0563647 3655

25CF9744MB

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

ARREST / NOTICE TO APPEAR

☐ Check if Supplement is Attached

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

O

Juvenile ☐

ADMINISTRATIVE

OBTS Number

Agency ORI Number: 0500800

Agency Name: West Palm Beach Police Department

Agency Report Number (N.T.A.'s only): 94 2024-0018867

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

Location of Arrest (Including Name of Business): 104 S CLEMATIS ST, WPB FL 33401

Location of Offense (Business Name, Address): 104 S CLEMATIS ST, WEST PALM BEACH, FL 33401

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
12/06/2025	03:11	12/06/2025	03:21			

DEFENDANT

Name (Last, First, Middle): SMITH, NICHOLAS JOHN

Alias (Name, DOB, Soc. Sec. #, Etc.): 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	M	07/15/1997	5'11	200	BROWN	BROWN	FAIR	Medium

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

Marital Status: S

Religion:

Indication of: Alcohol Influence ☒ Y ☐ N ☐ Unk; Drug Influence ☒ Y ☐ N ☐ Unk

Local Address (Street, Apt. Number) (City) (State) (Zip): 140 HUNTINGTOWN RD, NEWTOWN, CT 06470

Mobile Phone:

Residence Type: 1. City 2. County 3. Florida 4. Out of State: 4

Permanent Address (Street, Apt. Number) (City) (State) (Zip): 140 HUNTINGTOWN RD, NEWTOWN, CT 06470

Phone:

Address Source: VERBAL

Business Address (Name, Street) (City) (State) (Zip):

Phone:

Occupation:

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
079297788 / CT			NEWTOWN, CT, United	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 ☐ 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) 355-6511) informed of any change of address. ☐ Yes, by: (Name) ☐ No: (Reason)

School Attended: Grade:

Property Crime? ☐ Yes ☒ No

Description of Property:

Value of Property:

CODE

Drug Activity: ☐ N/A ☐ S. Sell ☐ B. Buy ☐ P. Possess ☐ R. Smuggle ☐ D. Deliver ☐ T. Traffic ☐ K. Disperse/ Distribute ☐ E. Use ☐ 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	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #	Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
BATTERY - OFFICER, FIREFIGHTER, MEDICAL CARE	1	☐ Y ☒ N	784.07(2B)			N	/	25-18867		NO Bond

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #	Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
BATTERY- SIMPLE BATTERY	1	☐ Y ☒ N	784.03(1A1)			N	/	25-18867		1,000

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #	Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
BURGLARY - DWELLING OR STRUCT CAUSE DAMAGE	1	☐ Y ☒ N	810.02(2C2)			N	/	25-18867		NO Bond

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #	Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
DISORDERLY INTOXICATION	1	☐ Y ☒ N	856.011			N		25-18867		250

NOTICE TO APPEAR

Location (Court, Room Number, Address):

Court Date and Time: Month Day Year Time A.M. P.M.

FILED PBC - GUN CLUB
25 DEC 7 AM 5:18

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

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

ADMIN

HOLD for Other Agency

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other

Intake Deputy I.D. # Pouch #

Signature of Arresting Officer

Name of Arresting Officer (Print): SILVA, MOARE I.D. #: 01980

Transcribing Officer: M SILVA I.D. #: 1980 Agency: WPBPD

Name Verification (Printed by Arrestee) (PRINT)

DEC 6 AM 5:07

Witness here if subject signed with an "X":

PAGE 1 OF 2

PBSO #0148 REV. 10/22

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ARREST / NOTICE TO APPEAR
Additional Charge List

Agency ORI Number	Agency Name	Agency Report Number (N.T.A.'s only)
0500800	West Palm Beach Police Department	94 2024-0018867

CODE

Drug Activity						Drug Type					
N. N/A	S. Sell	R. Smuggle	K. Disperse/ Distribute	M. Manufacture/ Produce/ Cultivate	Z. Other	N. N/A	B. Barbiturate	H. Hallucinogen	P. Paraphernalia/ Equipment	U. Unknown	
P. Possess	B. Buy	D. Deliver				A. Amphetamine	C. Cocaine	M. Marijuana	S. Synthetic	Z. Other	
	T. Traffic	E. Use					E. Heroin	O. Opium/Deriv.			

