

0332647

ARREST / NOTICE TO APPEAR

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

1

JUVENILE

N

OBTS Number		ARREST / NOTICE TO APPEAR						1452									
Agency ORI Number 0500200		Agency Name Boca Raton Police Department				Agency Report Number (N.T.A.'s only) 3 2 2016-015010											
Charge Type: Check as many as apply.		<input type="checkbox"/> 1. Felony <input checked="" type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 4. Traffic Misdemeanor				<input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		If Weapon Seized Enter Type None/not Applicable									
Multiple Clearance Indicator 1		Location of Arrest (Including Name of Business) 100 NW 2ND AVE						Location of Offense (Business Name, Address) 100 NW 2ND AVE, BOCA RATON, FL 33432									
Date of Arrest 11/02/2016		Time of Arrest 17:57		Booking Date 11/02/2016		Booking Time 18:07		Jail Date 11/02/2016		Jail Time 18:07							
Location of Vehicle BRPD FRONT LOT																	
Name (Last, First, Middle) COLAVECCHIO, NICHOLAS T																	
Alias: COLAVECCHIO, NICHOLAS T																	
Race W - White B - Black		Sex I - American Indian O - Oriental/Asian		Date of Birth 07/04/1974		Height 6'01		Weight 170		Eye Color BROWN							
Hair Color BLACK		Complexion LIGHT		Build Medium													
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) TATT L HIP / DENI						Marital Status M		Religion CATHOLIC		Indication of: Alcohol Influence Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unk. Drug Influence Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unk.							
Local Address (Street, Apt. Number) 7647 AVENDIA DEL MAR 1702, BOCA RATON, FL 33433						(City) BOCA RATON		(State) FL		(Zip) 33433		Phone (561) 856-2379		Residence Type: 1. City <input type="checkbox"/> 3. Florida <input checked="" type="checkbox"/> 2. County <input type="checkbox"/> 4. Out of State <input type="checkbox"/>			
Permanent Address (Street, Apt. Number) 7647 AVENDIA DEL MAR 1702, BOCA RATON, FL 33433						(City) BOCA RATON		(State) FL		(Zip) 33433		Phone (561) 856-2379		Address Source FL DL			
Business Address (Name, Street) PURACAD PHARMACEUTICALS, HOME						(City) BOCA RATON		(State) FL		(Zip) 33433		Phone (561) 609-7667		Occupation Sales			
D/L Number, State C412638742440 / FL		Soc. Sec. Number [REDACTED]		INS Number		Place of Birth (City, State) ALBANY, NY, United		Citizenship US									
Co-Defendant Name (Last, First, Middle)						Race		Sex		Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large <input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large <input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor					
Co-Defendant Name (Last, First, Middle)						Race		Sex		Date of Birth							
Name (Last, First, Middle) [REDACTED]												Residence Phone					
Address (Street, Apt. Number) [REDACTED]						(City) [REDACTED]		(State) [REDACTED]		(Zip) [REDACTED]		Business Phone					
Notified by: (Name) [REDACTED]						Date		Time		JUVENILE DISPOSITION 1. Handled/Processed within Department and Released 2. TOT JAC 3. Incarcerated							
Released To: (Name) [REDACTED]						Relationship		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						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			
C O D E Drug Activity S. Sell R. Smuggle K. Disperses/ M. Manufacture/ Z. Other						Drug Type N. N/A		B. Barbiturate C. Cocaine A. Amphetamine		H. Hallucinogen M. Marijuana E. Heroin		F. Hallucinogen/ Equipment O. Opium/Derv S. Synthetic		U. Unknown Z. Other			
C H A R G E Charge Description VIOLATE INJUNCTION - DOMESTIC VIOLENCE												Statute Violation Number 741.31(4A1)		Violation of ORD #			
Drug Activity Drug Type Amount / Unit Offense # N / 2016-015010						Counts 1		Domestic Violence <input checked="" type="checkbox"/> Y <input type="checkbox"/> N		Warrant / Capias Number						Bond	
C H A R G E Charge Description [REDACTED]												Statute Violation Number 741.2 PW		Violation of ORD #			
Drug Activity Drug Type Amount / Unit Offense # [REDACTED]						Counts [REDACTED]		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Warrant / Capias Number						Bond	
C H A R G E Charge Description [REDACTED]												Statute Violation Number		Violation of ORD #			
Drug Activity Drug Type Amount / Unit Offense # [REDACTED]						Counts [REDACTED]		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Warrant / Capias Number						Bond	
I N T A K E Health / Apparent Physical Condition of Defendant FINE						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 Explain: [REDACTED]											
Check which applies: <input type="checkbox"/> Released O.R. <input type="checkbox"/> Released to Parent/Guardian <input type="checkbox"/> Posted Bond <input type="checkbox"/> South County Mental Health						PROPERTY - Received By ALVINO						Released By ALVINO		Released To PBCJ			
Transported By ALVINO						Date Transported 11/02/2016		Time Transported 19:45		Other							
N O T I C E <input type="checkbox"/> INSTRUCTION NO. 1 - Mandatory appearance in court <input checked="" type="checkbox"/> 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											
T O A P P E A R I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT I 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						Court Date and Time											
Signature of Defendant (or Juvenile and Parent/Custodian)												Date Signed					
HOLD for Other Agency						Signature of Arresting Officer ALVINO, RYAN P.						Name Verification (Printed by Arrestee)					
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal						<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other						I.D. # 755 (PRINT)					
Intake Deputy ALVINO						Transporting Officer ALVINO						I.D. # 755		Agency BRPD			
												Witness here if subject signed with an "X".					
												PAGE 1 OF 1					

