19MM704

3483

0504578

Arrest / Notice to Appear
Juvenile Referral Report

ADMINISTRATIVE

OBTS Number		1. Arrest 3. Request for Warrant 2. N.T.A. 4. Request for Capias		Juvenile
			1	☐

Agency ORI Number	Agency Name	Agency Report Number
FLO 502700	PALM SPRINGS POLICE DEPARTMENT	82- 19-00873 ( )

Charge Type: Check as many as apply. ☐ 1. Felony ☐ 2. Traffic Felony ☒ 3. Misdemeanor ☐ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other

Weapon Seized / Type: N/A

Multiple Clearance Indicator:

Location of Arrest (Including Business Name)	Location of Offense (Business Name, Address)
3138 Lake Worth Rd, Palm Springs, FL 33461	3138 Lake Worth Rd, Palm Springs, FL 33461

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
01/15/2019	0759					

DEFENDANT

Name (Last, First, Middle): **Diez, Ricardo, Eugenio** Alias:

Race: W – White I – American Indian B – Black O – Oriental/Asian	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	M	08/02/1983	6'0	225	Brn	Blk	Olive	Large

Scars, Marks, Tattoos, Unique Physical features (Location, Type, Description): **Tattoo on right arm**

Marital Status: | Religion: | Indication Of Alcohol Influence / Drug Influence: Yes / No

Local Address (Street, Apt, Number) (City) (State) (Zip): **2801 Sarento Place, PGA, FL 33410** | Phone: | Residence Type: 1 City 2 County 3 Florida 4 Out of State — **2**

Permanent Address (Street, Apt, Number) (City) (State) (Zip): **2801 Sarento Place, PGA, FL 33410** | Phone: | Address Source: **Defendant**

Business Address (Street, Apt, Number) (City) (State) (Zip): | Phone: | Occupation:

D/L Number, State	Social Security Number	INS Number	Place of Birth (City, State)	Citizenship
D-[redacted]-282-0	[redacted]		Central Fall, RI	US

CO-DEF

Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	
				☐ 1. Arrested ☐ 3. Felony ☐ 5. Juvenile ☐ 2. At Large ☐ 4. Misdemeanor
Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	☐ 1. Arrested ☐ 3. Felony ☐ 5. Juvenile ☐ 2. At Large ☐ 4. Misdemeanor

JUVENILE

☐ Parent ☐ Other ☐ Legal Custodian — Name (Last, First, Middle): | Residence Phone:

Local Address (Street, Apt, Number) (City) (State) (Zip): | Business Phone:

Notified by: (Name) | Date | Time | Juvenile Disposition: 1. Handled/Processed within Dept. and Released 2. TOT HRS/DYS 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: (name) ☐ 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. Dispense/ Distribute M. Manufacture Z. Other Produce/ Cultivate

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	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
Trespass After Warning	1	No	810.08(1) 08(2a)	

Drug Activity	Drug Type	Amount / Unit	Offense Number	Warrant / Capias Number	Bond
N	N	N/A	19-00873		

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
Resist Officer w/o Violence	1	No	843.02	

Drug Activity	Drug Type	Amount / Unit	Offense Number	Warrant / Capias Number	Bond
N	N	N/A	19-00873		

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #

Drug Activity	Drug Type	Amount / Unit	Offense Number	Warrant / Capias Number	Bond

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #

Drug Activity	Drug Type	Amount / Unit	Offense Number	Warrant / Capias Number	Bond

NOTICE TO

☐ Instruction No. 1 Mandatory Appearance in Court

☐ Instruction No. 2 You need not appear in Court but must comply with instructions on Reverse side.

Location (Court, Room Number, Address): **3228 Gun Club Rd, West Palm Beach, FL 33406**

Court Date and Time: Month: **February** Day: **19th** Year: **2019** Time: **0800** ☒ A.M. ☐ P.M.

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.

