50-2023-CF-004496AMB

05403411

2939

ARREST / NOTICE TO APPEAR

OBTS Number:

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

JUVENILE:

ADMINISTRATION

Agency ORI Number	Agency Name	Agency Report Number (N.T.A.'s only)
0500700	Riviera Beach Police Department	8 | 4 | 23-03750

Charge Type: Check as many as apply: [X] 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)
1221 FAIRVIEW LN, RIVIERA BEACH, FL	1221 FAIRVIEW LN, RIVIERA BEACH, FL 33404

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
05/24/2023	20:47	05/24/2023	20:57			

DEFENDANT

Name (Last, First, Middle): KELSESKY, MARY

Alias (Name, DOB, Soc. Sec. #, Etc.): Alias: LINDA

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	02/14/1957	5'05	125	BLUE	BALD	~~YELLOW~~ LT	SMALL

Scars, Marks, Tatoos, Unique Physical Features (Location, Type, Description):

Marital Status: S

Religion:

Indication of: Alcohol Influence [X] Yes [ ] No [X] Unk. [ ] Drug Influence

Local Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Residence Type: 1. City 2. County 3. Florida 4. Out of State
1221 FAIRVIEW LN, RIVIERA BEACH, FL 33404				(407) 286-9010	1

Permanent Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Address Source
1221 FAIRVIEW LN, RIVIERA BEACH, FL 33404				(407) 286-9010	DAVID

Business Address (Name, Street)	(City)	(State)	(Zip)	Phone	Occupation
					Caretaker

D/L Number, State	INS Number	Place of Birth (City, State)	Citizenship
K422580575540 / FL		PITTSBURGH, PA,	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: NONE 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 [X] No Description of Property: Value of Property:

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/Deriv. P. Paraphernalia/ Equipment S. Synthetic U. Unknown Z. Other

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #
AGGRAVATED BATTERY ON A PERSON 65 YOA OR OLDER	784.08(2)(A)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N	/	23-03750	1	[X] Y [ ] N		

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #

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

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #

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

VICTIM NOTIFICATION REQUIRED

INTAKE

Health / Apparent Physical Condition of Defendant:

Any knowledge of the following: [ ] Medical [ ] Escape Risk [ ] Medication [ ] Deformities [ ] Injuries
Explain:

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:

FILED PBC - GUN CLUB
'23 MAY 25 AM 7:03

NOTICE TO APPEAR

[ ] INSTRUCTION NO. 1 - Mandatory appearance in court
[X] INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.

Location (Court, Room):

Court Date and Time:

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 COMTEMPT 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

Signature of Arresting Officer:

Name of Arresting Officer (Print): TATE, C. D. I.D. #: 6820

Name Verification (Printed by Arrestee) (PRINT):

Intake Deputy: I.D. #: Pouch #:

Transporting Officer: C. TATE I.D. #: 6820 Agency: RBPD

Witness here if subject signed with an "X".

PAGE 1 OF 1

[X] COURT [ ] STATE ATTORNEY [ ] AGENCY [ ] CENTRAL RECORDS [X] JAIL [ ] CRIME ANALYSIS [X] P.I.O. [ ] DEFENDANT

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PROBABLE CAUSE AFFIDAVIT

ADMIN

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

Agency ORI Number	Agency Name	Agency Report Number
FL FL0500700	Riviera Beach Police Department	8 | 4 23-03750

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

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
KELSESKY, MARY	LINDA	W	F	02/14/1957

CHARGES

Charge Description	Charge Description
784.08(1)(A) AGGRAVATED BATTERY ON A PERSON 65 YOA OR	
Charge Description	Charge Description

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
KELSESKY, WALTER CARL	W	M	11/24/1931

Local Address (Street, Apt. Number) (City) (State) (Zip)	Phone	Address Source
1220 FAIRVIEW LN, RIVIERA BEACH, FL 33404		
Business Address (Name, Street) (City) (State) (Zip)	**Phone**	**Occupation**

PROBABLE CAUSE STATEMENT

The undersigned certifies and swears that he/she has just and resonable 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 _____ who told _____ that he/she saw the arrested person committ 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 24 day of May, 2023 at 19:48 (Specifically include facts constituting cause for arrest.)

