J- 050'1415 19mm5168 P-2416

ARREST / NOTICE TO APPEAR

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

1 JUVENILE

ADMINISTRATION

OBTS Number

Agency ORI Number: 0500400

Agency Name: Delray Beach Police Department

Agency Report Number (N.T.A.'s only): 4 0 19-006756

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: Hands/fist/feet/teeth

Multiple Clearance Indicator: 2

Location of Arrest (Including Name of Business): 270 E ATLANTIC AVE DELRAY BEACH, FL

Location of Offense (Business Name, Address): 270 E ATLANTIC AVE, DELRAY BEACH, FL 33444

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
04/27/2019	01:53	04/27/2019	02:03			

DEFENDANT

Name (Last, First, Middle): BENNICI, MICHAEL EUGENE

Alias: 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	02/08/1981	5'06	180	BROWN	BROWN	MEDIUM	MEDIUM

Scars, Marks, Tatoos, Unique Physical Features (Location, Type, Description):

Marital Status: S

Religion: NOT INDICA

Indication of: Alcohol Influence ☒ Yes ☐ No ☐ Unk. Drug Influence ☐

Local Address (Street, Apt. Number) (City) (State) (Zip): 8 LONG LAKE WAY, PALM COAST, FL 32137

Phone: (386) 237-0769

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

Permanent Address (Street, Apt. Number) (City) (State) (Zip): 8 LONG LAKE WAY, PALM COAST, FL 32137

Phone: (386) 237-0769

Address Source: FL LICENSE

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

Phone:

Occupation:

DL Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
B520545810480 / FL	[redacted]		BRONXVILLE, NY,	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 ☐ Other: ☐ Legal Custodian

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 Department and Released 2. TOT JAC 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 355-2526) informed of any change of address.
☐ Yes, by: ☐ No:

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. 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

Charge Description	Statute Violation Number	Violation of ORD #
SIMPLE BATTERY(TOUCH OR STRIKE)	784.03(1A1)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N	/		2	☐ Y ☒ N		

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
		/			☐ Y ☐ N		

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
		/			☐ Y ☐ N		

INTAKE

Health / Apparent Physical Condition of Defendant

Any knowledge of the following: ☐ Mental ☐ Escape Risk ☐ 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 | Released To

Transported By | Date Transported / / : : | Time Transported | Other

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 Page 2.

Location (Court, Room): South County 200 W Atlantic Ave Delray Beach, FL 33444

Court Date and Time: 05/23/2019 08:30:00

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 COMTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.

Signature of Defendant (or Juvenile and Parent/Custodian) | Date Signed

No Photo Available

ADMIN

HOLD for Other Agency ☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other

Signature of Arresting Officer

Name of Arresting Officer (Print): CACERES DUQUE, JOHN F | I.D. #: 1073

Name Verification (Printed by Arrestee) (PRINT)

Intake Deputy | I.D. # | Pouch #

Transporting Officer: CACERES DUQUE | I.D. #: 1073 | Agency: DBPD

Witness here if subject signed with an "X".

SCANNED APR 30 2019

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

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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 0500400	DELRAY BEACH POLICE DEPARTMENT	40 19-006756

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
BENNICI, MICHAEL EUGENE		W	M	02/08/1981

CHARGES

Charge Description	Charge Description
784.03(1A1) SIMPLE BATTERY(TOUCH OR STRIKE)	
Charge Description	Charge Description

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
MAZZELLA, RACHAELA ELIZABETH	W	F	11/18/1994

Local Address (Street, Apt. Number) (City) (State) (Zip)	Phone	Address Source
1500 SW 15TH ST, BOCA RATON, FL 33486	(561) 542-0595	
Business Address (Name, Street) (City) (State) (Zip)	**Phone**	**Occupation**

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 27 day of April, 2019 at 02:43 (Specifically include facts constituting cause for arrest.)

The following incident occurred in the City of Delray Beach, Palm Beach County, Florida.

On 04/27/2019 at approximately 0114 hours, I observed several subjects in a physical altercation on the street in front of 270 E Atlantic Ave. Several officers responded and were able to separate everyone involved. I then spoke to one of the victims, Rachela Mazzella.

Mazzella stated that she was with friends in the downtown area and as they were walking, a white male wearing a yellow shirt and blue jeans kept trying to hit on one of her friends, Kayli Perez. Perez`s other male friend, Cody Jedidan, along with Mazzella, kept telling the male to stop trying to hit on Perez and just walk away. A verbal altercation ensued in which the white male, later identified as Michael Bennici, was arguing with Perez, Mazzella, Jedidan, and other people who left prior to police arrival. The verbal argument then turned physical when Mazzella and Perez attempted to get in between the verbal argument to separate all the parties. Bennici then slapped Mazzella on the left side of her head and pulled her hair causing Mazzella to get out of the way. Mazzella then observed as Bennici punched Perez on the right side of her mouth causing her to fall to the ground.

I then spoke with Jedidan who`s story matched Mazzella`s. Jedidan also stated that when Bennici started to punch Perez, Jedidan saw that Perez had fallen to the ground unable to defend herself so he started to punch Bennici in an attempt to get him away from Perez and that`s when officers arrived on scene. While on scene, Jedidan pointed out to Bennici several times as being the person that punched Perez. Jedidan stated that nobody had touched Bennici and that Bennici was the one who started the fight.

Officer Gordon spoke with Perez at Bethesda Memorial Hospital and stated that there was a verbal altercation between Bennici and other males in her group. Perez stated she

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

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

04/27/2019
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

CACERES DUQUE, JOHN F (1073)
NAME OF OFFICER (PLEASE PRINT)

04/27/2019
DATE

NOT A CERTIFIED COPY

SCANNED APR 30 2019

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

ADMIN	OBTS Number	PROBABLE CAUSE AFFIDAVIT SUPPLEMENT	1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias	1	JUVENILE
	Agency ORI Number: FL 0500400	Agency Name: DELRAY BEACH POLICE DEPARTMENT	Agency Report Number: 4 0 19-006756		
	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
	BENNICI, MICHAEL EUGENE		W	M	02/08/1981

PROBABLE CAUSE STATEMENT

thought the verbal altercation was about to become physical, so she got in the middle to try and separate her friends from Bennici and all she remembers is being punched in the face and falling on the ground. Perez had a laceration to her lip and the right side of her mouth was swollen which matched Perez`s account of the incident.

Officer Gordon read Bennici his Miranda warnings which he understood. At first, Bennici stated he did not want to talk to police about what had occurred. After several minutes of waiting while I spoke to the other people involved in the incident, Bennici stated that he was in a verbal altercation when someone hit him first and then he started to defend himself. Bennici did not go into further detail with officers on scene but insisted that he was hit first.

Based on the above stated facts, probable cause exists to charge the defendant, Michael Bennici, with two counts of simple battery per F.S.S. 784.03(1A1).

NOT A CERTIFIED COPY

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

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

04/27/2019
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

CACERES DUQUE, JOHN F (1073)
NAME OF OFFICER (PLEASE PRINT)

04/27/2019
DATE

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

SCANNED
APR 30 2019

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.	
	☐			
	☐			
	☐			
	☐			
	☐			
Other	☐		Other:	
	☐		Other:	

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REVIEW COMPLETED BY

Booking Number: 2019014044	**Date:** 04/28/2019
	Specialist Name/ID: AM/31562

SCANNED
APR 30 2019