

17CF9404

ARREST / NOTICE TO APPEAR

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

3

JUVENILE

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ADMI NIST RAT ION	OBTS Number	Agency ORI Number 0501700		Agency Name Jupiter Police Department		Agency Report Number (N.T.A.'s only) 5 4 17-002584		Location of Offense (Business Name, Address) 118 VAN RD, JUPITER, FL 33469	
DEF END ANT	Charge Type: Check as many as apply. <input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony		<input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor		<input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		If Weapon Seized Enter Type VEHICLE		Multiple Clearance Indicator 1
	Date of Arrest		Time of Arrest		Booking Date		Booking Time		Jail Date
CO DEF	Name (Last, First, Middle) FLANAGAN, MICHAEL SEAN				Alias (Name, DOB, Soc. Sec. #, Etc.) Alias:				
	Race W - White B - Black	Sex M	Date of Birth 10/04/1958	Height 5'10	Weight 110	Eye Color GRAY	Hair Color BROWN	Complexion LIGHT	Build Thin
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)				Marital Status S	Religion	Indication of Alcohol Influence Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unk. <input type="checkbox"/>		
	Local Address (Street, Apt. Number) (City) (State) (Zip) 1610 BERKSHIRE AVE, JUPITER, FL 33469				Phone (561) 578-1685		Residence Type 1. City 3. Florida 2. County 4. Out of State 1		
Permanent Address (Street, Apt. Number) (City) (State) (Zip) 1610 BERKSHIRE AVE, JUPITER, FL 33469				Phone (561) 578-1685		Address Source DEFENDANT			
Business Address (Name, Street) (City) (State) (Zip)				Phone		Occupation			
D/I. Number, State F452557583640 / FL		Soc. Sec. Number		INS Number		Place of Birth (City, State)		Citizenship US	
JU VE NI LE	Co-Defendant Name (Last, First, Middle)				Race	Sex	Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 5. Juvenile
	Co-Defendant Name (Last, First, Middle)				Race	Sex	Date of Birth		<input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile
CH AR GE	<input type="checkbox"/> Parent <input type="checkbox"/> Other: _____ <input type="checkbox"/> 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 <input type="checkbox"/> defendant and/or <input type="checkbox"/> 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			
<input type="checkbox"/> Yes, by: _____		<input type="checkbox"/> No		Property Crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Description of Property		Value of Property	
CH AR GE	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 Synthetic		U. Unknown Other				
	Charge Description ASSAULT-AGGRAVATED W/ INTENT TO COMMIT A FELONY				Statute Violation Number 784.021(1)(b)		Violation of ORD #		
	Drug Activity	Drug Type N	Amount / Unit	Offense # 17-002584	Counts 1	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Warrant / Capias Number		Bond
Charge Description				Statute Violation Number		Violation of ORD #			
Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Warrant / Capias Number		Bond	
Charge Description				Statute Violation Number		Violation of ORD #			
Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Warrant / Capias Number		Bond	
Health / Apparent Physical Condition of Defendant				Any knowledge of the following: Explain. <input type="checkbox"/> Mental <input type="checkbox"/> Escape Risk <input type="checkbox"/> Medication <input type="checkbox"/> Deformities <input type="checkbox"/> Injuries					
Check which applies: <input type="checkbox"/> Released O.R. <input type="checkbox"/> Posted Bond		<input type="checkbox"/> Released to Parent/Guardian <input type="checkbox"/> South County Mental Health		<input type="checkbox"/> T.O.T. County Jail		PROPERTY - Received By		Released By	Released To
Transported By				Date Transported	Time Transported	Other			
NO TI CE TO AP PE AR	<input checked="" type="checkbox"/> INSTRUCTION NO. 1 - Mandatory appearance in court <input type="checkbox"/> INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.				Location (Court, Room)				
					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 COMTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.						No Photo Available		
Signature of Defendant (or Juvenile and Parent/Custodian)				Date Signed					
AD MI N	HOLD for Other Agency		Signature of Arresting Officer <i>[Signature]</i>		Name Verification (Printed by Arrestee)				
	<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal		<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other		Name of Arresting Officer (Print) JURAC, LUKA		(PRINT)		
	Intake Deputy I.D. #		Pouch #		387 / 1195		I.D. # Agency		
					Transporting Officer I.D. # Agency		PAGE 1 OF 1		
				Witness here if subject signed with an "X"					