The following incident occurred in the City of Riviera Beach, Palm Beach County, Florida:
On May 24th, 2023, at approximately 1948hrs, Officer Tate responded to 1221 Fairview Lane, in reference to an Assault. Officer Tate utilized his department issued Body Worn Camera (BWC).

Communications advised the caller stated that his father in-law, Walter is currently being abused by his sister in-law Linda.

Upon arrival, Officer Tate spoke with the caller, Bruce Burdon (08/31/1961 W/M), who advised his father in-law, Walter Kelsesky (11/24/1931 W/M) is being abused by his sister in-law/ care taker Mary Kelsesky (02/14/1957 W/F) also known as "Linda".

Officer Tate spoke with Walter, who provided the following sworn recorded statement, which is a brief summary, not to be taken verbatim:
Walter stated his oldest daughter Mary was drinking and was yelling at him about how she feels he favors his youngest daughter more than her. Walter advised the conversation transitioned over from her complaining about his other daughter to her saying no one but her ex husband loves and cares for her. Walter admitted he responded to Mary asking why she got a divorce if she still loved her ex-husband.

Walter expressed after his statement, Mary became upset and began to approach him while she yelled. Walter stated he attempted to call his other daughter, Melissa "Missy" Burdon (01/12/1968 W/F) and Bruce over to the residence. Walter expressed Mary then attempted to snatch his cell phone from him to prevent him from calling. While attempting to take the phone away, Mary grabbed Walters wrist and aggressively snatched the phone from his hand, which resulted in Walter sustaining a small cut in the webbing of his thumb and index finger on his right hand. Walter expressed Mary then straddled

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

DODSON, MICHAEL W
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

05/24/2023
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

TATE, COREY DURRELL JR. (6820)
NAME OF OFFICER (PLEASE PRINT)

05/24/2023
DATE

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

ADMIN

OBTS Number	PROBABLE CAUSE AFFIDAVIT SUPPLEMENT	1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias	1	JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL FL0500700	Riviera Beach Police Department	8 | 4 | 23-03750

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

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
KELSESKY, MARY	LINDA	W	F	02/14/1957

PROBABLE CAUSE STATEMENT

him on the chair and described Mary being in his face in close proximity attempting to kiss or spit on him. Walter stated he had to forcefully remove Mary off him by kicking her off him. Photographs of Walter`s injuries were uploaded into evidence. Walter refused medical attention.

[Note: Walter was very articulate and responsive Walter`s wife, Barbara Kelsesky (06/22/1994 W/F), witnessed the incident but suffers from dementia.]

Officer Tate read Mary her Miranda Warnings, which she understood and acknowledged and provided the following statement:
Mary expressed her and her father, Walter, has multiple disagreements as family members but denied maliciously grabbing or striking her father. Mary denied grabbing her father and snatching the phone but advised she got in front of him as he watched tv to get his attention to discuss family matters. Mary advised she is the primary care taker for (3) elderly adults in the residence and (2) suffers from dementia from moderate to more severe and has intimate knowledge of each person`s medical conditions and advised her father bruises very easily and his skin is very sensitive and prone to bruising and bleeding. Mary wasn`t able to provide an exact explanation to why her fathers forearms and right hand is bruised and bleeding.

Based on the aforementioned investigation, Officer Tate found probable cause for Mary Kelsesky`s arrest for (1) count of Aggravated Battery on a Person of 65 years or older. Mary was placed in hand restrains and transported to Riviera Beach Police Department for processing and later turned over to Palm Beach County Jail.

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

DODSON, MICHAEL W 117606
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

05/24/2023
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

TATE, COREY DURRELL JR. (6820)
NAME OF OFFICER (PLEASE PRINT)

05/24/2023
DATE

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

DOMESTIC VIOLENCE PROBABLE CAUSE AFFIDAVIT

Palm Beach County

ADMIN

Date / Time	Agency ORI Number	Agency Name	Agency Report Number
05/24/2023 21:59	FL FL0500700	Riviera Beach Police Department	8 4 23-03750

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
KELSESKY, MARY		W	F	02/14/1957

CHRG

Charge Description: 784.08(1)(A) AGGRAVATED BATTERY ON A PERSON 65 YOA OR OLDER

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
KELSESKY, WALTER CARL	W	M	11/24/1931

