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

RBMM00489TAXX

☐ Check if Supplement is Attached

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

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

3

Juvenile ☐

ADMINISTRATIVE

OBTS Number

Agency ORI Number: FL0500000

Agency Name: PALM BEACH COUNTY SHERIFF'S OFFICE

Agency Report Number (N.T.A.'s only): 06-23-066158

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

If Weapon Seized — Enter Type

Multiple Clearance Indicator: 01

Location of Arrest (including Name of Business)

Location of Offense (Business Name, Address): 1005 N STATE ROAD 7 (PAPICHULO TACOS), ROYAL PALM BEACH, FL 33411

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
05/09/2023						

DEFENDANT

Name (Last, First, Middle): Swick, Troy, James

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

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	11/7/1979	5'10	250	BROWN	BROWN	DARK	MEDIUM

Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)

Marital Status: Single

Religion: CHRISTIAN

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

Local Address (Street, Apt. Number) (City) (State) (Zip): 7687 Cedar Hurst Ct, Lake Worth, FL 33467

Phone: (561) 267-5338

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

Permanent Address (Street, Apt. Number) (City) (State) (Zip)

Phone: ( )

Address Source: DAVID

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

Phone: ( )

Occupation

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
S200810794070, FL	[redacted]		, FL	USA

CO-DEF

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

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. 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

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 #
SIMPLE BATERY (DOMESTIC)	1	☒ Y ☐ N	784.03(1)(a)(1)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
N	N	N/A	23-066158		

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐ Y ☐ N		

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐ Y ☐ N		

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐ Y ☐ N		

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond

JOSEPH ABRUZZO, CLERK PALM BEACH COUNTY FL COURT INFO/FINANCE 2023 JUL 18 PM 3:28

NOTICE TO APPEAR

Location (Court, Room Number, Address): Criminal Justice Complex, 3228 Gun Club Road, West Palm Beach, FL 33406 - Ph: (561) 688-4600

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: 05/09/2023

ADMIN

HOLD for other agency

Signature of Arresting Officer #31834

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other:

Name of Arresting Officer (Print): J. STREETZEL I.D. #: 31834

Name Verification (Printed by Arrestee) (PRINT)

Intake Deputy I.D. # Pouch #

Transporting Officer I.D. # Agency: PBSO

Witness here if subject signed with an "X"

PAGE 1 OF 1

NOT A CERTIFIED COPY

PROBABLE CAUSE AFFIDAVIT

OBTS Number:

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

Juvenile:

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FLO. 5 0 0 0 0 0	PALM BEACH COUNTY SHERIFF'S OFFICE	23-066158

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
Swick, Troy, James		W	M	11/7/1979

CHARGES

Charge Description	Charge Description
SIMPLE BATERY (DOMESTIC) 784.03(1)(a)(1)	
Charge Description	Charge Description

VICTIM

[redacted]

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.

☐ confessed to _____ admitting to the below facts

☒ was observed by [redacted] who told D/S J. STREETZEL 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 9TH day of MAY 20 23 at 11:30 ☒ A.M ☐ P.M (Specifically include facts constituting cause for arrest.)

PROBABLE CAUSE STATEMENT

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

On 05/09/2023 at approximately 11:09 hours, I responded to the parking lot of the "Papichulo Tacos" restaurant located at 1005 N State Road 7, in the Village of Royal Palm Beach, Palm Beach County, FL 33411 reference a delayed domestic disturbance that was later determined to be a domestic battery incident.

Upon my arrival, contact was made with the victim [redacted] who advised the following: She had been involved in a dating relationship with Mr. Troy Swick (Suspect) for approximately four months and confirmed that he would often stay at her residence for weeks at a time. She ended the relationship in January of 2023 due to undisclosed personal issues.

On 04/28/2023 between the approximate time frame of 18:00 hours to 19:30 hours, she visited the Papichulo Tacos restaurant while on a date with an unspecified male. She stated that the two were seated in a booth located within the southeast region of the restaurant's interior dining room. As her date left the table to go to the restroom, she was approached by Mr. Troy Swick who began to yell at her using profane language and verbal insults. She reported that while she was alone at the table, Mr. Swick, grabbed her date's drink (Margarita) and thrust it toward her face causing her hair, face and clothing to become wet from the alcoholic beverage. No further events transpired and Mr. Swick immediately left the area. [redacted] stated that she did not suffer any injuries as a result of the incident but confirmed that she did experience temporary pain as a result of the alcoholic beverage burning her eyes.