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

ADMIN

HOLD for other agency Name:

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other

Signature of Arresting Officer:

Name of arresting Officer (Print): **Ofc. Fardella** I.D.# **193**

Name Verification (Printed by Arrestee) (PRINT):

Intake Deputy	I.D.#	Pouch #	Transporting Officer	I.D.#	Agency
			Ofc. Fardella	193	PSPD

Witness here if subject signed with X

Page 1 Of 1

F4261 DISTRIBUTION: WHITE - COURT COPY, GREEN - STATE ATTORNEY, YELLOW - AGENCY, PINK - JAIL, GOLD - DEFENDANT(NTA"S ONLY)

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2019 JAN 16 AM 8:08 PALM BEACH COUNTY FLORIDA BRANCH 192

ADMIN.					
OBTS Number	**PROBABLE CAUSE AFFIDAVIT**	1. Arrest 3. Request for Warrant 2. N.T.A. 4. Request for Capias	1	Juvenile ☐	
Agency ORI Number FLO 502700	Agency Name **PALM SPRINGS PUBLIC SAFETY**	Agency Report Number **82- 19-00873**			
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) Diez, Ricardo Eugenio	Alias	Race W	Sex M	Date of Birth 08/02/1983	

CHARGES	
Charge Description **Trespass After Warning**	Charge Description
Charge Description **Resist Without violence**	Charge Description

VICTIM					
Victim's Name (Last, First, Middle) U-Haul Neighborhood Dealer	Alias	Race N/A	Sex N/A	Date of Birth N/A	
Local Address (Street,Apt,Number) (City) (State) (Zip) **3138 Lake Worth Rd** **Palm Springs** **FL 33461**		Phone **561-439-0994**		Address Source **Buisness**	
Business Address (Street,Apt,Number) (City) (State) (Zip) **3138 Lake Worth Rd** **Palm Springs** **FL 33461**		Phone		Occupation	

The undersigned certifies and swears that he/she has just and reasonable grounds, and does believe 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 **Ofc. Haag** who told **Ofc. Fardella** that he/she saw the arrested person commit the acts below.

☐ confessed to admitting to the below acts.

☒ was found to have committed the below acts, resulting from my (described) investigation.

On the **15th** day of **January** 2019 at **0759** ☒ A.M. ☐ P.M. (Specifically include facts constituting cause for arrest.)

(PROBABLE CAUSE STATEMENT)

On January 15th, 2019 at approximately 0730hrs I was dispatched to the U-Haul Neighborhood Dealer, located at 3138 Lake Worth Rd, Palm Springs, FL 33461 in reference to an unwanted guest. Upon arrival I made contact with Ofc. Haag #151, who stated she was out with a subject, later identified as Ricardo Eugenio Diez (DOB: 08/02/1983). Ofc. Haag stated she was with the manager of the business, later identified as Guillermo Castaner (DOB: 08/19/1947) and they approached one of the U-haul trucks which had Diez inside. Ofc. Haag told me when she attempted to get Diez out of the truck after stating she was a Police Officer for Palm Springs Police and Diez refused.

I approached the vehicle with Ofc. Haag, Ofc. Perez and Ofc. Fequiere, unlocking the vehicle and began to give verbal commands to Diez to exit the vehicle. Diez did not respond to commands and continued to sit in the vehicle. We were able to get a hold of Diez and safely removed him. I attempted to place Diez in handcuffs but was he refused by tucking his right arm under his body while laying down on the ground. Diez began to make his right arm stiff causing his arm to not bend to properly place Diez in handcuffs. I was finally able to gain control of Diez's right arm and placed Diez in handcuffs, securing they were double locked and checked for proper spacing. I placed Diez into the back of my marked Palm Springs Police Patrol Car #148 and made Diez aware he was being arrested for Trespassing and Resisting Without Violence.

Based on the information I received, the statement given by Castaner and the acts Diez committed in my presence, Diez was arrested for resisting an officer without violence and trespassing after warning. I transported Diez to the Palm Springs Police Department for processing. Diez was later transported and turned over to the Palm Beach County Jail for booking and further processing.

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STATE OF FLORIDA
COUNTY OF PALM BEACH

Signature of Arresting/Investigating Officer

The foregoing instrument was sworn to or affirmed and subscribed before me this 15th day January 2019 by Ofc. Fardella

(Print name if Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced: Police ID

OFC. [illegible] #151

Signature of Notary Public/Clerk of Courts/Police Officer

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: 2019001728	**Date:** 1/15/2019
	Specialist Name/ID: J. Beck/9007