

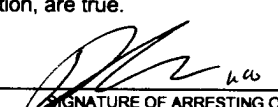
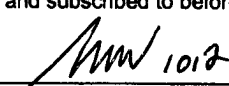
19CF 850

ARREST / NOTICE TO APPEAR		1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias		3	JUVENILE
OBT Number		Agency ORI Number 0500400		Agency Name Delray Beach Police Department	
Agency Report Number (N.T.A.'s only) 4, 0 19-001278		Charge Type: ☒ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☐ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		If Weapon Seized Enter Type Hands/fist/feet/teeth	
Location of Arrest (Including Name of Business) WARRANT REQUEST		Location of Offense (Business Name, Address) 311 DE CARIE ST, DELRAY BEACH, FL 33444		Multiple Clearance Indicator 1	
Date of Arrest	Time of Arrest	Booking Date 01/25/2019	Booking Time 02:27	Jail Date // : :	Jail Time
Name (Last, First, Middle) KUSTRA, GARY JOSEPH J		Alias (Name, DOB, Soc. Sec. #, Etc.)		Location of Vehicle	
Race W - White B - Black O - Oriental/Asian W		Sex M		Date of Birth 10/09/1991	
Height 6'00		Weight 240		Eye Color BROWN	
Hair Color BROWN		Complexion FAIR		Build STOCKY	
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)		Marital Status		Religion	
Local Address (Street, Apt. Number) 311 DE CARIE ST, DELRAY BEACH, FL 33444		(City) Delray Beach		(State) FL	
Permanent Address (Street, Apt. Number) 311 DE CARIE ST, DELRAY BEACH, FL 33444		(City) Delray Beach		(State) FL	
Business Address (Name, Street) 311 DE CARIE ST, DELRAY BEACH, FL 33444		(City) Delray Beach		(State) FL	
D/L Number, State K236290913690 / FL		Soc. Sec. Number		INS Number	
Place of Birth (City, State)		Citizenship US		Indication of: Alcohol Influence Drug Influence Yes ☐ No ☐ Unk. ☒	
Co-Defendant Name (Last, First, Middle)		Race		Sex	
Co-Defendant Name (Last, First, Middle)		Race		Sex	
Name (Last, First, Middle)		Date of Birth		JUVENILE DISPOSITION 1. Handled/Processed within Department and Released 2. TOT JAC 3. Incarcerated	
Address (Street, Apt. Number)		(City)		(State)	
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 355-2526) informed of any change of address.		School Attended		Grade	
Property Crime? ☐ Yes ☒ No		Description of Property		Value of Property	
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 Description AGGRAVATED BATTERY KNOWN OR SHOULD HAVE KNOWN PREGNANT PERSN		Statute Violation Number 784.045(1B)		Violation of ORD #	
Drug Activity N		Drug Type		Amount / Unit	
Offense #		Counts 1		Domestic Violence ☒ Y ☐ N	
Warrant / Capias Number		Bond			
Charge Description		Statute Violation Number		Violation of ORD #	
Drug Activity		Drug Type		Amount / Unit	
Offense #		Counts		Domestic Violence ☐ Y ☐ N	
Warrant / Capias Number		Bond			
Charge Description		Statute Violation Number		Violation of ORD #	
Drug Activity		Drug Type		Amount / Unit	
Offense #		Counts		Domestic Violence ☐ Y ☐ N	
Warrant / Capias Number		Bond			
Health / Apparent Physical Condition of Defendant		Any knowledge of the following: ☐ Mental ☐ Escape ☐ 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	
Transported By		Date Transported // : :		Time Transported	
Other		Released To			
☒ 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	
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	
HOLD for Other Agency		Signature of Arresting Officer FERREIRO, DANIEL C		Name Verification (Printed by Arrestee)	
☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other		Name of Arresting Officer (Print) FERREIRO, DANIEL C		(PRINT)	
Intake Deputy WARRANT REQUEST		Transporting Officer 1100 DBPD		PAGE 1 OF 1	
I.D. #		Pouch #		Witness here if subject signed with an "X".	

