

Sheriff Eric Flowers Indian River County Sheriff's Office

ARREST AFFIDAVITS THAT HAVE A SOCIAL SECURITY NUMBER WILL BE REDACTED IN ACCORDANCE WITH THE FOLLOWING STATE STATUES:

- SOCIAL SECURITY NUMBERS 119.071 (5) (a) FS
- MARSY'S LAW-FLORIDA CONSTITUTION ARTICLE 1, SECTION 16(B)(5)

SOME ARREST AFFIDAVITS WILL REQUIRE ADDITIONAL REDACTIONS AND THOSE AFFIDAVITS WILL BE MARKED ACCORDINGLY.

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REPORT DATE: 07/24/2025

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AGENCY CASE #: 2025001412 REPORT DATE: 07/24/2025

CHARGE # 1	VICTIN 1		OFFENSE START DATE 07/24/2025		OFFENSE END DATE 07/24/2025		INCIDENT STAR 07/24/2025			ENT END DATE 4/2025
1 JUVENILE R CHARGE TYL FSS	FERRAL									
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CTATUTE D	SCRIPT	ION				COU	NTS INCREASED PENA	LTY		DOMESTIC VIOLENC
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DRUG ACTIV	ΊΤΥ	DRUG TYPE	DRUG AMOUNT		BAIL BOND TYPE		BOND DATE	BOND AMC \$500.00		VARRANT #

ENFORCEMENT OFFICIAL		LAST NAME KRIEGNER		BADGE # 092	RANK OFFICER	SIGNATURE METHOD
ENFORG	I SWEAR/AFFIRM THE ABOVE ATTACHED STAT 07/24/2025 at 05:04	TEMENTS ARE TRUE AND	CORRECT ON	OFFICER SI		est Vragion
AFFIRMING OFFICIAL	AFFIRMING OFFICIAL NAME	-	AFFIRMING AGENCY		SNATURE METHOD	AFFIRMING OFFICIAL SIGNATURE
FEI	SUBSCRIBED AND AFFIRMED TO BEFORE ME ON)	/24/25 AT 0(юг ВҮ			
AFIO	WHO IS PERSONALLY KNOWN TO ME OR HAS PROD	DUCED			AS IDENTIFIC	ATIONLEO/CO (FSS 117.10)



AGENCY CASE #: 2025001412

REPORT DATE: 07/24/2025

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named defendant committed the following violation of law: 07/24/2025 01:46 On . at

(Specifically include facts constituting cause for arrest.)

On 7/24/25, at approximately 0146 hours, I Ofc. Kriegner, responded to 80 Royal Palm Point, in reference to an intoxicated male subject running barefoot around boats. I was unable to locate the subject at this location; however, I was notified by Vero Beach Communications, that the subject was observed traveling south bound on Indian River Boulevard. I then made contact with the complainant, Michael Spencer (C1) at the intersection of Indian River Boulevard and 24th street, who informed me that his fianc, 2-month-old child, and stepfather, had traveled to Royal Palm Point to go fishing. C1 stated his stepfather consumed a large container of Modelo Beer and traveled away from the group on foot.

While I was speaking with C1, I was informed via radio communication that Ofc. Retiro had located the subject at 21st street and Indian River Boulevard. Ofc. Retiro then informed Vero Beach Communications that the subject fled a short distance as near the 400 block of Vero Isles Dr.

C1 was asked to follow our patrol vehicle to the location of the subject in order to identify his stepfather. C1 positively identified the subject as his stepfather, David Bryant (S1). C1 informed me that S1 had experienced some traumatic events and believed he might be mentally suffering from those events.

I then made contact with S1 who was verbally combative with other officers on scene, stating "fuck off" when asked if he would be willing to answer questions in reference to his wellbeing. While S1 was speaking, I observed his speech to be slurred and his eyes to be bloodshot. S1 was also emanating a strong odor of an alcoholic beverage. S1 did not state he wanted to harm himself and was asked to go about his business. Once S1 was released, I remained on scene with other officers and observed him walking back and forth on the Indian River Blvd.