PROBABLE CAUSE AFFIDAVIT

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

3 JUVENILE

OBTS Number	Agency ORI Number FL 0501700		Agency Name JUPITER POLICE DEPARTMENT	Agency Report Number 5 4 17-002584
Charge Type: Check as many as apply	<input checked="" type="checkbox"/> 1. Felony	<input type="checkbox"/> 2. Traffic Felony	<input 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) FLANAGAN, MICHAEL SEAN	Alias	Race W	Sex M	Date of Birth 10/04/1958
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Charge Description 784.021(1)(B) ASSAULT-AGGRAVATED W/ INTENT TO COMMIT A	Charge Description
Charge Description	Charge Description

Victim's Name (Last, First, Middle) FREGA, VINCENT MICHAEL	Race W	Sex M	Date of Birth 08/22/1978
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Local Address (Street, Apt. Number) 118 VAN RD, JUPITER, FL 33469	(City)	(State)	(Zip)	Phone	Address Source
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Business Address (Name, Street)	(City)	(State)	(Zip)	Phone	Occupation
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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. was observed by _____ who told _____ that he/she saw the arrested person commit 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 **26** day of **May**, **2017** at **16:28** (Specifically include facts constituting cause for arrest.)

On Friday, May 26, 2017, at approximately 1628hrs, I responded to 1610 Berkshire Ave, Jupiter, FL, 33458, in reference to a possible vehicle assault.

Upon arrival contact was made with Ofc. Kniffin ID:322, Police Officer First Class Cedeno ID: 334 and Ofc. Popilek ID:333, both officers conducted an investigation along with the assistance of Tequesta Detective Waychowsky ID:1198. It should be noted that the 911 call originally transferred to Tequesta Police Department until it was discovered that the crime originally happened within the Town of Jupiter. The investigation was turned over to me.

Upon my arrival some witnesses had already departed but their sworn written statements were taken on scene by the other officers. The following was discerned as a result of witness statements and physical evidence at the scene. Please note any sworn statements presented below are not purported to be verbatim.

At approximately 1510hrs, a witness, W/F Christine Collins (06/04/1966) observed a large white work van at the intersection of Berkshire Avenue and Van Road. The van appeared to be reversing in the intersection. Collins saw the vans rear passenger side bumper strike a mailbox and a posted "Dead End" sign south of the intersection. The mailboxes and sign were in front of 118 Van Road. The sign and mailboxes were completely damaged. The van then proceeded to drive off and head northbound on Berkshire Avenue.

Collins followed the van so she could inform the driver of what he had just hit. The van stopped at 1610 Berkshire Avenue. Collins told the driver of the van, later identified as W/M Michael Flanagan (10/04/1958), that he had hit a mailbox. Michael began acting irate, cursing, and shouting obscenities at Collins and stating "I did not hit any mailboxes!" Michael then began driving off again and went around the block and headed back towards Van Road from Summer Avenue.

SWORN AND SUBSCRIBED BEFORE ME	<i>[Signature]</i> SIGNATURE OF ARRESTING / INVESTIGATING OFFICER
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F. S. S. 117.10)	JURAC, LUKA (1195) NAME OF OFFICER (PLEASE PRINT)
05/27/2017 DATE	05/27/2017 DATE

OBTS Number Agency ORI Number FL 0501700	PROBABLE CAUSE AFFIDAVIT SUPPLEMENT	1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias	3	JUVENILE	
Agency Name JUPITER POLICE DEPARTMENT	Agency Report Number 5 4 17-002584				
Charge Type: Check as many as apply. <input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other			Special Notes:		
Name (Last, First, Middle) FLANAGAN, MICHAEL SEAN		Alias	Race W	Sex M	Date of Birth 10/04/1958

Collins began following Michael again. At this point the victim, W/M Vincent Frega (08/22/1978) had already arrived home and noticed the damage to his mail box and road sign. Vincent was standing in the road by his mailbox. Another neighbor had told Vincent that a large white GMC work van ruined his mailbox and the dead end sign.