Local Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Address Source
1220 FAIRVIEW LN, RIVIERA BEACH, FL 33404					

Business Address (Name, Street)	(City)	(State)	(Zip)	Phone	Occupation

ADDITIONAL INFORMATION

	Written	Taped	Oral
DEFENDANT'S STATEMENTS:	☐	☒	☐
VICTIM'S STATEMENTS:	☐	☒	☐

OBSERVATIONS OF VICTIM (PHYSICAL & EMOTIONAL): **CALM**

RELATIONSHIP BETWEEN VICTIM & SUSPECT: **FATHER/DAUGHTER**

		YES	NO	
PHOTOGRAPHS:	Scene:	☐	☒	
	Victim:	☐	☒	
911 CALL:		☒	☐	CALLER: **SON INLAW**
WEAPON USED:		☒	☐	TYPE: **HANDS**
WITNESSES:		☐	☒	(If YES, attach witness list)
INJURIES:		☒	☐	
MEDICAL TREATMENT:		☐	☒	
AT:	Scene:	☐	☒	PARAMEDICS:
	Hospital:	☐	☒	PHYSICIAN(S) / HOSPITAL:
ACT COMMITTED IN PRESENCE OF MINOR(S):		☐	☒	NAMES/AGES:
H. R. S. NOTIFIED:		☒	☐	
VICTIM PREGNANT:		☐	☒	
VIOLATION OF RESTRAINING ORDER:		☐	☒	CASE #: **UNREPORTED**
PRIOR HISTORY OF DOMESTIC VIOLENCE:		☒	☐	
ALCOHOL OR DRUGS INVOLVED:		☒	☐	

NARR

STATE OF FLORIDA
COUNTY OF PALM BEACH

Appeared before me, Title personally known to me, who, being first duly sworn, says that the facts above, based upon my investigation, are true.

SIGNATURE OF ARRESTING OFFICER

Sworn to and subscribed to before me this 24 day of May, 2023.

DODSON, MICHAEL W
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

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

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VICTIM NOTIFICATION FORM

This form must be filled out in a case involving one of the following crimes:

- Homicide (Ch. 782)
- Sexual Offense (Ch. 794)
- Attempted Murder
- Attempted Sexual Offense
- Stalking (S. 784.048)

- **Domestic Violence** - (This includes any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, or any criminal offense resulting in physical injury or death of one family member or household member by another, who is or was residing in the same single dwelling.)

Upon completion, this form must accompany the booking paperwork. If applying for a warrant, attach this form to the filing packet.

1. **Incident Report** 23-03750 **Agency** Riviera Beach Police Department
   Offense: Agg. Battery on 65yr or older
   Suspect/Offender: Kelsesky Mary
   D. O. B.: 02/14/1957 **Race:** White **Sex:** Male
2. **Warrant #(s):**
3. **Complete one (1) of the following:**
   a. **Victim's Name:** Kelsesky Walter
   Address: 1221 Fairview Ln
   City: Riviera beach **State:** Florida **Zip:** 33407
   Home #: 407-704-0855 **Work #:** **Other:**
   b. **Victim's next of kin:** Burdon, Melissa (daughter)
   Address: 1220 Fairview ln
   City: Riveira Beach **State:** Florida **Zip:** 33407
   Home #: 407-704-0855 **Work #** **Other:**
   c. **Victim's designated contact other than next of kin (for example: a friend or neighbor):**
   Name:
   Address:
   City: **State:** **Zip:**
   Home #: **Work #:** **Other:**
4. **Relevant identification or case numbers assigned to the case (please**

WAIVER: I CHOOSE NOT TO COMPLETE THIS VICTIM NOTIFICATION FORM, AND UNDERSTAND THAT I AM WAIVING MY RIGHT TO BE NOTIFIED OF THE RELEASE OF THE SUSPECT/OFFENDER.

Signature of person waiving notification:

Printed name of person waiving notification:

Officer's Name: C. Tate **I.D. #** 6820 **Date:** 05/24/2023

SUSPECT/OFFENDER Kelsesky Mary **COURT CASE/WARRANT#** (FOR WARRANTS USE ONLY)

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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:	

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REVIEW COMPLETED BY

Booking Number: 2023013688	**Date:** 5/25/2023
	Specialist Name/ID: Chantel Daniels/30347