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
RESIST OFFICER WITH VIOLENCE	1	☐ Y ☒ N	843.01	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
		1	25-18867		No Bond

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PROBABLE CAUSE AFFIDAVIT

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

ADMIN

OBTS Number			JUVENILE
		O	

Agency ORI Number	Agency Name	Agency Report Number
FL FL0500800	WEST PALM BEACH POLICE	9 4 2025-0018867

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
SMITH, NICHOLAS JOHN		W	M	07/15/1997

CHARGES

Charge Description	Charge Description
784.07(2B) BATTERY - OFFICER, FIREFIGHTER, MEDICAL CARE	
Charge Description	Charge Description

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
REYNOLDS, PIERSON JACOB	W	M	05/15/1999

Local Address (Street, Apt. Number) (City) (State) (Zip)	Phone	Address Source
500 N DIXIE HWY, WEST PALM BEACH, FL 33401	(561) 804-4716	
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.

☐ confessed to _____ admitting to the below facts.

☐ was observed by _____ who told _____ 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 6 day of December, 2025 at 03:09 (Specifically include facts constituting cause for arrest.)

On Friday, December 5, 2025, at approximately 2227 hours, I responded to ER Bradley`s located at 104 S Clematis Street in reference to a burglary with a subject ransacking the entire storage area and office.

Upon arrival Bradley`s security staff was holding a male subject later identified as Nicholas Smith on the ground as he was attempting to get up. Smith refused to obey all commands to place his hands behind his back and chose to lay on both of his hands. After multiple commands and with assistance from security, he was placed into handcuffs (double locked and checked for proper fit) and sat down. It should be noted that Smith was visibly bleeding from the nose prior to my arrival.

Delwin Reyes Gonzalez, the kitchen manager, provided a sworn statement:

Kitchen staff notified Gonzalez of a mess inside of the rear storage and office space. Upon arriving in the back, Gonzalez observed broken plates and corn all on the floor, and other items flying from the upstairs storage/office. When Gonzalez attempted to see who was causing the mess, he observed a white male (Smith) who does not belong or work for ER Bradley`s. Upon confronting the Smith, Smith became irate and began throwing more items such as the monitor and other electronics. Reyes Gonzalez contacted security to assist with the intruder.

Stephane Milhim one of the security guards, provided a sworn statement:

Upon Reyes Gonzales calling for security, Milhim observed Smith upstairs. Milhim went upstairs in attempt to remove Smith from the property, which is when Smith began throwing plates and anything else Smith could get his hands on, at Milhim. Smith then ran around the room away from Milhim, finally Gonzales was escorted down the stairs, without farther incident. While downstairs and awaiting for management Smith proceeded

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

12/06/2025
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

SILVA, MOARE (01980)
NAME OF OFFICER (PLEASE PRINT)

12/06/2025
DATE

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

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ADMIN

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

Agency ORI Number	Agency Name	Agency Report Number
FL FL0500800	WEST PALM BEACH POLICE	9 4 2025-0018867

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
SMITH, NICHOLAS JOHN		W	M	07/15/1997

PROBABLE CAUSE STATEMENT

to scream profanities and threats to numerous staff members.

Smith walked over to the hallway and purposely spit in Nicholas Dragon`s face. Due to the battery Smith was taken to the ground and restrained. During the encounter, Smith began kicking and attempting to swing (closed fist punch) at security members. I arrived shortly after and assisted staff with handcuffing Smith.