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OBTS Number		PROBABLE CAUSE AFFIDAVIT				1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias	1	JUVENILE	
A D M I N I C H A R G E S	Agency ORI Number FL 0500200	Agency Name BOCA RATON POLICE DEPARTMENT	Agency Report Number 3 2 2016-015010						
Charge Type: Check as many as apply. 1. Felony 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			Special Notes:				
D E F	Name (Last, First, Middle) COLAVECCHIO, NICHOLAS T		Alias			Race W	Sex M	Date of Birth 07/04/1974	
Charge Description 741.31(4A1) VIOLATE INJUNCTION - DOMESTIC VIOLENCE		Charge Description							
Charge Description		Charge Description							
V I C T I M	Victim's Name (Last, First, Middle)			Race	Sex	Date of Birth			
Local Address (Street, Apt. Number)		(City)	(State)	(Zip)	Phone		Address Source		
Business Address (Name, Street)		(City)	(State)	(Zip)	Phone		Occupation		
<p>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 . . .</p> <p><input type="checkbox"/> committed the below acts in my presence. <input checked="" type="checkbox"/> confessed to <u>OFICIALE ALVINO</u> admitting to the below facts.</p> <p><input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person committ the below acts. <input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.</p>									
<p>On the <u>2</u> day of <u>November</u>, <u>2016</u> at <u>17:57</u> (Specifically include facts constituting cause for arrest.)</p>									
<p>On October 14th 2016, at 1800 hours, I responded to 3513 Pine Haven Circle. I met with Denise Morss in reference to a possible violation of a Palm Beach County Court issued domestic violence injunction.</p>									
<p>Morss advised that she was the protected subject of the injunction issued against her ex-boyfriend, Nicholas Colavecchio. The order was issued by 15th Judicial Circuit Judge Jessica Ticktin on September 30th 2016. The case number is 50-2016-DR-009412-XXXX-SB. Morss told me that the judge told both parties that the injunction would be permanent until further notice. A temporary injunction had been issued prior to this one and it had already expired. It should be noted that Morss showed me the entire court document that she received from the judge. There is no mention of an expiration date for the injunction. One of the conditions of the injunction reads as follows: "Unless otherwise provided herein, Respondent shall have no contact with the Petitioner. Respondent shall not directly or indirectly contact Petitioner in person, by email, fax, telephone, through another person, or in any other manner".</p>									
<p>Morss called for police assistance after receiving a series of Instagram messages from Colavecchio's Instagram account ("nickcolavec74"). The first series of messages started on October 9th 2016 at 10:53pm. "nickcolavec74" stated the following: "I need to talk! Very important. Please please (sic) I am Zero threat I swear on uncle John casala's soul (sic) You know it 5 mins I need it bad please. Do you miss me at All? Can we talk \$\$\$. Can we figure out a plan for \$. Deni please I am Going to make it right the \$\$. I know I can't make us right but it will be paid in full by may 2017". On October 10th 2016 at 3:27pm, "nickcolavec74" stated the following: "Hi. Hi". Finally on October 11th 2016 at 7:10am, "nickcolavec74" stated the following: "Please go visit your parents today. Did you go to cemetery".</p>									
<p>Morss told me that the messages sent to her related to things only she and Colavecchio</p>									
ADMINISTRATIVE	<p>SWORN AND SUBSCRIBED BEFORE ME</p> <p><u>IMMLER, DOUGLAS J.</u> NOTARY PUBLIC / CLERK OF COURT / OFFICER (P.S.B. 117.10)</p> <p><u>11/02/2016</u> DATE</p> <p><u>Ryan 755</u> SIGNATURE OF ARRESTING/INVESTIGATING OFFICER</p> <p><u>ALVINO, RYAN PATRICK (755)</u> NAME OF OFFICER (PLEASE PRINT)</p> <p><u>11/02/2016</u> DATE</p>								
	<p>PAGE 1 OF 4</p>								