DOMESTIC VIOLENCE PROBABLE CAUSE

AFFIDAVIT

Palm Beach County

A D M I N	Date / Time 01/25/2019 00:04		Agency ORI Number FL 0500400		Agency Name DELRAY BEACH POLICE DEPARTMENT		Agency Report Number 4 0 19-001278	
	Name (Last, First, Middle) KUSTRA, GARY JOSEPH J						Race W	Sex M
C H R G	Charge Description 784.045(1B) AGGRAVATED BATTERY KNOWN OR SHOULD HAVE KNOWN PREGNANT PERSN							
	Victim's Name (Last, First, Middle) STEPHENS, KATIE MICHELLE						Race W	Sex F
V I C T I M	Local Address (Street, Apt. Number) (City) (State) (Zip) 311 DE CARIE ST, DELRAY BEACH, FL 33444				Phone (561) 701-6871		Address Source	
	Business Address (Name, Street) (City) (State) (Zip)				Phone		Occupation	
A D D I T I O N A L I N F O R M A T I O N	DEFENDANT'S STATEMENTS: ☐ Written ☐ Taped ☐ Oral VICTIM'S STATEMENTS: ☐ Written ☒ Taped ☐ Oral			OBSERVATIONS OF VICTIM (PHYSICAL & EMOTIONAL): CALM.				
	RELATIONSHIP BETWEEN VICTIM & SUSPECT FIANCE							
N A R R	PHOTOGRAPHS: Scene: ☐ YES ☒ NO Victim: ☐ YES ☒ NO 911 CALL: ☒ YES ☐ NO CALLER: STEPHENS, KATIE WEAPON USED: ☐ YES ☒ NO TYPE: WITNESSES: ☐ YES ☒ NO (If YES, attach witness list) INJURIES: ☐ YES ☒ NO MEDICAL TREATMENT: ☒ YES ☐ NO AT: Scene: ☒ YES ☐ NO PARAMEDICS: DBFD Hospital: ☐ YES ☒ NO PHYSICIAN(S) / HOSPITAL: ACT COMMITTED IN PRESENCE OF MINOR(S): ☒ YES ☐ NO NAMES/AGES: KUSTRA, CASEY H. R. S. NOTIFIED: ☐ YES ☒ NO VICTIM PREGNANT: ☒ YES ☐ NO VIOLATION OF RESTRAINING ORDER: ☐ YES ☒ NO CASE #: 18015327 PRIOR HISTORY OF DOMESTIC VIOLENCE: ☒ YES ☐ NO ALCOHOL OR DRUGS INVOLVED: ☐ YES ☒ NO							
	See page 2 for narrative.							
STATE OF FLORIDA COUNTY OF PALM BEACH Appeared before me, _____ 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 <u>25</u> day of <u>Jan</u> , <u>19</u>  NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)								

DOMESTIC VIOLENCE PROBABLE CAUSE

AFFIDAVIT

Palm Beach County
Narrative Continuation

ADMINISTRATIVE	Date / Time	01/25/2019 00:04	
	Agency ORI Number	Agency Name	Agency Report Number
	FL 0500400	DELRAY BEACH POLICE DEPARTMENT	4 0 19-001278

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This incident occurred in the City of Delray Beach, Palm Beach County FL.

On 1/25/19 at 12:05 AM Officers were dispatched to 311 De Carie St in reference to a subject, Katie Stephens, who called 911 and stated that her fiancé, Gary Kustra, kicked her in the stomach. Katie told dispatch that she was almost 9 months pregnant and that Gary was still inside the residence.

Upon arrival Officer Florvil and Officer Kratz made contact with Katie who stated that following: Katie found text messages on Gary's phone and believed that he was cheating on her with another female. Katie confronted Gary and the two got into an argument. While arguing, Gary spit onto Katie's face. Katie then spit back onto Gary's face. Gary then kicked her in the stomach. Gary is the father of the child and was aware that she was pregnant when he kicked her in the stomach.

Officer Kratz observed Gary step out of the house for a brief moment but then went back inside. Sgt. Griffith spoke with Gary on the phone but Gary stated that he was not going to come out of his house until he talked to his attorney. An attempt was made to make contact with Gary's attorney but was met with negative results. Sgt. Griffith had Katie talk to Gary on the phone but he would not listen and continued to refuse to come out.

Katie stated that her daughter, Casey Kustra, was also in the house with Gary but she did not believe he would harm her. Katie stated that she wanted to go back into the house with Gary and Casey. Katie refused to find another place to stay for the night. Paramedics arrived on scene but Katie refused medical treatment and did not want to go to the hospital.

Officers who spoke with Katie did not observe any visible injuries on her. Officers provided Katie with a domestic violence brochure.

Due to the fact that contact was unable to be made with Gary, a request for a warrant was filed.

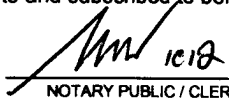
Based on the above facts probable cause exists to charge W/M Gary Kustra with one count of aggravated battery on pregnant person per F.S.S. 784.045(1B).

STATE OF FLORIDA
COUNTY OF PALM BEACH

Appeared before me, _____ 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 25 day of Jan, 19


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