Nicholas Dragone, the general manager, provided a sworn statement:

Upon hearing Reyes Gonzalez request for security, Dragone walked to the rear kitchen area. Dragone observed security escorting Smith from the back storage area into the hallway. Smith was screaming profanities and threatening to hurt others. Smith then turned to Dragone and purposely spit in Dragone`s face, before screaming "I`ll fuck you up!" This act caused security to place Smith on the ground and wait for WPBPD. It should be noted that Dragone described the male to be heavily intoxicated, making threats. Dragone believed if security was not there, he would have been hit and was in fear of being injured due to Smith`s manic state.

Smith was transported to Good Samaritan Hospital for treatment and medical clearance. While riding in the ambulance, under the care of Dr. Winslow.

When Fire Rescue #201 arrived on scene, Smith continued his aggression by spitting and cursing at officers and Fire Rescue. Smith began tensing his muscles in attempts to get out of officer`s grasps. A spit mask was placed over Smith`s face by Fire Rescue. Smith continued to resist and as he was being placed onto a stretcher requiring Smith`s legs to be strapped in. While Smith was being loaded into the back of the Fire Rescue rig, Smith freed his right leg and purposely and forcefully kicked Firefighter (acting) Lt. Pierson J. Reynolds (W/M DOB 05/15/1999), in the left side of his face. In the back of the Fire Rescue rig, Smith continued to curse and try to spit on/at officers. Smith was administered 200 mg of ketamine by Fire Rescue due to the continued aggression and his erratic behavior. Smith was transported to Good Samaritan hospital for treatment.

Kevin Risheim, and assistant manager provided me with an itemized list of items broken, totaling over $2,600, to include 5 cases of plates, Toast Point of Sale System, 2 Printers, a camera, a keyboard along with other office supplies and items.

Risheim provided me with CCTV footage. Smith is seen entering the kitchen through the double doors at 2207 hours, then heading straight for the back, while making eye contact with multiple employees, Smith is then out of view, in the upstairs office causing damage, until approximately 2224 hours. Smith is seen spitting on Dragon`s face at 2226 hours, then placed on the ground.

Based on the fact that Nicholas Smith kicked Lt Reynolds in the face while he was a

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

12/06/2025
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

SILVA, MOARE (01980)
NAME OF OFFICER (PLEASE PRINT)

12/06/2025
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

O

JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL FL0500800	WEST PALM BEACH POLICE	9 4 2025-0018867

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
SMITH, NICHOLAS JOHN		W	M	07/15/1997

PROBABLE CAUSE STATEMENT

uniformed Fire Fighter causing an unwanted touch, there is probable cause to arrest Smith for one count pursuant to FSS 784.07(2B) Battery on Fire Fighter.

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

12/06/2025
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

SILVA, MOARE (01980)
NAME OF OFFICER (PLEASE PRINT)

12/06/2025
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COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

PROBABLE CAUSE AFFIDAVIT

ADMIN

OBTS Number:

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

JUVENILE:

Agency ORI Number	Agency Name	Agency Report Number
FL FL0500800	WEST PALM BEACH POLICE	9 4 2025-0018867

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
SMITH, NICHOLAS JOHN		W	M	07/15/1997

CHARGES

Charge Description	Charge Description
784.03(1A1) BATTERY- SIMPLE BATTERY	
Charge Description	Charge Description

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
DRAGONE, NICHOLAS	W	M	08/04/1998

Local Address (Street, Apt. Number) (City) (State) (Zip)	Phone	Address Source
1005 WINDSOR AVE, WEST PALM BEACH, FL 33401	(631) 561-8938	VERBAL
Business Address (Name, Street) (City) (State) (Zip)	**Phone**	**Occupation**

PROBABLE CAUSE STATEMENT

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

12/06/2025
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

SILVA, MOARE (01980)
NAME OF OFFICER (PLEASE PRINT)

12/06/2025
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	O	JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL FL0500800	WEST PALM BEACH POLICE	9 4 2025-0018867