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STATE ATTORNEY

CENTRAL RECORDS

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CRIME ANALYSIS

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NOV - 3 2016

OBTS Number

**PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT**

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

1

JUVENILE

A D M I N I S T R A T I V E Agency ORI Number FL 0500200	Agency Name BOCA RATON POLICE DEPARTMENT	Agency Report Number 3 2 2016-015010	
N Charge Type: Check as many as apply. 1. Felony 2. Traffic Felony	3. Misdemeanor 4. Traffic Misdemeanor	5. Ordinance 6. Other	
D E F Name (Last, First, Middle) COLAVECCHIO, NICHOLAS T	Alias		
	Race W	Sex M	Date of Birth 07/04/1974

are privy to. Morss also told me that the mention of her parents and the cemetery were in reference to her deceased parents. It should be noted that Morss received these messages while in the City of Boca Raton at her residence (3513 Pine Haven Circle). Morss did visit the cemetery and located a handwritten note on the gravesite. She is certain that the note is from Colavecchio as it again makes reference to things that only she and him are privy to, including an apology to her parents from the writer for treating her poorly. A copy of the note and copies of the Instagram messages were placed into evidence at the Boca Raton Police Department.

I spoke with Colavecchio via telephone. I asked him if he was aware of the court ordered injunction. He told me that he was issued the injunction. I then asked him if he was aware of the conditions of the injunction, to include no contact with Morss. Colavecchio told me that he was aware. I then asked him if he had attempted to contact Morss and he stated "no". I asked Colavecchio if his Instagram tag was "nickcolavec74", and he stated "yes". I then asked Colavecchio to explain why there were numerous messages to Morss' Instagram account from his. Colavecchio told me that it must have been a misunderstanding and that possibly his 14 year old daughter may have gained access to the account and sent the messages. I asked Colavecchio if it seemed odd that his daughter would be messaging Morss about personal financial matters, and he told me that she had been subjected to more information than she should have while he and Morss had been dating. Colavecchio then told me that he had no interest in contacting Morss.

Subsequent to several records check through Boca Raton Police Dispatch, no current court ordered injunction was displayed in PALMS, FCIC, or NCIC. Morss was certain that the injunction is still valid. I informed her that I would follow-up on the status with the Court.

On October 25th 2016, I contacted the Palm Beach County Clerk of Courts Domestic Violence Division. I spoke with Clerk Yvonne who was able to verify that the injunction was valid. Yvonne transferred me to the Palm Beach County Jail Records Division, where I spoke with Pat who also confirmed the injunction.

On October 28th 2016, I followed up with Morss on the status of the investigation at her residence. At that time Morss was visibly upset almost to the point of crying. I told her that I confirmed the validity of the injunction with the Courts and Jail. Morss then explained to me that Colavecchio has continued to contact her and her daughter. She told me that she wanted the contact to stop as per the orders of the injunction. Morss showed me pictures of her that Colavecchio had posted on his Instagram account. Additionally, Colavecchio had sent numerous messages to Morss' daughter in an effort to make contact with Morss. She also advised that he had called her from a blocked phone number on numerous occasions. Morss then played for me four separate voicemails that she had received from Colavecchio. The following are the length and times that the messages were left: 10/20/16 at 10:47pm for 23 seconds, 10/21/16 at 12:42pm for 11 seconds,

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SWORN AND SUBSCRIBED BEFORE ME

IMMLER, DOUGLAS J

NOTARY PUBLIC / CLERK OF COURT / OFFICER (S.S. 147-10)

11/02/2016

DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

ALVINO, RYAN PATRICK (755)

NAME OF OFFICER (PLEASE PRINT)

11/02/2016

DATE

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A D M I N I S T R A T I V E	OBTS Number Agency ORI Number FL 0500200	PROBABLE CAUSE AFFIDAVIT SUPPLEMENT Agency Name BOCA RATON POLICE DEPARTMENT	1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias 1	JUVENILE
Charge Type: Check as many as apply. 1. Felony 2. Traffic Felony 3. Misdemeanor 4. Traffic Misdemeanor 5. Ordinance 6. Other	Agency Report Number 3 2 2016-015010 Special Notes:			
Name (Last, First, Middle) COLAVECCHIO, NICHOLAS T	Alias		Race W	Sex M
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10/24/16 at 2:50pm for 10 seconds, and 10/26/16 at 9:06pm for 4 seconds. Morss advised that she recognized the caller's voice as Colavecchio. She additionally explained that the contact of the messages were things only Colavecchio were privy to. I collected the messages on an agency issued audio recorder. I submitted the audio and printouts of the Instagram messages into evidence at the Boca Raton Police Department. It should be noted that Morss had received the voicemails at her home while in the City of Boca Raton (3513 Pine Haven Circle).

