2023MM010970A SB

ARREST / NOTICE TO APPEAR

1 Arrest 3 Request for Warrant 2 NTA 4 Request for Capias | 1 | JUVENILE

ADMINISTRATION

OBTS Number			
Agency ORI Number: 0500400	Agency Name: Delray Beach Police Department	Agency Report Number (NTA's only): 40 23-016828	

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: UNARMED

Multiple Clearance Indicator: 1

Location of Arrest (Including Name of Business)	Location of Offense (Business Name, Address)
1200 W LINTON BLVD DELRAY BEACH FL 33444	1200 W LINTON BLVD, DELRAY BEACH, FL 33444

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
12/27/2023	14:05	12/27/2023	14:15			

DEFENDANT

Name (Last, First, Middle): LIPTON, MARILYN — Alias:

Race (W - White, B - Black, I - American Indian, O - Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	F	02/04/1965	5'05	140	GREEN	BLOND OR	FAIR	SMALL

Scars, Marks, Tatoos, Unique Physical Features (Location, Type, Description) | Marital Status | Religion | Indication of Alcohol Influence / Drug Influence: Yes ☐ No ☒ Unk ☐

Local Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Residence Type (1 City, 2 County, 3 Florida, 4 Out of State)
3 VANCLEVE ROAD, MANALAPAN, NJ 07726				(646) 756-0204	4
Permanent Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Address Source
3 VANCLEVE ROAD, MANALAPAN, NJ 07726				(646) 756-0204	
Business Address (Name, Street)	(City)	(State)	(Zip)	Phone	Occupation

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
/	[redacted]		QUEENS, NY	US

CO-DEF

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

JUVENILE

☐ Parent ☐ Other ☐ Legal Custodian — 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 Department and Released, 2 TOT JAC, 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 355-2526) informed of any change of address.
☐ Yes, by ☐ No

School Attended | Grade

Property Crime? ☒ Yes ☐ No | Description of Property: HOUSEHOLD ITEMS | Value of Property: $282

CODE

Drug Activity: N N/A, P Possess, S Sell, B Buy, T Traffic, R Smuggle, D Deliver, E Use, K Disperses/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/Derv, P Paraphernalia/Equipment, S Synthetic, U Unknown, Z Other

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #
THEFT RETAIL (SHOPLIFTING)	812.014 (2e)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N	/		1	☐ Y ☒ N		D2

CHARGE

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		/			☐ Y ☐ N		

CHARGE

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Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
		/			☐ Y ☐ N		

INTAKE

Health / Apparent Physical Condition of Defendant | Any knowledge of the following? Explain | ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deformities ☐ Injuries

Check which applies: ☐ Released O/R ☐ Released to Parent/Guardian ☒ T.O.T. County Jail ☐ Posted Bond ☐ South County Mental Health

PROPERTY - Received By	Released By	Released To

Transported By	Date Transported	Time Transported	Other
	/ /	: :	

NOTICE TO APPEAR

☒ 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: 01/22/2024 08:30:30

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

No Photo Available

ADMIN

HOLD for Other Agency: ☐ Dangerous ☐ Resisted Arrest ☒ Suicidal ☐ Other

Intake Deputy | ID # 3614 | Pouch #

Signature of Arresting Officer: Claudia Abreu

Name of Arresting Officer (Print): ABREU PEREZ, CLAUDIA | ID # 1288

Transporting Officer: ABREU | ID # 1288 | Agency: DBPD

Name Verification (Printed by Arrestee) (PRINT)

Witness here if subject refuses to sign "X"

☐ COURT ☐ STATE ATTORNEY ☐ AGENCY ☐ CENTRAL RECORDS ☐ JAIL ☐ CRIME ANALYSIS ☐ P.I.O. ☐ DEFENDANT

SCANNED DEC 28 2023

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PROBABLE CAUSE AFFIDAVIT

ADMIN

OBTS Number:

1 Arrest 2 NTA 3 Request for Warrant 4 Request for Capias: **1**

JUVENILE:

Agency ORI Number	Agency Name	Agency Report Number
FL 0500400	DELRAY BEACH POLICE DEPARTMENT	40 23-016828