On 7/24/25, at approximately 0236 hours, I responded to the Indian River Boulevard and the Barber Bridge, in reference to a suspicious person walking northbound on Indian River Boulevard near base of the Barber Bridge. The caller advised that a male subject was walking in the middle of the roadway, waving a shirt in the air, and they requested a welfare check on the individual.

As I approached the location of the subject, I observed an individual, whom I was able to identify as S1, walking in the middle of the roadway with no illumination or anything to indicate to oncoming drivers of his presence on the roadway. I had to make evasive actions in order to avoid hitting him, I then made contact with S1 and asked him exit the roadway and to walk in the walkway, marked by barricades. S1 was asked to exit the roadway so for his own safety and was informed accordingly. S1 refused to do so and stated that he was not breaking any laws by walking on the main roadway. Again, S1 was asked to exit the roadway and walk in the indicated walkway, S1 momentarily stepped onto the walkway, but immediately stepped back onto the roadway, stating he was not going to walk on the part of the road that he was requested to. Once again, I requested S1 to walk on the safer walkway and again he refused and began walking away from me. S1 was asked several times to exit the roadway for his safety; S1 denied to do so. S1 then became verbally combative by yelling at officers on scene. While speaking with S1 a second time, S1 still observed to have slurred speech, bloodshot eyes, and a strong odor of an alcoholic beverage emanating from his person.

Due to my observation of S1s behavior, which endangered the public as well as himself, S1 was placed under arrest for violation of FSS 856.011 Disorderly Intoxication. S1 was transported to the Indian River County Jail for booking; however, was required to be medically cleared by the Indian River County Hospital for foot pain before then being returned to jail booking staff without further incident.

AFFIRMING OFFICIAL NAME

SUBSCRIBED AND AFFIRMED TO BEFORE ME ON

AFFIRMING OFFICIAL SIGNATURE_

WHO IS A LAW ENFORCEMENT OFFICER OR NOTARY

I swear/affirm the above attached statements are true and correct.

Jayant Krie

P.C. Exists for Charge(s):	YES		
		Judge's Signature	Date
			RIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE REST SHALL BE ISSUED. SIGNING THIS NOTICE TO APPEAR IS NOT AN ADMISSION MATION LISTED HEREON.
DEFENDANT/JUVENILE SIGNATURE	1		PARENT/GUARDIAN SIGNATURE

OFFICER'S SIGNATURE

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ADMINISTRATIVE	Officer's / Complaina	ant's Signature	/			s	ignatu	re	le II				Receip	red Date /	Time	128
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NDIAN RIVER COUNTY SHERIFF'S OFFICE ARREST AFFIDAVIT 4055 41st Ave Vero Beach, Florida 32960

Arrest Affidavit Report

2025-8500 Case Report #

NARRATIVE

On the above date and time I Deputy T.Bullard served Stark, Kendall, James Edward a active Indian River warrant# 312015CF000421A CT-1 Felony Violation of Probation CT3-CT5 AGG ASSAULT-FIREARM, CT-^ GRAND THEFT MV, CT-7 FLEE OR ELUDE-LIGHTS AND SIRENS NO BOND. I have no further information.

The preceding is true to the best of my knowledge or belief

ARRESTING OFFICER / SIGNATURE

Sworn and Subscribed before me thig NOTARY/ ASA LED

2 / day of Jul-7.25

My comission expires

Agency INDIAN RIVER COUNTY SHERIFF'S OFFICE

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PAGE 2 OF 6

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AGENCY CASE #: 25-1306

REPORT DATE: 07/24/2025

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AGENCY CASE #: 25-1306 REPORT DATE: 07/24/2025