On October 31st 2016, I made contact with Colavecchio via telephone. I attempted to set up a consensual meeting but he was unavailable on that day. Colavecchio told me that he could come to the Police Department to meet with me on November 2nd 2016.

On November 2nd 2016, I met with Colavecchio inside of the Boca Raton Police Department at approximately 1720 hours. The meeting was held in a private interview room just beyond the front desk. Also present during the interview was Officer Alvarez (#769). The interview was tape recorded and a copy was submitted into evidence. It should be noted that the door to the room was open. Neither Officer Alvarez nor I were impeding the exit from the room. I told Colavecchio on two occasions that he was there on his own accord and free to leave at any time. Colavecchio told me that he understood and we began the interview. I asked Colavecchio about the nature of his relationship with Morss. He advised that they had dated for approximately 1 1/2 years before ending the relationship in late August. He told me that they maintained contact after the break-up and prior to the issuance of the injunction. Colavecchio then explained that he had sent Morss two photographs via email of her daughter smoking what appeared to be marijuana. Colavecchio said that Morss became enraged and then filed a police report against him for alleged battery. This report then led to the issuance of the Domestic Violence Injunction on September 30th. Colavecchio told me that he had been served the injunction and was aware of the conditions to include, no contact with Morss. I asked Colavecchio if he has had any contact with Morss since the date of the injunction, and he said no. Colavecchio then advised that Morss had called him several weeks ago about a civil matter involving repayment of money owed to her by him. He said that he did not initiate that call. It should be noted that Colavecchio did not have any evidence to show that Morss had contacted him.

Colavecchio repeatedly told me that he had not initiated contact with Morss or through a third party since the injunction. I then showed him copies of the Instagram messages received by Morss. I asked him to explain these messages and Colavecchio began fumbling his words. He discontinued eye contact with me and began fidgeting in his seat. He started to tell me that his daughter had sent the messages, but I showed him more messages. Colavecchio then confessed that he had sent the messages to Morss. He stated that he had sent the messages to her in order to fulfill the civil obligation of repaying her money. Colavecchio also advised that his attempts at contacting Morss were never malicious. At 1744 hours, I read Colavecchio his Constitutional Rights from an

ADMINISTRATIVE	SWORN AND SUBSCRIBED BEFORE ME IMMLER, DOUGLAS J NOTARY PUBLIC / CLERK OF COURT / OFFICER # 6.0.117.10 11/02/2016 DATE	SIGNATURE OF ARRESTING / INVESTIGATING OFFICER ALVINO, RYAN PATRICK (755) NAME OF OFFICER (PLEASE PRINT) 11/02/2016 DATE	PAGE 3 OF 4
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agency issued card. Colavecchio explained that he understood his rights and wished to speak with me. I explained to him that he was no longer free to leave and that I had several more questions for him. I then asked Colavecchio about the voicemails left on Morss' phone. He told me that he had left the messages and was attempting to contact her about the same civil matter. I explained to Colavecchio once again that the injunction barred any contact with Morss, malicious or not, and Colavecchio told me that he understood.

Subsequent to a records check through dispatch, it was confirmed that the injunction was valid under case # DR16-9412SB. The service date was 09/30/16 and it is expires on 09/30/17. At 1757 hours, I placed Nicholas Colavecchio under arrest for Violation of Court Ordered Domestic Violence Injunction, under Florida State Statute 741.31(4A1). Colavecchio had directly and indirectly attempted to contact Morss via telephone, email, social media, and through third party. Colavecchio was processed at the Boca Raton Police Department before being delivered to the Palm Beach County Jail for final disposition.

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ADM IN I S T R A T I V E	SWORN AND SUBSCRIBED BEFORE ME <u>IMMLER, DOUGLAS</u> NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) <u>11/02/2016</u> DATE	<u>J. G.</u> SIGNATURE OF ARRESTING / INVESTIGATING OFFICER <u>ALVINO, RYAN PATRICK (755)</u> NAME OF OFFICER (PLEASE PRINT) <u>11/02/2016</u> DATE	PAGE 4 OF 4
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