

19CF9341

Rough
Arrest
Only

ADMINISTRATIVE		ARREST / NOTICE TO APPEAR		1 Arrest 3 Request for Warrant		2 N.T.A. 4 Request for Capias		Juv. Only	
Agency ORI Number		Agency Name		Agency Report Number					
Charge Type		Palm Beach County Animal Care + Control		A18-013289					
Check as many as apply		☒ 1 Felony ☐ 2 Traffic Felony ☐ 3 Misdemeanor ☐ 4 Traffic Misdemeanor ☐ 5 Ordinance ☐ 6 Other		Weapon Seized/Type		Multiple Clearance Indicator			
Location of Arrest (Including Name of Business)		Location of Offense (Business Name, Address)							
Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle			
Name (Last, First, Middle)		Alias (Name, DOB, Soc. Sec. #, Etc.)							
NUNEZ LUPE P									
Race	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build	
☒ White ☐ Black ☐ American Indian ☐ Oriental/Asian	F	5/23/1993	5'	130	BROWN	BLACK			
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)				Marital Status		Religion		Indication of Alcohol Influence	
								☐ Y ☐ N ☐ Unk ☐ Drug Influence ☐	
Local Address (Street, Apt. Number)		(City)	(State)	(Zip)	Phone		Residence Type		
98 DORCHESTER DR		GREENACRES	FL	33463	661 291-2387		☐ 1 City ☐ 3 Florida ☐ 2 County ☐ 4 Out of State		
Permanent Address (Street, Apt. Number)		(City)	(State)	(Zip)	Phone		Address Source		
Business Address (Street, Apt. Number)		(City)	(State)	(Zip)	Phone		Occupation		
D.I. Number State		Soc. Sec. Number		INS Number		Place of Birth		Citizenship	
N520620936830 FL									
Co-Defendant Name (Last, First, Middle)		Race	Sex	Date of Birth	☐ 1 Arrested ☐ 3 Felony ☐ 5 Juvenile ☐ 2 At Large ☐ 4 Misdemeanor				
Co-Defendant Name (Last, First, Middle)		Race	Sex	Date of Birth	☐ 1 Arrested ☐ 3 Felony ☐ 5 Juvenile ☐ 2 At Large ☐ 4 Misdemeanor				
☐ Parent Name (Last) (First) (Middle) ☐ Legal Custodian ☐ Other						Residence Phone			
Address (Street, Apt. Number)		(City)	(State)	(Zip)	Business Phone				
Notified by (Name)		Date	Time	Juvenile Disposition		2. TOT HRS/CYF			
				1. Handled/Processed within Dept. and Released		3. Incarcerated			
Released To (Name)		Relationship	FOI/CNIC	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 informed of any change of address.				School Attended		Grade			
☐ Yes by (Name) ☐ No (Reason)									
Recovery Information									
☐ N/A ☐ 1 Voluntary ☐ 2 Located Not Returned ☐ 3 Hospitalized ☐ 4 HRS Custody ☐ 5 Law Enforcement Custody ☐ 6 Returned to Parent ☐ 7 Deceased ☐ 8 Other									
Drug Activity		S. Sell	R. Smuggle	K. Dispense	M. Manufacture	2. Other	Drug Type		☐ B Barbituate ☐ H Hallucinogen ☐ P Paraphernalia/ ☐ N N/A ☐ C Cocaine ☐ M Marijuana ☐ Equipment ☐ U Unknown ☐ P Possess ☐ T Traffic ☐ E. Use ☐ Distribute ☐ Produce/Cultivate ☐ A Amphetamine ☐ E. Heroin ☐ O Opium/deriv. ☐ S Synthetic
Charge Description		Counts	Domestic Violence	Statute Violation Number		Violation of ORD #			
CRUELTY TO ANIMALS		1	☐ Yes ☐ No	828.12					
Drug Activity		Drug Type	Amount/Unit	Offense #	Warrant/Capias Number		Bond		
Charge Description		Counts	Domestic Violence	Statute Violation Number		Violation of ORD #			
CRUELTY TO ANIMALS		1	☐ Yes ☐ No	828.13					
Drug Activity		Drug Type	Amount/Unit	Offense #	Warrant/Capias Number		Bond		
Charge Description		Counts	Domestic Violence	Statute Violation Number		Violation of ORD #			
			☐ Yes ☐ No						
Drug Activity		Drug Type	Amount/Unit	Offense #	Warrant/Capias Number		Bond		
Charge Description		Counts	Domestic Violence	Statute Violation Number		Violation of ORD #			
			☐ Yes ☐ No						
Drug Activity		Drug Type	Amount/Unit	Offense #	Warrant/Capias Number		Bond		
☐ Instruction No. 1 ☐ Instruction No. 2 You need not appear in court but must comply with instructions on reverse side		Location (Court, Room Number, Address)							
		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				
HOLD for other Agency					Signature of Arresting Officer				
Name					Name of Arresting Officer (Print)				
☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other					I.D. #				
Intake Deputy					Transporting Officer				
I.D. #					Agency				
Pouch #					Witness here is subject signed with an "X"				
					PAGE				
					1 of 1				