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AGENCY CASE #: 25-1306 **REPORT DATE: 07/24/2025** The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named defendant committed the following violation of law: 07/24/2025 14:20 On (Specifically include facts constituting cause for arrest.) , at On Thursday, July 24, 2025, at approximately 0822 hours, Officer Sanchez #406 and I responded to in reference to a disturbance. Upon my arrival, I could hear yelling coming from the garage. I ran into the garage and observed the suspect (Janusz Zaleski) resisting Officer Venegas #420 and Officer Irwin # K9-42. Both Officers were pinned against the garage wall trying to get Janusz to comply. I assisted officers as we were attempting to take Janusz into custody. Let it be noted that Janusz is 6"2 230 lbs. Janusz continued to resist officers and at this point Officer Sanchez drew her taser and gave loud commands that she was going to tase Janusz if he does not comply with officers. Janusz began to move froward towards Officer Sanchez rather than listen to law enforcement commands. This resulted in Officer Sanchez deploying her taser. After the taser was deployed, Officer Venegas and Officer Irwin were able to get both of Janusz's arms and place them behind his back. Due to Janusz's large wrist I was only able to place one handcuff on him while Officer Venegas placed another handcuff on his other hand. Janusz was still tensing up as handcuffs were being put on. Mechanical restraints were checked for size and double locked. After speaking to Officer Irwin he stated the following according to his supplement, I notated to responding units the Husband was not law enforcement friendly and he had access to firearms inside of the residence. Dispatch followed up by repeating there were weapons in the residence and that the Husband was prior military, and there was a weapon safe in the garage, While en-route to the location dispatch advised the two individuals were still together in the same room and they could hear arguing in the background. Shortly thereafter, Officer Venegas arrived on scene followed by myself. With both made our way up to the front of the residence and Officer Venegas noted the garage door was open. Officer Venegas rang the doorbell to the residence, while I held a position in front of the garage.

Shortly after ringing the doorbell, the inside door to the garage opened and a female appeared. She was on the phone with what sounded like our dispatch as she approached me. Initially observing the female, I could see slight redness on her left cheek, leading me to believe there was a physical disturbance. She also appeared to be distraught and happy to see law enforcement. After reaching me, she got off the phone and began speaking. It was at this time I heard the front door to the residence open and immediately close. I then observed the inside door of the garage open and a male appeared. He then came and stood next to the gun safe in the garage.

Once both parties were present, I asked the male to come out of the garage and speak to Officer Venegas. The male replied "no" and then proceeded to ask if he was under arrest. I responded by telling him potentially but it would depend on the outcome of our investigation. I again asked for him to come out and speak. He, again, refused and turned around and began walking back into the residence. Realizing the potential danger that exist by allowing an individual to access their residence during a Domestic Violence Investigation, I open the waist high gate leading into the garage and ran after the male. After I rounded the corner inside the garage, I grabbed the male by the arm and he immediately began tensing up and charged towards the door. I told the male to stop and wrapped him up with both arms to defeat his action. We both fell forward into the garage door leading into the house, with me landing against my back and the male on top of me. Officer Venegas attempted to gain control of the male at this point, which caused the male to grab Officer Venegas by the throat and shove him into a nearby shelving unit. I responded by throwing a closed fist punch into the male's head to get him to break his grip on Officer Venegas' neck, which was effective. However, the male continued to resist and was not listening to commands. The male refused to give us his arm and pull away. I yelled for Officer Sanchez and Keiser, who just came running into the garage to tase him. The male told us no and

I told the male to, again, stop resisting by giving us his hands. After refusal to comply, I directed Sanchez to tase the male, which she did. The male's body locked up and he fell backwards partially locking up. Officer Venegas and i attempted to put the male in handcuffs, however he continued to pull away. After an additional taser cycle, the male became compliant and was subsequently placed in handcuffs.

I spoke to the other officer on scene, Officer Venegas, who summarized in his supplement, which initially had the same account as Officer Irwin, Officer Irwin attempted to take physical control of Janusz, which was followed by Janusz immediately resisting Officer Irwin's efforts by turning his back and pinning Officer Irwin against the corner of the garage using his back. It was at this time that I grabbed Janusz's right arm to assist him to the ground and get him off of Officer Irwin, Janusz immediately tensed his arm and pulled it away from me. Janusz was using his upper body to push myself and Officer Irwin back and forth between the corner of the garage and against the wall. Janusz was repeatedly swatting my arms away as I attempted to gain control of his arm. While this was occurring, Janusz pushed his body weight in my direction. At the same time Janusz did this, he continued to swat my arms away and briefly grabbed onto my neck while pushing me back against a rack full of various tools and objects. Even after taking his hand off of my neck, Janusz continued to tense and push against Officer Irwin into the corner of the garage. It should be noted, when I observed and felt Janusz place his hand around my neck, I was in fear that Janusz could potentially squeeze his hand to restrict my airflow which would have caused great bodily harm or even death. At the time of this incident, Janusz stood at 6 foot 2 inches tall and 230 pounds. Janusz proceeded to drop his weight directly to the ground, still refusing to comply with law enforcement by tensing his arms and refusing to place his hands behind his back. Janusz sat down and lifted his shirt up while Officer Irwin and I are still attempting to place his hands behind his back. At this time, Officer Sanchez drew her taser and warned Janusz he was going to be tased if he continued to resist law enforcement. Janusz proceeded to move forward in Officer Sanchez's direction rather than comply with law enforcement, resulting in Officer Sanchez deploying her taser. Once the taser was deployed, Officer Irwin and I were able to move Janusz towards the ground. However, Janusz continued to tense his arms

