3099 C23548B

ARREST / NOTICE TO APPEAR

1 Arrest 3 Request for Warrant 2 NTA 4 Request for Capias | 1 | JUVENILE

ADMINISTRATION

OBTS Number	Agency ORI Number	Agency Name	Agency Report Number (N T A's only)
	0500400	Delray Beach Police Department	4 0 19-004274

Charge Type (Check as many as apply): 1 Felony; 3 Misdemeanor; 5 Ordinance; 2 Traffic Felony; 4 Traffic Misdemeanor; 6 Other

If Weapon Seized — Enter Type: None/not Applicable

Multiple Clearance Indicator: 02

Location of Arrest (Including Name of Business)	Location of Offense (Business Name, Address)
900 SW 4TH AVE, DELRAY BEACH, FL	300 S SWINTON AVE, DELRAY BEACH, FL 33444

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
03/17/2019	10:00	03/17/2019	10:45	/ / : :		WESTWAY TOWING

DEFENDANT

Name (Last, First, Middle): COON, NICHOLAS ROSS

Alias (Name, DOB, Soc. Sec. #, Etc.): Alias: COONS, NICHOLAS ROSS

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	03/16/1969	5'10	180	BLUE	BROWN	MEDIUM	MEDIUM

Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description): | Marital Status: M | Religion: CATHOLIC | Indication of Alcohol Influence: Yes ☒ No ☐ Unk ☐ Drug Influence: Yes ☒ No ☐ Unk ☐

Local Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Residence Type (1 City, 2 County, 3 Florida, 4 Out of State)	
922 SW 33RD PLACE, BOYNTON BEACH, FL 33435				(561) 573-7764		2

Permanent Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Address Source
922 SW 33RD PLACE, BOYNTON BEACH, FL 33435				(561) 573-7764	FL DL

Business Address (Name, Street)	(City)	(State)	(Zip)	Phone	Occupation
PEDEGO, 777 E ATLANTIC AVE, C7, DELRAY BEACH, FL 33483				(561) 501-7633	Owner

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
C500636690960 / FL	[redacted]		BOSTON, MA, United	US

CO-DEFENDANT

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?	Description of Property	Value of Property
☒ Yes ☐ No	CAR	$3,000

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, 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 #
DUI-DAMAGE TO PERSON/PROPERTY	316.193(3)(C)(1)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N	/		1	☐ Y ☒ N		

Charge Description	Statute Violation Number	Violation of ORD #
CRASH- LEAVING THE SCENE WITHOUT GIVING INFORMATION	316.061(1)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N	/		1	☐ Y ☒ N		

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 ☐ Suicide Risk ☐ Medication ☐ Deformities ☐ Injuries — Explain

Check which applies: ☐ Released O.R. ☐ Posted Bond ☐ Released to Parent/Guardian ☐ South County Mental Health ☒ T.O.T. County Jail

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: 04/15/2019 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 CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.

Nicholas R. Coon — 3-17-19
Signature of Defendant (or Juvenile and Parent Custodian) — Date Signed

No Photo Available

ADMIN

HOLD for Other Agency | Signature of Arresting Officer: Mark Huyett

☐ Dangerous ☐ Suicidal ☐ Resisted Arrest ☐ Other

Name of Arresting Officer (Print): HUYETT, MARK D — I.D. #: 1051

Intake Deputy — I.D. # — Pouch # | Transporting Officer: HUYETT — I.D. #: 1051 — Agency: DBPD

Name Verification (Printed by Arrestee): (PRINT)

Witness here if subject signed with an "X"

PAGE 1 OF 1

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

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SCANNED
MAR 19 2019
2019 MAR 18 PM 7:55

PROBABLE CAUSE AFFIDAVIT

OBTS Number:

1 Arrest 2 NTA 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	4 0 19-004274

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
COON, NICHOLAS ROSS	COONS, NICHOLAS ROSS	W	M	03/16/1969

CHARGES

Charge Description	Charge Description
316.193(3)(C)(1) DUI-DAMAGE TO PERSON/PROPERTY	316.061(1) CRASH- LEAVING THE SCENE WITHOUT GIVING
Charge Description	Charge Description

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
WHALEN, MICHELLE L	U	F	

Local Address (Street, Apt Number)	(City)	(State)	(Zip)	Phone	Address Source
1296 E HIGH ST FL2, POTTSTOWN, PA 19464					

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

On the 17 day of March, 2019 at 09:34 (Specifically include facts constituting cause for arrest.)