Vincent then noticed the same van turn off of Summer Avenue and head east on Van Road towards him. The van then pulled up to Vincent while he was in the street. Michael then shouted at Vincent "Do you want to fucking die today!" Michael then proceeded to accelerate the van towards Vincent. Vincent reasonably believed that Michael was trying to strike him with the van; fearing for his personal safety Vincent jumped out of the way of the van to avoid injury.

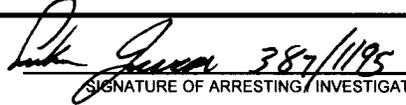
Michael then quickly stopped the van, got out, and again shouted to Vincent "You wanna fucking die today!" Michael then leaned back into his van and appeared to be reaching for something. At this point Vincent and his wife, W/F Kelly Frega (10/11/1979), were out on their front lawn looking at Michael. Michael then allegedly charged towards both Vincent and his wife still shouting obscenities and stating that he was not involved with running over the mailboxes and sign. Kelly reasonable believed that Michael was going to cause harm to her and she retreated slightly back towards her house. Michael then left the area with his van.

The above event was also witnessed by W/M Pete Schwensen (12/20/1973) whose sworn statement was similar to what Vincent and Kelly had stated. Officers on scene, prior to my arrival, conducted a show up with both Pete and Vincent. Both subjects positively identified Michael as the suspect driving the van. The van was later discovered to be a 2005 white GMC 2500 panel type van with FL Tag attached I869YN. The van was sitting in the driveway of Michael's residence at 1610 Berkshire Avenue.

The van appeared to have fresh damage to the passenger side bumper and upper frame consistent with what Collins had witnessed.

Once the show up was completed, Det. Waychowsky, was in the presence of Officer Kniffin, when Michael stated that he used his van to "Nudge" one of the victims/witnesses out of the way and used his car to strike them so they would move.

I asked Officer Kniffin to clarify the statement to me and if the statement was spontaneous utterance. Officer Kniffin told me that upon making contact with Michael he asked "What happened?" at that point Michael freely stated that Vincent intentionally stepped in front of his van to block his movement. Michael then proceeded to move the vehicle forward to move Vincent out of the way so he could go home. Michael continued to deny striking the mailboxes or having any involvement in the incident even after his statement.

SWORN AND SUBSCRIBED BEFORE ME  _____ NOTARY PUBLIC / CLERK OF COURT / OFFICER (F. S.S. 117.10) 05/27/2017 DATE	 _____ SIGNATURE OF ARRESTING / INVESTIGATING OFFICER JURAC, LUKA (1195) NAME OF OFFICER (PLEASE PRINT) 05/27/2017 DATE
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OBTS Number		PROBABLE CAUSE AFFIDAVIT SUPPLEMENT		1. Arrest 2. N.T.A.	3. Request for Warrant 4. Request for Capias	3	JUVENILE
A D M I N I S T R A T I V E	Agency ORI Number	Agency Name	Agency Report Number				
	FL 0501700	JUPITER POLICE DEPARTMENT	5 4 17-002584				
Charge Type: Check as many as apply. <input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input 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)				Alias	Race	Sex	Date of Birth
FLANAGAN, MICHAEL SEAN					W	M	10/04/1958

Per Pfc.Cedeno, while he was assisting with the investigation, he noticed that Michael exhibited signs of possible intoxication. See Pfc.Cedeno's supplement report for further. Officer Kniffin concurred with Pfc.Cedeno's observation.

Based on my investigation, evidence at the scene, independent witness observations, and the totality of circumstances, I find probable cause to request a warrant for the arrest of Michael Flanagan, for the charge of Aggravated Assault with a Deadly Weapon pursuant to Florida State Statute 784.021 (1) (B)

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A D M I N I S T R A T I V E	SWORN AND SUBSCRIBED BEFORE ME		 SIGNATURE OF ARRESTING / INVESTIGATING OFFICER	
	 NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)		JURAC, LUKA (1195) NAME OF OFFICER (PLEASE PRINT)	
	05/27/2017 DATE		05/27/2017 DATE	
			PAGE 3 OF 3	