PAGE 5 OF 6

AGENCY CASE #: 25-13	1306
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REPORT DATE: 07/24/2025

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named defendant committed the following violation of law: 07/24/2025 14:20 On (Specifically include facts constituting cause for arrest.) at preventing us from being able to take him into custody. Once I was able to grab onto Janusz's right arm while being on the ground behind him, I immediately placed it behind his back. While doing so, I could still feel Janusz attempting to tense up. At this time Officer Irwin and I were able to finally get both of Janusz's hands behind his back and place him into mechanical restraints. I spoke with Nikki inside of the residence to which she stated the following: Janusz noticed the AT&T on the television was not working. As a result of this, Janusz began to accuse Nikki of intentionally changing the password to not allow him further access. Nikki stated this was not the case, however she was not able to explain this to Janusz due to him beginning to yell and become aggressive towards her. According to Nikki, Janusz stated to her there was a camera inside of the room they were in. Nikki asked Janusz where this camera was located to which Janusz used his head to point in the direction of where it was at. Nikki went to go wave at the camera so she turned her body toward him, to which Nikki stated Janusz proceeded to swing his arm up and across her face causing her bottom partial denture to become lose in her mouth. Nikki stated Janusz was seated on his chair when this occurred. Nikki stated the backside of Janusz' hand is what struck the left side of her face. I did not observe any marks or redness on Nikki's face. I spoke to Officer Sanchez, who summarized her side of the incident, Upon arrival on scene with Officer Keiser, Officer Venegas had gone "y for now" over the radio. After that radio transmission, I heard yelling and scuffling coming from the garage. Officer Keiser and I ran towards the garage door, where I observed, Officer Venegas and Officer Irwin trying to retrain the suspect, identified as Janusz Zaleski. Janusz was pulling, screaming actively resisting, and was completely tensed up. Janusz is a 6'2" man who weighs 230 lbs, who was actively resisting and being combative with the two officers. Both officers were PROBABLE CAUSE STATEMENT giving Janusz, loud and concise commands to stop resisting. Both Officers were telling Janusz to put his arms behind his back to which he kept being noncompliant. At one point Officer Irwin yelled for either Officer Keiser or myself to "tase him!" I drew my taser out, turned it on, giving me solid red dot to which I pointed onto the suspect center mass on Janusz torso. Before deploying the taser, I gave the command to stop resisting. Janusz continue to pull, and tense against the other two officers. I pulled the trigger and the taser was deployed. Janusz went rigid for the five second cycle. After the cycle was complete, Janusz began to pull, tense and try to get up from where he was at. When I saw that he started to get up and push back on the officer who were still trying to gain compliance from him, I pulled on the trigger again for another five second cycle. After the cycle was complete, Janusz relaxed and was not tensing as much. At this time, Officer Venegas, Officer Irwin and Officer Keiser applied the mechanical restraints, I advised Janusz to try to breathe normally, in through his nose and out through his mouth. Once the other officer had control of hi and were able to take the mechanical restraints, they helped Janusz to his feet. EMS was on scene, and Janusz was escorted onto a gurney. Janusz was transported to Sebastian Medical Center via ambulance on Rescue 8 to be cleared. Since Janusz was being combative, I rode in the back of the ambulance to provide a safe trip to the hospital. Janusz was charged for battery domestic violence, FSS 784.03, resisting without violence, FSS 843.02, resisting with violence x2, FSS 843.01, battery of law enforcement x2, FSS 784.07. Once cleared by Doctor John Arnold, from Sebastian River Medical Center, I transported Janusz to Indian River County Jail without any further incident.