PALM BEACH COUNTY ANIMAL CARE AND CONTROL
PROBABLE CAUSE AFFIDAVIT

Charge Type [3] 1. Arrest 3. Request for Warrant _
2. N.T.A. 4. Request for Capias

Agency Report A18-013289

Charge Type ☒ Felony ☒ Misdemeanor ☐ Ordinance

☐ Traffic Felony ☐ Traffic Misdemeanor ☐ Other

Special Notes

Defendant: Nunez, Lupe

Local Address: 98 Dorchester Drive

Local City: Greenacres, FL. 33463

Local Phone: (561) 291-2387

Business Address:

Business Phone:

Alias:

Race White Female DOB 05/23/1993

Charge(s)

1.828.12 Cruelty to animals. AID #A1578718 "Roko" 8 year old fawn and brown Pit Bull mix.

2.828.13 Confinement of animals without sufficient food, water or exercise; abandonment of animals. AID #A1578718 "Roko" 8 year old fawn and brown Pit Bull mix.

Victim: STATE OF FLORIDA

Local Address: N/A

Local City: N/A

Local Phone: N/A

Business Address: same as above

Business Phone: N/A Address Source: VICTIM

The undersigned certifies and swears that he/she has just and reasonable 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 above acts.

[] was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.

[x] Was found to have committed the below acts, resulting from my (described) investigation.

On 10/17/18 Palm Beach County Animal Care and Control Officer Jeff Hepburn responded to 98 N. Dorchester Dr. in West Palm Beach, Florida. The office of Pickwick Mobile Home Park reported a pink Pit Bull, in a cage behind 98 N. Dorchester Drive.

Upon Officer Hepburn's arrival to 98 Dorchester Drive he was unable to make contact with anyone at the property. Officer Hepburn then located the dog in question in a common area behind the property.

Officer Hepburn described the dog later identified as "Roko", as being in a dirty cage with no food but water was observed. "Roko" did not appear to have any fur. The dog's skin appeared pink and scaly. Upon closer inspection the dog's nails appeared to almost be grown into animal's paws. Officer Hepburn then made contact with his supervisor who advised him to contact Sgt. Moulton with the Special Investigations Unit.

On 10/17/18 I responded to 98 Dorchester Drive in West Palm Beach, Florida regarding an animal cruelty investigation. Officer Hepburn had contacted me and advised he was at 98 Dorchester Drive and requested my assistance on scene.

Upon arrival at 98 Dorchester Drive I made contact with Officer Hepburn. I was advised that no resident was home and no owner was confirmed at this time.

