05 01173

18MM10185

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

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

Juvenile: N

ADMINISTRATIVE

OBTS Number	Agency ORI Number	Agency Name	Agency Report Number (N.T.A.'s only)
	FL0502600	PALM BEACH GARDENS POLICE DEPT.	78-18-005351

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

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
4250 PGA BLVD EMBASSY SUITES	4350 PGA BLVD EMBASSY SUITES	09/21/18	0018					

DEFENDANT

Name (Last, First, Middle): TOMBERG, MARK

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

Race (W - White, B - Black, I - American Indian, O - Oriental)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	M	01/05/55	511	270	BRO WHITE	BROWN	FAIR	MID

Scars, Marks, Tatoos, Unique Physical Features (Location, Type, Description): NONE

Marital Status	Religion	Indication of:	Y	N	Unk.
M	UNKNOWN	Alcohol Influence	☐	☐	☒
		Drug Influence	☐	☐	☒

Local Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Residence Type: 1. City 2. County 3. Florida 4. Out of State
9220 44TH AVE	WABASSO	FL	32970	(561)231-5214	3

Permanent Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Address Source
9220 44TH AVE	WABASSO	FL	32970	( )	FL DL

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

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
T516540550100	[redacted]		WABASSO, FL	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 DCF 3. Incarcerated

Released To: (Name)	Relationship	Date	Time

The above address was provided by ☐ defendant and / or ☐ defendant's parent. The child and / or parent was told to keep the Juvenile Court Clerk's Office (Phone 355-2526) 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, F. 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 #
DISORDERLY CONDUCT	1	☐Y ☒N	877.03	

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

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

NOTICE TO APPEAR

☐ Instruction No. 1 Mandatory Appearance in Court

☐ Instruction No. 2 You need not appear in Court but must comply with instructions on Reverse Side.

Location (Court, Room Number, Address): 3188 PGA BLVD PALM BEACH GARDENS, FL 33410

Court Date and Time: Month 20 Day 8 Year SEP Time 9:00 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

SEP 21 AM 1:40

ADMIN.

HOLD for other Agency Name: SCAR SEP 06 [illegible]

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other:

Signature of Arresting Officer

Name of Arresting Officer (Print): J. CASTINEIRA I.D. #: 494

Name Verification (Printed by Arrestee) (PRINT) NR

SEP 21 AM 2:47

Intake/Deputy: DS Collins I.D. # Pouch #

Transporting Officer I.D. # Agency: PBL

Witness here if subject signed with an "X"

PAGE ___ OF ___

DISTRIBUTION: WHITE - COURT COPY GREEN - STATE ATTORNEY YELLOW - AGENCY PINK - JAIL GOLD - DEFENDANT

PBGPD FORM-023

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PROBABLE CAUSE AFFIDAVIT

OBTS Number:

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

JUVENILE:

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FL 0502600	PALM BEACH GARDENS POLICE	7 | 8 | 18-005351

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
TOMBERG, MARK		W	M	01/10/1955

CHARGES

Charge Description	Charge Description
877.03 DISORDERLY CONDUCT - BREACH OF	
Charge Description	Charge Description

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
KENNEDY, MARIAH ANNE	W	F	07/21/1992

Local Address (Street, Apt. Number) (City) (State) (Zip)	Phone	Address Source
1417 W DUVAL ST, LANTANA, FL 33462		
Business Address (Name, Street) (City) (State) (Zip)	**Phone**	**Occupation**
	(561) 622-1000	

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.
☐ was observed by _____ who told _____ that he/she saw the arrested person committ the below acts.
☐ confessed to _____ admitting to the below facts.
☒ was found to have committed the below acts, resulting from my (described) investigation.

On the 2 day of September, 2018 at 00:41 (Specifically include facts constituting cause for arrest.)

On Saturday 09/01/2018 at 11:56 pm I responded to 4350 PGA Blvd, Palm Beach Gardens, Florida 33410 in reference to a disturbance for the second time. The following was captured by my department issued body worn camera.

The first time I was dispatched in reference to a disturbance I made contact with Mark Tomberg and hotel security officer Ali Abed. Abed stated that Tomberg had gotten into a verbal argument with a hotel guest. Abed stated that all he wanted was for Tomberg to go to his room since Tomberg was intoxicated. I spoke with Tomberg and asked him to go to his room. Tomberg stated that he would go to his room. Tomberg left without further incident.

Upon my second arrival I made contact with Mark Tomberg who was aggressive in his demeanor. Tomberg was loud and stated that he went to his room but came back down because he did not like the way it ended. Officer Witt (492) made contact with Ali Abed and Mariah Kennedy the hotel manager. Abed stated that Tomberg was aggressive and made threats to shoot Abed if he had a gun. Kennedy stated that Tomberg was disturbing the hotel normal operations and disturbing guests around the hotel. I attempted to talk to Tomberg who stated that he did not want to go to his room and he wanted everyone to know he didn't do anything. Tomberg was arrested for disorderly conducted and transported to the county jail.

Based on my investigation, I have probable cause to charge Mark Tomberg with disorderly conduct - breach of peace under F.S.S. 877.03.

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

PEARCE, RICHARD 3
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

09/02/2018
DATE

325

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

CASTINEIRA, JUSTIN (494)
NAME OF OFFICER (PLEASE PRINT)

09/02/2018
DATE

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

PALM BEACH COUNTY
SHERIFF'S OFFICE
Florida State Statute Exemption Sheet

Palm Beach County Sheriff's Office – Arrests Only

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	☐	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	☐	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	☐	119.071(4)(c)	Undercover personnel.	
	☐	119.071(2)(f)	Confidential informants (CIs).	
	☐	119.071(2)(e)	Confession.	
Public Info. Exemptions	☐	985.04(1)	Juvenile offender records.	
	☐	119.071(h)(i)	Assets of a crime victim.	
	☐	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	☐	394.4615(7)	Mental health information.	
	☐	119.071(4)(d)(2)(a)	Home address, telephone, Social Security number, date of birth, or photos of active/former LE personnel, spouses, and children.	
Florida Rules of Judicial Administration 2.420 (Rule of 23)	☒	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	☐	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	☐	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	☐	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	☐	[redacted]		
	☐	[redacted]		
	☐	[redacted]		
	☐	[redacted]		
	☐	[redacted]		
Other	☐		Other:	
	☐		Other:	

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REVIEW COMPLETED BY

Booking Number: 2018029459	**Date:** 9/2/2018
	Specialist Name/ID: M. Tooks #8557