AFFIRMING OFFICIAL NAME _

__SUBSCRIBED AND AFFIRMED TO BEFORE ME ON_

AFFIRMING OFFICIAL SIGNATURE

WHO IS A LAW ENFORCEMENT OFFICER OR NOTARY

I swear/affirm the above attached statements are true and correct.

P.C. Exists for Charge(s): YES	Date
I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBS COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY A OF GUILT. YOUR SIGNATURE ACKNOWLEDGES RECEIPT OF THE INFO	RREST SHALL BE ISSUED. SIGNING THIS NOTICE TO APPEAR IS NOT AN ADMISSION
DEFENDANT/JUVENILE SIGNATURE	PARENT/GUARDIAN SIGNATURE

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INDIAN RIVER COUNTY SHERIFF'S OFFICE ARREST AFFIDAVIT 4055 41st Ave Vero Beach, Florida 32960 Arrest Affidavit Report

Case Report # 2025-00078069

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NARRATIVE

On Thursday, July 24, 2025, at approximately 1846 hours, I, Deputy M. Neill #6317 was on patrol at the BP gas station located at 1999 9th Street SW (Oslo Road), Vero Beach, Florida.

Sec. 1

While on patrol, I was driving through the gas station parking lot when I noticed a Black Nissan Altima bearing Florida tag CP65GE facing southbound at gas pump. The vehicle was occupied by a black male driver who was in the driver's seat. The driver, was slumped forward and motionless. I paused for a couple seconds to see if they would move again. After waiting approximately ten to fifteen seconds, I observed no movement from the driver. Based on the lack of movement, I was concerned the subjects well being and stopped out with them to see if they were ill, injured, or impaired.

Upon notifying dispatch about the incident, I observed the driver and sole occupant of the vehicle start to move around. As I walked closer, the driver started to make furtive movements around the drives seat area. I approached and looked in to the vehicle. I observed the driver, later identified as Mr. Derrick Tippins grab an old burnt end of a marijuana cigarette (Roach). Mr. Tippins rolled down his window. After doing so, I observed four large buds of a green leafy substance, which I believed to be marijuana sitting in the open on the passenger seat of the vehicle. I also smelled the odor of burnt marijuana emitting from the vehicle.

I asked Mr. Tippins to exit the vehicle. Upon him exiting the vehicle he attempted to discard a small amount of green leafy substance, again believed to be marijuana.

Based on the discover of what appeared to be raw marijuana in plain view, as well as the odor of freshly burnt marijuana, paired with evidence of recently smoked marijuana (the roaches in plain view), a probable cause search was conducted.

During a search of the vehicle, I located the following in the driver's door cubby, near the driver's door handle:

- ¹/₂ Pill of Acetaminophen and Oxycodone Hydrochloride (street name Percocet)
- ¹/₂ Pill of Alprazolam (unknown which specific type) (street name Xanax)
- ¹/₂ Pill of 3,4-Methylenedioxymethamphetamine (MDMA or Ecstasy)

The Acetaminophen and Oxycodone Hydrochloride was identified by Drugs.com. The MDMA field tested presumtive positive using a Field Test Kit.

It should be known that also located in the door, on the lower door cubby were multiple credit cards which had Mr. Tippins name on it. Mr. Tippins was the only subject in the vehicle upon contact with law enforcement. Additionally, he was the only one who could have had access to the location where the narcotics were found.

Mr. Tippins was advised of his Miranda Rights. He advised he understood his rights but denied to answer questions about the incident. After being informed of his charges, he advised he had a prescription for Xanax and Percocet's. When asked if he could provide those prescriptions, he stated that they were at home. Mr. Tippin's also made another spontaneous statement that

The preceding is true to the best of my knowledge or belief

ARRESTING OFFICER / SIGNATURE

hp-bnz

Neill, Michael A712

Sworn and Subscribed before me this	24th day of UL
NOTARY/ASA DOLONN	\sim
My comission expires	LEO
Agency INDIAN RIVER COUNTY S	HERIFF'S OFFICE

Arrest Affidavit Report

Case Report # 2025-00078069

NARRATIVE (Continuation)

it was "his vehicle" although it is not registered to him, implying that he is the main subject to drives the vehicle.