I walked to the rear of the home where a large wire cage with plywood and a sheet were located. Inside the cage was a Pit Bull with what appeared to be a severe skin issue with almost no hair on it. The dog also had overgrown nails. Access to water was observed. I took several photos of what I observed.

Officer Hepburn took temperature readings of the animal's enclosure which ranged between 95 and 97. I then made contact with ACC field supervisor Lt. McCaffrey-Edler via phone and advised of the current situation. Due to concerns of the dog possibly overheating I was given permission to remove the dog for its own safety.

Officer Hepburn was able to secure the animal on his vehicle. I then posted a yellow notice advising that the animal was removed and at ACC.

On 10/17/18 Officer Hepburn and I brought A1578718 into ACC for a cruelty exam. A microchip had been located on the dog, which identified it as "Roko" a 7 year old Pit Bull adopted by a Lupe Nunez 4/18/12 from ACC.

Dr. Virginia Sayre conducted the animal cruelty exam which I took several photos of. Dr. Sayre determined that "Roko" had infected and inflamed skin with severe crusting, both ears had evidence of chronic infection. The dog also had overgrown nails and Dr. Sayre noted in her cruelty exam that it did not appear that the dog had been bathed in a long time.

On 10/17/18 I made contact with Lupe Nunez via phone regarding her dog "Roko". I inquired into if Ms. Nunez still owned "Roko", which she advised she did. I then asked about the dog's skin condition. Lupe Nunez advised that about two months ago she took "Roko" to Paws2Help and they sent her home with some medications and referred her to a dermatologist.

I informed Lupe Nunez that her dog was removed from her property today and asked her why she had it outside in a wire cage, as it could have easily overheated. Ms. Nunez informed me that her husband placed "Roko" outside as they were not allowed to have a dog inside the home. I then asked Lupe Nunez what she wanted to do with the dog and she requested to owner surrender "Roko" to ACC.

I called Lupe Nunez from a recorded line and she confirmed her wish was to owner surrender "Roko" to ACC. I then asked about obtaining any medical records she had for her animal and texted her from my county cell phone requesting the records to be emailed to me.

On 10/18/18 I responded to Paws2Help in an effort to collect any medical records on file for a dog named "Roko" that belonged to a Lupe Nunez.

Upon arrival at Paw2Help, I was able to make contact with front desk staff that were eventually able to provide me with medical records for "Roko".

The records indicated visits for skin issues March 10, April 26th and May 10th of 2018 (referred to dermatologist on this visit). On July 29th, 2018 it appeared a refill of a medicated shampoo was refilled.

Lupe Nunez adopted "Roko" from ACC on 4/20/12. At that time the dog was in good health with a full coat of hair. Most reasonable people would continue to make sure that their animal remained healthy and if hair loss became problematic would do what is best for the animal. Instead of doing what was best for "Roko", Lupe Nunez allowed the animal to be placed in a wire crate behind her home where it remained with a painful skin condition, infected ears and overgrown nails. It is likely the dog would still be in the same situation had ACC not seized the animal.

Based on the above facts; probable cause exists to charge Lupe Nunez with 1 count of F.S.S. 828.12 Cruelty to animals and 1 count of F.S.S 828.13 Confinement of animals without sufficient food, water, or exercise; abandonment of animals.

State of Florida

County of Palm Beach

The foregoing instrument was SWORN TO OR AFFIRMED AND SUBSCRIBED
BEFORE ME this 4/2/2019

By Sgt Adam Moulton who is personally known to me.

Yleana I Arias

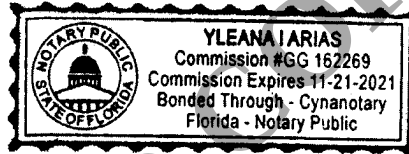
Notary Public/Clerk of

Court/Officer (F.S.S. 117.10)

Adam Moulton

Signature of Arresting/Investigating Officer

Name of Officer: Sgt. A Moulton 2112



NOT A CERTIFIED COPY