driving at which time they continued behind her until they caught up to her and exchanged words. Nickolas explained as they continued to drive Irving threw a glass bottle at the transit van causing it to be dented on the A pillar when Irving stopped in the roadway. Nickolas said Irving then "went crazy" but it was "wrong what we did". Nickolas denied pulling Irving out of the vehicle or ever physically striking her. Upon showing Nickolas the video of the incident, his explanation was that he took the purse from her that she was using to hit Alexander contrary to the video showing him pick the purse up and then strike Irving in the face.

On June 29th, 2023, I met with Irene Hitchcock, an additional 911 caller and witness to the altercation. Hitchcock told me that on June 27th, 2023 she witnessed two men approach both sides of Irving's vehicle. She said one broke the window of the vehicle and the other opened up the drivers side door. Hitchcock said she observed a male put his hands on Irving. Hitchcock was unsure which male was the driver or passenger of the other vehicle. She said once people began to help, Irving was able to escape. Hitchcock described the vehicle the two males got out of to be a dark colored company van. A sworn audio statement was obtained from Hitchcock.

Also, on June 29th, 2023, I met with Irving for additional questions about the incident. Irving confirmed that when she went around the transit van she did not strike the other vehicle. At the next light, they threw something at her vehicle so she also threw something back. Irving disclosed that she threw a drink cup at the transit van. When she came to a stop in the roadway, she didn't exit her vehicle. She said she saw the transit van also stopped so she continued on to the red light. At this red light was when the physical altercation began. Irving confirmed that during the physical altercation she was physically battered by an elbow striking her chest and being hit in the face.

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Defendant's Name (Last, First, Middle)
Dinardo, Alexander F.

NARRATIVE CONTINUATION

Based on the Irving's account of the incident, the statements and video provided by witness's as well as both Alexander and Nickolas statements, I find there is probable cause to charge Nickolas Dinardo with Burglary with a battery F.S.S. 810.02(1 and 2a) and Alexander Dinardo with Burglary to an Occupied Conveyance (Unarmed) F.S.S.810.02(1 and 3) and Criminal Mischief F.S.S.806.13(1ab2).

State of Florida, County of Palm Beach, The foregoing instrument was sworn to or affirmed and subscribed before me:	
<i>Det D Sullivan</i>	<i>[Signature]</i>
Signature of Notary Public / Clerk of Court / Officer (F.S.S 117.10)	Signature of Arresting / Investigating Officer
Det. D. Sullivan #24745	Det. K. Shults #30545
Name of Notary Public / Clerk of Court / Officer (F.S.S 117.10)	Name of Arresting / Investigating Officer (Please Print)
8/29/2023	8/29/2023
Date	Date