Based on the above, I believe there is probable cause to arrest Mr. Tippins for three counts of Possession of a Controlled Substance, pursuant to FSS 893.13.

Mr. Tippen's was transported to the Indian River County Jail without incident.

INDIAN RIVER COUNTY SHERIFF'S OFFICE ARREST AFFIDAVIT 4055 41st Ave

Vero Beach, Florida 32960

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The preceding is true to the best of my knowledge or belief

ARRESTING OFFICER / SIGNATURE

- Ju 63/7

Sworn and Subscribed before me this 24th day of July NOTARY/ ASA My comission expires Agency _____INDIAN RIVER COUNTY SHERIFF'S OFFICE

Neill, Michael A712

AGENCY CASE #: 25-1308

REPORT DATE: 07/24/2025



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AGENCY	CASE #:	25-1308

REPORT DATE: 07/24/2025



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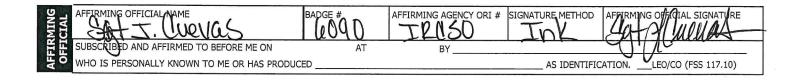
PAGE 2 OF 4

AGENCY CASE #: 25-1308

REPORT DATE: 07/24/2025



ENFORCEMENT OFFICIAL	FIRST NAME T	LAST NAME GOEMANS	BADGE # 437		SIGNATURE METHOD
ORG	I SWEAR/AFFIRM THE ABOVE ATTACHED STA	TEMENTS ARE TRUE AND CORRECT ON	OFFICER SIGNATL	JRE	
ENE	07/24/2025 at 20:09			Joe	_



A	GE	N	CY	CAS	E #:	25-:	1308

REPORT DATE: 07/24/2025

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named defendant committed the following violation of law: 0n , at (Specifically include facts constituting cause for arrest.)

On Thursday July 24, 2025 I responded to

in reference to a disturbance.

Upon arrival, I made contact with Eric Sanders who stated he was involved in an argument with his wife. Mr. Sanders stated he has been having ongoing marriage problems and is seeking professional help via online services. Today, Mr. Sanders stated while on the phone in a therapy session his wife became upset and they ended the session early. Mr. Sanders then stated his wife became more upset leading to them yelling and screaming at each other. Mr. Sanders described the incident as verbal only at first but explained it soon escalated to physical. As per Mr. Sanders, his wife slapped him several times in the arms and chest. Mr. Sanders stated during this time he raised his hand for self-defense.

Mr. Sanders then showed a cell phone video of the incident, which showed Mrs. Sanders making contact with Mr. Sanders several times as he attempted to block the strikes. The video showed Mrs. Sanders continue to strike Mr. Sanders with what appeared to be an open hand. Mr. Sanders also stated Mrs. Sanders blocked the front door preventing him from exiting for a short period of time. Mr. Sanders denied any injury and had no obvious signs of injury.

When Mrs. Sanders was questioned about this incident, she refused to answer any questions and stated "I have nothing to say, he has all the evidence, its on video." Mrs. Sanders did confirm prior incidents but refused to explain any details about todays incident.

Based on the above, Mrs. Sanders was determined to be the primary aggressor and was therfore placed under arrest. Mrs. Sanders was then transported to the Indian River County Jail without incident.

AFFIRMING OFFICIAL NAME ____

PROBABLE CAUSE STATEMENT

_SUBSCRIBED AND AFFIRMED TO BEFORE ME ON

AFFIRMING OFFICIAL SIGNATURE

____ WHO IS A LAW ENFORCEMENT OFFICER OR NOTARY

I swear/affirm the above attached statements are true and correct.

