

0494432

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ARREST / NOTICE TO APPEAR

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

1

JUVENILE

Agency ORI Number 0501700	Agency Name Jupiter Police Department	Agency Report Number (N.T.A.'s only) 5 4 17-006185
Charge Type: Check as many as apply: <input type="checkbox"/> 1. Felony <input type="checkbox"/> 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	If Weapon Seized Enter Type Hands, Feet, Fist, Teeth	Multiple Clearance Indicator
Location of Arrest (Including Name of Business) 111 CHUB CAY WAY JUPITER, FLORIDA		Location of Offense (Business Name, Address) 111 CHUB CAY WAY, JUPITER, FL 33458
Date of Arrest 12/25/2017	Time of Arrest 23:22	Booking Date 12/25/2017
Booking Time 23:32	Jail Date // : :	Jail Time
Name (Last, First, Middle) FASSBERG, MICHELLE RENEE		Alias (Name, DOB, Soc. Sec. #, Etc.)
Race W - White B - Black W	Sex M - Male F - Female F	Date of Birth 04/08/1969
Height 5'08	Weight 122	Eye Color Bro
Hair Color Bro	Complexion Med	Build Medium
Local Address (Street, Apt. Number) 111 CHUB CAY WAY, JUPITER, FL 33458		Phone (954) 557-8493
Permanent Address (Street, Apt. Number) 111 CHUB CAY WAY, JUPITER, FL 33458		Phone (954) 557-8493
Business Address (Name, Street) F216556696280 / FL		Place of Birth (City, State) OCEANSIDE, NY, US
D/L Number, State F216556696280 / FL		Citizenship US
Co-Defendant Name (Last, First, Middle)	Race	Sex
Co-Defendant Name (Last, First, Middle)	Race	Sex
Name (Last, First, Middle)		Residence Phone
Address (Street, Apt. Number)		Business Phone
Notified by: (Name)		Relationship
Released To: (Name)		Date
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
Property Crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Description of Property
Drug Activity N. N/A P. Possess		Drug Type N. N/A A. Amphetamine
S. Sell B. Buy T. Traffic		B. Barbiturate C. Cocaine E. Heroin
R. Smuggle D. Deliver E. Use		H. Hallucinogen M. Marijuana O. Opium/Deriv.
K. Disperses/Distribute		P. Paraphernalia/Equipment S. Synthetic
M. Manufacture/Produce/Cultivate		U. Unknown Z. Other
Z. Other		
Charge Description BATTERY - CAUSE BODILY HARM Domestic		Statute Violation Number 784.03(1)(A)(2)
Drug Activity	Drug Type	Amount / Unit
	N	/
Offense #	Counts	Domestic Violence
17-006185	1	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
Warrant / Capias Number		Bond
Charge Description		Statute Violation Number
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: <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"/> Released to Parent/Guardian <input type="checkbox"/> T.O.T. County Jail		PROPERTY - Received By
<input type="checkbox"/> Posted Bond <input type="checkbox"/> South County Mental Health		Released By
Transported By		Date Transported
		Time Transported
		Other
<input checked="" type="checkbox"/> INSTRUCTION NO. 1 - Mandatory appearance in court		Location (Court, Room)
<input type="checkbox"/> INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.		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
Signature of Arresting Officer BANEGAS, JOHN		Name Verification (Printed by Arrestee) DEC 26 AM 1:32
Name of Arresting Officer (Print) BANEGAS, JOHN		I.D. # 0931
Transporting Officer BANEGAS		I.D. # 328
Agency JUP PD		Agency JUP PD
Witness here if subject signed with an "X"		PAGE 1 OF 1