Although the incident was delayed from 04/28/2023, she did not show any visible injuries at the time of the initial report. [redacted] advised that there were several other customers that witnessed the incident, however, she was unable to provide any information for them. Contact was also made with Ms. Stefanie Alfano (Witness) who was the on duty manager on the evening of 04/28/2023. Ms. Alfano advised that although she did not not witness the battery, she recalled speaking with [redacted] and noticed that her hair, face and clothing was wet. Upon hearing about the incident, Ms. Alfano reviewed the restaurant's interior surveillance footage which captured the incident. She provided me with a copy of the footage which captured the following events:

The timestamp of the surveillance footage was delayed by approximately 40 minutes. At approximately 16:20:45 hours, a large build white male who was identified by [redacted] to be Mr. Swick entered the business via the southwest door. He walked through the dining room while looking in the direction of [redacted]. At approximately 18:21:06 hours, [redacted]'s date walks to restroom. At approximately 18:21:15 hours, Mr. Swick walks through the restaurant again while looking in the direction of [redacted] before walking out of the southwest door. At approximately 18:21:40 hours, Mr. Swick approaches the table from the southeast and begins to exchange unknown dialogue with [redacted]. In the process, he appeared to be agitated and got close to her face. At approximately 18:22:09 hours, Mr. Swick grabs a drink off of the table with his left hand and thrusts it in the direction o[redacted]' face and upper torso causing her to become visible startled. At approximately 18:22:20 hours, Mr. Swick exits via the northeast door and is not seen again.

ADMINISTRATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

#31834 J. STREETZEL
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 9TH day of MAY 20 23 by D/S J. STREETZEL ID#31834

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced KNOWN TO ME

#19443
Notary Public, Clerk of Court, Officer (F.S.S). 117.10)

PAGE 1 OF 2

DISTRIBUTION WHITE – Court Copy GREEN – State Attorney YELLOW – Agency PINK – Agency

PBSO #0004 REV. 04/22

NOT A CERTIFIED COPY

PROBABLE CAUSE AFFIDAVIT

OBTS Number | 1 Arrest 2 NTA 3 Request for Warrant 4 Request for Capias: 3 | Juvenile:

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FLO 5 0 0 0 0 0 0	PALM BEACH COUNTY SHERIFF'S OFFICE	23-066158

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
Swick, Troy, James		W	M	11/7/1979

CHARGES

Charge Description	Charge Description
SIMPLE BATERY (DOMESTIC) 784.03(1)(a)(1)	
Charge Description	Charge Description

VICTIM

[redacted]

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

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.

☐ confessed to _____ admitting to the below facts

☒ was observed by [redacted] who told D/S J. STREETZEL 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 9TH day of MAY 20 23 at 11:30 ☒ A.M ☐ P.M (Specifically include facts constituting cause for arrest.)

PROBABLE CAUSE STATEMENT

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

When questioned further regarding the incident, [redacted] confirmed that she did not invite Mr. Swick to the restaurant that day nor did she share any of the details with him. She stated that she was afraid of Mr. Swick and speculated that he may have been stalking her or tracking her due to the fact that he knew her exact whereabouts on the evening of 04/28/2023. She also advised that she had observed him to be driving down her street on 05/05/2023 in his brown/maroon Hyundai Santa Fe which she described as being distinct looking with a loud exhaust. I recommended that she take her vehicle to the dealership to have it inspected for possible tracking devices. I asked [redacted] why she did not notify the Sheriff's Office of the previously mentioned incidents sooner. Her justification was that initially, she did not feel as though it was necessary to involve the Sheriff's Office however, she now feels concerned that the situation may escalate and therefore, she wished to obtain a restraining order as a preventative measure.

I was unable to locate any additional witnesses to the incident. The surveillance footage was uploaded to the Evidence.com Database. A sworn recorded interview was conducted with [redacted] via my Axon Body Worn Camera System. Attempts were made to establish contact with Mr. Swick via cellphone, yielding negative results.

All documents related to this incident were submitted at the District 9 substation for filing with central records. A log entry was completed. A Level 2 notification was made to communications. A Victim's rights and remedies packet was issued to [redacted]. Marys' Law was invoked.

Based on the totality of the facts and circumstances of the above listed incident to include surveillance footage, I presently find that probable cause exists for the arrest of Mr. Swick for the following violation:

(1) Count of Simple Battery (Domestic) pursuant to F.S.S. 784.03(1)(a)(2) whereby, Mr. Swick did actually and intentionally touch or strike [redacted] against her will.

NOT A CERTIFIED COPY

ADMINISTRATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer) #31834 J. STREETZEL

The foregoing instrument was sworn to or affirmed and subscribed before me this 9TH day of MAY 20 23 by D/S J. STREETZEL ID#31834

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced KNOWN TO ME

Notary Public, Clerk of Court, Officer (F.S.S). 117.10) #19473

DISTRIBUTION WHITE – Court Copy GREEN – State Attorney YELLOW – Agency PINK – Agency