The following incident occurred in the City of Delray Beach, Palm Beach County, Florida and is captured on numerous body-worn cameras.

On Sunday, March 17, 2019 at 09:34, Eric Luckman called DBPD to report a dangerous driver who was southbound on N Swinton Ave from NE 4th St. Luckman described the vehicle as a black Mercedes with Florida license plate MBY774. Luckman told Dispatch that the car was driving in the opposite lane of travel and failed to stop at the Atlantic Ave red traffic light.

At 09:37, DBPD received another call about a traffic crash on S Swinton Ave at SE 3rd St involving the same Mercedes. Officer Rackauskas investigated the traffic crash and was informed by the parties involved (Victoria Giannotti and Kyle Hillegass) that Coon was driving south in the middle of S Swinton Ave, straddling the double yellow line. The victim's vehicle swerved to the side to avoid a collision but was impacted by an opposite direction sideswipe, setting off the airbags and disabling the vehicle. Coon continued on, while drifting over into the opposite lane of travel, striking a curb and driving through numerous front lawns.

After striking the curb, the tireless rim created a gouge in the roadway effectively leaving "breadcrumbs" to the suspect vehicle. The path was followed south to SW 10th St, east to SW 2nd Ave, north to SW 9th Ct, and finally west to SW 4th Ave where Officer Schumer located the Mercedes C230 coupe, which was a total of 0.9 miles away from the crash according to Google Maps. Crime Scene responded to photograph the scenes.

Officer Schumer observed the vehicle owner, Nicholas R Coon, sitting on the ground while attempting to change the front left rim. Officer Schumer told him to stop what he was doing numerous times, but Coon had difficulty following simple instructions along with slow movements. Sergeant Jacobson and I arrived on scene shortly after and Coon was

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

MOSCHETTE, FRANCIS 476
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

03/17/2019
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

HUYETT, MARK D (1051)
NAME OF OFFICER (PLEASE PRINT)

03/17/2019
DATE

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

ADMIN

OBTS Number

PROBABLE CAUSE AFFIDAVIT SUPPLEMENT

1 Arrest 2 NTA 3 Request for Warrant 4 Request for Capias

1

JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
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Special Notes

DEF

Name (Last, First Middle)	Alias	Race	Sex	Date of Birth
COON, NICHOLAS ROSS	COONS, NICHOLAS ROSS	W	M	03/16/1969

PROBABLE CAUSE STATEMENT

placed under arrest for leaving the scene of a crash without stopping to provide information. Coon had difficulty standing and appeared impaired by the use of drugs and / or alcohol. He had pinpoint pupils and was unsteady on his feet, along with smelling of alcohol. Coon denied the use of drugs or alcohol and consented to a test of his blood for determining such. Coon mentioned that it was his 50th birthday last night and he celebrated which included drinking alcohol.

Delray Beach Fire Rescue responded to the scene to assist. Firefighter / Paramedic Lt. Putti performed the task in an ambulance and the blood draw kit was entered into Evidence. Coon mentioned to personnel that he takes prescription Xanax. He was transported to Bethesda Hospital for medical clearance, then to the Delray Beach Police Department Temporary Holding Facility for processing. While in custody, Coon had severe trouble following simple instructions, remembering things he was just informed of, and asked the same questions over and over.

Post Miranda, Coon stated he left his house about ten minutes earlier and was on his way to run some errands before attending his son's baseball game. He acknowledged striking a curb but stated he pulled over right away to change the tire. He denied striking another vehicle. He was later turned over to the Palm Beach County Jail.

Based on the aforementioned, probable cause exists to charge Nicholas R Coon with one count each of leaving the scene of a crash without providing information in violation of Florida Statute 316.061(1) and driving under the influence with damage to property in violation of Florida Statute 316.193(3)(c)(1).

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

MOSCHETTE, FRANCIS

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

03/17/2019

DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

HUYETT, MARK D (1051)

NAME OF OFFICER (PLEASE PRINT)

03/17/2019

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

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REVIEW COMPLETED BY

Booking Number: 2019009143	**Date:** 03/18/2019
	Specialist Name/ID: AM/31562