COULD STATE AGENCY CENTRAL RECORDS SCANNED

DEC 26 2017

DOMESTIC VIOLENCE PROBABLE CAUSE

AFFIDAVIT
Palm Beach County

A D M I N	Date / Time 12/25/2017 23:33		Agency Name JUPITER POLICE DEPARTMENT		Agency Report Number 5 4 17-006185	
	Agency ORI Number FL 0501700		Name (Last, First, Middle) FASSBERG, MICHELLE RENEE		Race W	Sex F
D I S T R I B U T I O N	Charge Description 784.03(1)(A)(2) BATTERY - CAUSE BODILY HARM		Date of Birth 04/08/1969			
	Victim's Name (Last, First, Middle) LUPOLI, JOHN EDWARD JR		Race W	Sex M	Date of Birth 02/01/1975	
V I C T I M	Local Address (Street, Apt. Number) (City) (State) (Zip) 111 CHUB CAY WAY, JUPITER, FL 33458		Phone (561) 662-5697		Address Source	
	Business Address (Name, Street) (City) (State) (Zip)		Phone		Occupation	
A D D I T I O N A L I N F O R M A T I O N	Written <input type="checkbox"/> Taped <input checked="" type="checkbox"/> Oral <input type="checkbox"/> DEFENDANT'S STATEMENTS:		OBSERVATIONS OF VICTIM (PHYSICAL & EMOTIONAL):			
	VICTIM'S STATEMENTS: <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>		EMOTIONALLY UPSET			
RELATIONSHIP BETWEEN VICTIM & SUSPECT BOY/GIRLFRIEND						
PHOTOGRAPHS: Scene: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Victim: <input checked="" type="checkbox"/> <input type="checkbox"/> 911 CALL: <input checked="" type="checkbox"/> <input type="checkbox"/> CALLER: VICTIM/DEFENDANT WEAPON USED: <input type="checkbox"/> <input checked="" type="checkbox"/> TYPE: WITNESSES: <input type="checkbox"/> <input checked="" type="checkbox"/> (If YES, attach witness list) INJURIES: <input type="checkbox"/> <input checked="" type="checkbox"/> MEDICAL TREATMENT: <input type="checkbox"/> <input checked="" type="checkbox"/> AT: Scene: <input type="checkbox"/> <input checked="" type="checkbox"/> PARAMEDICS: Hospital: <input type="checkbox"/> <input checked="" type="checkbox"/> PHYSICIAN(S) / HOSPITAL: ACT COMMITTED IN PRESENCE OF MINOR(S): <input type="checkbox"/> <input checked="" type="checkbox"/> NAMES/AGES: H. R. S. NOTIFIED: <input type="checkbox"/> <input checked="" type="checkbox"/> VICTIM PREGNANT: <input type="checkbox"/> <input checked="" type="checkbox"/> VIOLATION OF RESTRAINING ORDER: <input checked="" type="checkbox"/> <input type="checkbox"/> CASE #: PRIOR HISTORY OF DOMESTIC VIOLENCE: <input type="checkbox"/> <input checked="" type="checkbox"/> ALCOHOL OR DRUGS INVOLVED: <input checked="" type="checkbox"/> <input type="checkbox"/>						
N A R R	On Monday 12-25-17, I arrived at 111 Chub Cay Way in reference to a call regarding a possible Domestic Violence Incident. Northcomm advised the complainant, later identified as John E. Lupoli (w/m, 02-01-75) called and stated he was struck by his girlfriend, Michelle R. Fassberg (w/f, 04-08-69). While en route, Michelle called and said she felt threatened that John suffers from PTSD and was grabbing his guns and placing					
	STATE OF FLORIDA COUNTY OF PALM BEACH Appeared before me, _____ personally known to me, who, being first duly sworn, says that the facts above, based upon my investigation, are true. _____ SIGNATURE OF ARRESTING OFFICER Sworn to and subscribed to before me this <u>26</u> day of <u>December</u> , <u>2017</u> .  NOTARY PUBLIC / CLERK OF COURT OFFICER (F.S.S. 117.10)					

CERTIFIED COPY

DOMESTIC VIOLENCE PROBABLE CAUSE

AFFIDAVIT

Palm Beach County
Narrative Continuation

A D M I N N A R R A T I V E	Date / Time 12/25/2017 23:33	Agency ORI Number FL 0501700	Agency Name JUPITER POLICE DEPARTMENT	Agency Report Number 5 4 17-006185
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them inside his truck.

Upon my arrival I parked around the corner and saw Michelle walking toward my location. Officer Kimbark arrived as I made contact with Michelle. I asked Michelle to stay with Officer Kimbark as I made contact with John, who was standing in the roadway in front of his residence. Due to the allegations of weapons possibly being involved, I checked John for any weapons. Once clear, I spoke with him about what had occurred.

According to John, he and Michelle were involved in several verbal arguments throughout the day. During their last argument, and the one that caused both to call for a police response, John told me Michelle kicked and punched him. John further stated that Michelle would not leave him alone as he tried packing his things to leave. John told me he placed several guns in his truck and that he was going to move out in the morning. I did not see any injuries in the locations John claimed he was kicked and punched.

I later spoke with Michelle. According to Michelle, she and John were involved in arguments throughout the day and during this argument he began grabbing his guns and placing them inside his truck. According to Michelle, she was scared because she was not sure what he was going to do with his guns once he placed them in his truck. I asked her numerous times if John made any direct threats to harm her. Michelle told me, each time, that John made no physical or verbal threats to harm her.

During the incident, John did not appear to be impaired and his account of what occurred remained consistent. Michelle appeared to be intoxicated. Although both John and Michelle had an odor of an unknown alcoholic beverage coming from them, Michelle appeared to be more intoxicated. Michelle had glassy bloodshot eyes and slurred when she spoke. Her account of what occurred changed from the first contact I made with her and she later alleged that John choked her.

As a result of my above-described investigation I found Michelle did actually and intentionally touch or strike John against his will (or) did intentionally cause bodily harm, contrary to Florida Statute 784.03(1).

STATE OF FLORIDA
COUNTY OF PALM BEACH

Appeared before me, _____ personally known to me, who, being first duly sworn, says that the facts above, based upon my investigation, are true.

SIGNATURE OF ARRESTING OFFICER

Sworn to and subscribed to before me this 26 day of December, 2017.

S. J. [Signature]

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

SCANNED

DEC 26 2017