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

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DEF	Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
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PROBABLE CAUSE STATEMENT

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Based on the fact that Nicholas Smith purposely spit bodily fluid at Nicholas Dragone,

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

12/06/2025
DATE

1980
SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

SILVA, MOARE (01980)
NAME OF OFFICER (PLEASE PRINT)

12/06/2025
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

O

JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL FL0500800	WEST PALM BEACH POLICE	9 | 4 | 2025-0018867

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
SMITH, NICHOLAS JOHN		W	M	07/15/1997

PROBABLE CAUSE STATEMENT

the manager after being detained causing an unwanted touch, there is probable cause to arrest Smith for one count pursuant to FSS 784.03(1A1) Simple Battery.

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

12/06/2025
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

SILVA, MOARE (01980)
NAME OF OFFICER (PLEASE PRINT)

12/06/2025
DATE

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

PROBABLE CAUSE AFFIDAVIT

ADMIN

OBTS Number:

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

JUVENILE:

Agency ORI Number: **FL FL0500800**

Agency Name: **WEST PALM BEACH POLICE**

Agency Report Number: **9 4 2025-0018867**

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): **SMITH, NICHOLAS JOHN**

Alias:

Race	Sex	Date of Birth
W	M	07/15/1997

CHARGES

Charge Description: **810.02(2C2) BURGLARY - DWELLING OR STRUCT CAUSE DAMAGE**

Charge Description:

Charge Description:

Charge Description:

VICTIM

Victim's Name (Last, First, Middle): **ER BRADLEYS,**

Race	Sex	Date of Birth

Local Address (Street, Apt. Number) (City) (State) (Zip): **104 CLEMATIS ST, WEST PALM BEACH, FL 33401**

Phone:

Address Source:

Business Address (Name, Street) (City) (State) (Zip):

Phone:

Occupation:

PROBABLE CAUSE STATEMENT

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Stephane Milhim one of the security guards, provided a sworn statement:

Upon Reyes Gonzales calling for security, Milhim observed Smith upstairs. Milhim went upstairs in attempt to remove Smith from the property, which is when Smith began throwing plates and anything else Smith could get his hands on, at Milhim. Smith then ran around the room away from Milhim, finally Gonzales was escorted down the stairs, without farther incident. While downstairs and awaiting for management Smith proceeded

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12/06/2025
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

SILVA, MOARE (01980)
NAME OF OFFICER (PLEASE PRINT)

12/06/2025
DATE

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

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ADMIN	OBTS Number	PROBABLE CAUSE AFFIDAVIT SUPPLEMENT	1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias	O	JUVENILE
	Agency ORI Number: FL FL0500800	Agency Name: WEST PALM BEACH POLICE	Agency Report Number: 9 4 2025-0018867		
	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
	SMITH, NICHOLAS JOHN		W	M	07/15/1997

PROBABLE CAUSE STATEMENT

to scream profanities and threats to numerous staff members.

Smith walked over to the hallway and purposely spit in Nicholas Dragon`s face. Due to the battery Smith was taken to the ground and restrained. During the encounter, Smith began kicking and attempting to swing (closed fist punch) at security members. I arrived shortly after and assisted staff with handcuffing Smith.

Nicholas Dragone, the general manager, provided a sworn statement:

Upon hearing Reyes Gonzalez request for security, Dragone walked to the rear kitchen area. Dragone observed security escorting Smith from the back storage area into the hallway. Smith was screaming profanities and threatening to hurt others. Smith then turned to Dragone and purposely spit in Dragone`s face, before screaming "I`ll fuck you up!" This act caused security to place Smith on the ground and wait for WPBPD. It should be noted that Dragone described the male to be heavily intoxicated, making threats. Dragone believed if security was not there, he would have been hit and was in fear of being injured due to Smith`s manic state.