Charge Type (Check as many as apply): ☐ 1 Felony ☒ 3 Misdemeanor ☐ 5 Ordinance ☐ 2 Traffic Felony ☐ 4. Traffic Misdemeanor ☐ 6 Other

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
LIPTON, MARILYN		W	F	02/04/1965

CHARGES

Charge Description	Charge Description
812.015(1)(D) THEFT RETAIL (SHOPLIFTING)	

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
TARGET,			

Local Address (Street, Apt. Number) (City) (State) (Zip)	Phone	Address Source
1200 WEST LINTON BLVD, DELRAY BEACH, FL 33445	(561) 265-3500	

Business Address (Name, Street) (City) (State) (Zip)	Phone	Occupation
TARGET, 1200 W LINTON BLVD	(561) 265-3500	LOSS PREVENTION

PROBABLE CAUSE STATEMENT

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.

☒ confessed to OFC. HUYETT admitting to the below facts.

☒ was observed by EVENS NOEL who told OFC. C. ABREU that he/she saw the arrested person committ the below acts

☒ was found to have committed the below acts, resulting from my (described) investigation.

On the 27 day of December 2023 at 14:31 (Specifically include facts constituting cause for arrest.)

The following incident occurred in the City of Delray Beach Palm Beach County FL and its captured on body worn camera.

On 12-27-2023 I, Ofc. C. Abreu was dispatched to 1200 W Linton Blvd in reference to a theft.

Upon arrival I spoke to Evens Noel (loss prevention) who informed me that he had been observing Marilyn Lipton on camera taking items from the shelves and putting them in her blue tote bag. Mr. Noel said that he observed Ms. Lipton go on several different aisle adding items to her blue bag. Mr. Noel said that Ms. Lipton went to the restroom and when she came out she started to add bigger items into her cart and putting smaller items into her blue purse. Mr. Noel said that when Ms. Noel went to self checkout she only scanned three items. Mr. Noel said that Ms. Lipton never made an attempt to pay for the rest of the merchendise and exited the store past all points of sale. Mr. Noel said that he apprehended Ms. Lipton outside the front door of the business and at this point took her to the office and retrieved all of the items she had put into her purse.

Ofc. Huyett read Ms. Lipton her Miranda Rights which she admitted what she had done was wrong and stated that she was going through a rough time.

Mr. Noel provided video surveillance and an itemized list of the merchandise which totaled $282.87.

Based on the aforementioned Probable Cause exists to charge Marilyn Lipton with Retail Theft in violation of FL Statute 812.015.

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

BROWN, BRITTANY
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F S S 117.10)

12/27/2023
DATE

SIGNATURE OF ARRESTING/INVESTIGATING OFFICER

ABREU PEREZ, CLAUDIA (1288)
NAME OF OFFICER (PLEASE PRINT)

12/27/2023
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

SCANNED
DEC 28 2023

Palm Beach County Sheriff's Office

Florida State Statute Exemption Sheet

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	☐	119.071(4)(c)	Undercover personnel	
	☐	119.071(2)(e)	Confession	
Public Info. Exemptions	☐	FL Const. Art. I, s. 16(b)(5)	Marsy's Law – victim information shall be redacted. The term "victim" also includes the victim's lawful representative, the parent or guardian of a minor, or the next of kin of a homicide victim. The term "victim" does not include the accused (ref. page 99 of the CRTM for additional information)	
	☐	119.071(2)(j)	Home/employment telephone number, home/employment address, or personal assets of a person who has been the victim of sexual battery, aggravated child abuse, aggravated stalking, harassment, aggravated battery or domestic violence	
	☐	119.0712(2)	Personal information contained in a motor vehicle record	
	☐	316.650(11)	Driver information contained in a uniform traffic citation	
	☐	119.071(4)(d)2.a.	Home addresses, telephone numbers, dates of birth, and photographs of active/former LE personnel, spouses, and children	
Florida Rules of Judicial Administration 2.420	☒	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers	2
	☐	(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	☐			
	☐			
	☐			
	☐			

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REVIEW COMPLETED BY

Booking Number: 2023033791	**Date:** 12/28/2023
	Specialist Name/ID#: ANGELA PINKNEY/7796

SCANNED
DEC 28 2023