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ARREST / NOTICE TO APPEAR

AmM 2239

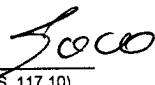
JUVENILE

PROBABLE CAUSE AFFIDAVIT

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

1

JUVENILE

OGBTS Number		PROBABLE CAUSE AFFIDAVIT							
A D M I N	Agency ORI Number	Agency Name	Agency Report Number						
	FL 0500200	BOCA RATON POLICE DEPARTMENT	3	2	2017-002622	Special Notes:			
D E F	Charge Type: Check as many as apply.	<input type="checkbox"/> 1. Felony <input checked="" type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor	<input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other				Race	Sex	Date of Birth
S	Name (Last, First, Middle)	Alias			W	M	07/21/1966		
H A R G E S	Charge Description 784.03(1) BATTERY	Charge Description							
V I C T I M	Charge Description	Charge Description							
Victim's Name (Last, First, Middle)					Race	Sex	Date of Birth		
<p>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.</p> <p>The Person taken into custody ...</p> <p><input type="checkbox"/> committed the below acts in my presence.</p> <p><input type="checkbox"/> confessed to _____ admitting to the below facts.</p> <p><input checked="" type="checkbox"/> was observed by INDEPENDANT WITNESSES who told OFFICER BROWN, that he/she saw the arrested person committ the below acts.</p> <p><input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.</p> <p>On the <u>20</u> day of <u>February</u>, <u>2017</u> at <u>10:28</u> (Specifically include facts constituting cause for arrest.)</p>									
<p>On 02-20-17, at 0945 hours, I responded to the Ramada, 701 NW 53rd St, in reference to an argument that turned physical. Officer Kresse (ID #626) responded as back up.</p> <p>B Upon arrival I met with the victim, [REDACTED] stated that he was in the breakfast line in the Ramada's restaurant and set his coffee down on a table and when he returned to the line a white male, later identified as Kevin M. Sullivan started arguing with him about cutting in line. [REDACTED] stated that Sullivan then pushed him with both hands causing [REDACTED] to fall backwards onto the floor. [REDACTED] incurred no injuries. [REDACTED] described Sullivan as a stocky white male with short graying hair and a short cropped full beard with a New York accent. [REDACTED] stated he wished to pursue charges against Sullivan. Officer Kresse video recorded [REDACTED] statement via her department issued body camera.</p> <p>S Officer Kresse interviewed independent witness w/m Brady P. Mulligan and video recorded his statement via her department issued body camera. Mulligan stated he heard [REDACTED] and Sullivan arguing and saw Sullivan push [REDACTED] with both hands, causing [REDACTED] to fall backwards onto the ground. Officer Kresse also interviewed independent witness w/m Gerald O'Brian and video recorded his statement via her department issued body camera. O'Brian also stated that he heard and saw [REDACTED] and Sullivan arguing and saw Sullivan push [REDACTED] to the ground with both hands. There were other independent witnesses that observed the incident but wished to remain anonymous. All the witnesses described Sullivan as a stocky white male with short graying hair, a short cropped full beard and wearing a blue tank top. The witnesses also stated that Sullivan left the restaurant and went back to his room on the first floor, possibly room #127. Sullivan's wife, w/f Donna Sullivan, witnessed the incident but declined to give a statement.</p>									
A D M I N I S T R A T I V E	SWEORN AND SUBSCRIBED BEFORE ME								
	AUGELLO, PETER B. <small>MUNICIPAL PUBLIC / CLERK OF COURT / OFFICER (F.B.S. 117.10)</small>					<small>SIGNATURE OF ARRESTING / INVESTIGATING OFFICER</small> BROWN, JAMES RAE JR. (619) <small>NAME OF OFFICER (PLEASE PRINT)</small>			
	<u>02/20/2017</u> <small>DATE</small>					<u>02/20/2017</u> <small>DATE</small>			
COURT		STATE ATTORNEY		CENTRAL RECORDS		JAIL		CRIME ANALYSIS	
P. I. O.									

**PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT**

1. Arrest 3. Request for Warrant
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JUVENILE

OBTS Number		PROBABLE CAUSE AFFIDAVIT SUPPLEMENT					
A D M I N	Agency ORI Number FL 0500200	Agency Name BOCA RATON POLICE DEPARTMENT			Agency Report Number 3 2 2017-002622		
D E F	Charge Type: Check as many as apply. 1. Felony 2. Traffic Felony	<input checked="" type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor	<input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other	Special Notes:			
Name (Last, First, Middle) SULLIVAN, KEVIN MICHAEL	Alias		Race W	Sex M	Date of Birth 07/21/1966		

Officer Kresse and I went to room #127 and knocked on the door. Sullivan answered the door and stepped outside to speak with me. Sullivan was a white male with gray hair, a close cropped gray beard and was wearing a blue tank top. I asked Sullivan to tell me what happened. Sullivan stated that he was in line and saw [REDACTED] cut into the line. Sullivan told me he confronted [REDACTED] and told him, "There's a line." Sullivan stated that [REDACTED] responded that he had already been in line. Sullivan stated [REDACTED] started mouthing off and stated, "You want to take a leap?" Sullivan stated that when [REDACTED] said this he raised his closed fists in front of him and it appeared that [REDACTED] was going to fight him. Sullivan told me, "So I pushed him with my hands and he fell to the ground." Sullivan said he admits he was the primary aggressor by first pushing [REDACTED] but said it appeared [REDACTED] was going to hit him and so he took defensive action. Sullivan repeated multiple times that he knew I would have to arrest him since he was the one who pushed [REDACTED] without [REDACTED] touching him. This conversation was video recorded on Officer Kresse's department issued body camera.

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[REDACTED] who was in the lobby with Officer Kresse, positively identified Sullivan to Officer Kresse as the man who argued with him and pushed him to the ground against his will. Investigations revealed that Kevin M. Sullivan committed Simple Battery, contrary to F.S.S. 784.03(1), and was the sole and primary aggressor when he used his open hands to push the victim, Richard A. [REDACTED] to the ground against the will of [REDACTED] I arrested Sullivan and, due to his stature, placed him two sets of handcuffs linked together. Both sets of handcuffs were checked for tightness and double locked. I transported Sullivan to the Boca Raton Police Department Jail for processing. Sullivan was then turned over to the Palm Beach County Sheriff's Office Jail.

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SWORN AND SUBSCRIBED BEFORE ME

AUGELLO, PETER B.

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

02/20/2017

DATE

[Signature]
SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

BROWN, JAMES RAE JR. (619)

NAME OF OFFICER (PLEASE PRINT)

02/20/2017

DATE

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