Smith was transported to Good Samaritan Hospital for treatment and medical clearance. While riding in the ambulance, under the care of Dr. Winslow.

When Fire Rescue #201 arrived on scene, Smith continued his aggression by spitting and cursing at officers and Fire Rescue. Smith began tensing his muscles in attempts to get out of officer`s grasps. A spit mask was placed over Smith`s face by Fire Rescue. Smith continued to resist and as he was being placed onto a stretcher requiring Smith`s legs to be strapped in. While Smith was being loaded into the back of the Fire Rescue rig, Smith freed his right leg and purposely and forcefully kicked Firefighter (acting) Lt. Pierson J. Reynolds (W/M DOB 05/15/1999), in the left side of his face. In the back of the Fire Rescue rig, Smith continued to curse and try to spit on/at officers. Smith was administered 200 mg of ketamine by Fire Rescue due to the continued aggression and his erratic behavior. Smith was transported to Good Samaritan hospital for treatment.

Kevin Risheim, and assistant manager provided me with an itemized list of items broken, totaling over $2,600, to include 5 cases of plates, Toast Point of Sale System, 2 Printers, a camera, a keyboard along with other office supplies and items.

Risheim provided me with CCTV footage. Smith is seen entering the kitchen through the double doors at 2207 hours, then heading straight for the back, while making eye contact with multiple employees, Smith is then out of view, in the upstairs office causing damage, until approximately 2224 hours. Smith is seen spitting on Dragon`s face at 2226 hours, then placed on the ground.

Based on the fact that Nicholas Smith entered the restaurant in an area that a

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Agency ORI Number	Agency Name	Agency Report Number
FL FL0500800	WEST PALM BEACH POLICE	9 | 4 | 2025-0018867

Charge Type. Check as many as apply. [X] 1. Felony [ ] 2. Traffic Felony [ ] 3. Misdemeanor [ ] 4. Traffic Misdemeanor [ ] 5. Ordinance [ ] 6. Other

Special Notes:

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SMITH, NICHOLAS JOHN		W	M	07/15/1997

PROBABLE CAUSE STATEMENT

reasonable person would believe is for staff only, and caused damage in excess of $2,600 to items inside, there is probable cause to arrest Smith for one count pursuant to FSS 810.02(2C2) Burglary Causing Damage over $1,000.

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SMITH, NICHOLAS JOHN		W	M	07/15/1997

CHARGES

Charge Description	Charge Description
856.011 DISORDERLY INTOXICATION	843.01 RESIST OFFICER WITH VIOLENCE

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
State Of Florida			

Local Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Address Source

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.

☐ confessed to _____ admitting to the below facts.

☐ was observed by _____ who told _____ 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 6 day of December, 2025 at 03:08 (Specifically include facts constituting cause for arrest.)

On Friday, December 5, 2025, at approximately 2227 hours, I responded to ER Bradley`s located at 104 S Clematis Street in reference to a burglary with a subject ransacking the entire storage area and office.

Upon arrival Bradley`s security staff was holding a male subject later identified as Nicholas Smith on the ground as he was attempting to get up. Smith refused to obey all commands to place his hands behind his back and chose to lay on both of his hands. After multiple commands and with assistance from security, he was placed into handcuffs (double locked and checked for proper fit) and sat down. It should be noted that Smith was visibly bleeding from the nose prior to my arrival.

Delwin Reyes Gonzalez, the kitchen manager, provided a sworn statement:

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Based on the fact that Nicholas Smith created a disturbance, causing multiple staff

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PROBABLE CAUSE STATEMENT

members to stop working to address him and hindering the normal flow of business, there is probable cause to arrest Smith for one count pursuant to FSS 856.011 Disorderly Conduct.

Based on the fact that Nicholas Smith resisted arrest by lying on his hands and refusing to obey commands, attempting to spit at officers and kicked a firefighter, there is probable cause to arrest Smith for one count pursuant to FSS 843.01 Resisting with violence.

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