P.C. Exists for Charge(s):	YES		
	NO NO	Judge's Signature	Date
			RIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE REST SHALL BE ISSUED. SIGNING THIS NOTICE TO APPEAR IS NOT AN ADMISSION MATION LISTED HEREON.
DEFENDANT/JUVENILE SIGNATURE			PARENT/GUARDIAN SIGNATURE

OFFICER'S SIGNATURE

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INDIAN RIVER COUNTY SHERIFF'S OFFICE ARREST AFFIDAVIT 4055 41st Ave

Vero Beach, Florida 32960

Arrest Affidavit Report

Case Report # 2025-00078103

NARRATIVE

On Thursday, July 24, 2025 at approximately 2100 hours I responded to the area of in reference to a disturbance.

Upon arrival I met with Mr. John Livingston who advised the following, during a video recorded statement: He and his brother, Mr. Jesse Livingston (arrestee), got into an argument when Mr. Jesse returned home from a friend's house. Mr. Jesse and Mr. John both When Mr.

Jesse returned home, he was visibly intoxicated and being very loud. Mr. John told his brother to quiet down and Mr. Jesse proceeded to call him names and curse at him while holding a full beer bottle. Mr. Jesse became so animated he flung the liquid beer out of his beer bottle onto and striking his brother, Mr. John. Mr. Jesse, now with an empty beer, grabbed a vodka bottle and sprayed that on his brother striking him again with the liquid therein. Mr. Jesse then left the residence by going out front while Mr. John went to his room to change his clothes.

After Mr. John changed his shirt, he went out front where he and his brother continued engaging in verbal argument. Mr. Jesse left the property just before Deputies arrival.

Upon my arrival and contact with Mr. John, his person had a prominent smell of alcoholic beverage yet he seemed and acted completely sober. Through talking with Mr. John, it was noticed his vehicle, a red Ford Explorer bearing Florida tag number NMVF66, had a smashed windshield with a small boulder near the front of the vehicle. Mr. John advised he did not wish to press charges of criminal mischief for the windshield.

Deputies proceeded to canvass the area in search of Mr. Jesse. Moments later, Sergeant C. Thimmer (ID#5185) located Mr. Jesse behind lot number 2. Mr. Jesse was subsequently detained and preliminarily searched by Sgt. Thimmer. I arrived shortly after and ensured proper fit and tightness as well as ensured the handcuffs on Mr. Jesse were double locked. While near Mr. Jesse I inquired about the incident between him and his brother. Mr. Jesse was noticeably intoxicated. Mr. Jesse could not describe the incident much more than saying his brother punched him in the face. Mr. Jesse did have a small laceration to his bottom lip but it could not be determined if it was from a punch or his adventure while trying to evade being located by Deputies.

Mr. John did advise to Sgt. C. Thimmer at a later time he did not punch Mr. Jesse. Mr. John did utter the comment "he was so drunk he probably fell."

Mr. Jesse Livingston was placed under arrest for Battery Domestic Violence (F.S.S. 784.03) for actually striking his brother Mr. John Livingston with the liquid beer and liquid vodka. I Searched Mr. Jesse before placing him in the back seat of my patrol vehicle. He was transported to the Indian River County Jail without incident.

The preceding is true to the best of my knowledge or belief

ARRESTING OFFICER / SIGNATURE

Edgar, Justin A702

Sworn and Subscribed NOTARY/ ASA My comission expires I FC Agency INDIAN RIVER COUNTY SHERIFF'S OFFICE

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INDIAN RIVER COUNTY SHERIFF'S OFFICE

ARREST AFFIDAVIT 4055 41st Ave

Vero Beach, Florida 32960

Arrest Affidavit Report

Case Report # 2025-00078120

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REPORTING OFFICER & ID # Estrella Angeles, Donaldson A522



INDIAN RIVER COUNTY SHERIFF'S OFFICE (Carl ARREST AFFIDAVIT 11 4055 41st Ave

Vero Beach, Florida 32960

Arrest Affidavit Report

Case Report # 2025-00078120

NARRA	TIVE
On July 24, 2025, at approximately 2214 hours I responded to disturbance.	in reference to a
While enroute Indian River County Public Safety Dispatch advise plotting at the second They also advised that the line was to call back.	d that the call came out at second second but was now so a second s
Upon my arrival, I could hear two males later identified as Austir made my approach Motes was walking away from Wallace, as W open and close the door to Motes truck where the caller Terri W	allace was walking towards him. I then observed Wallace
I attempted to gain compliance from both male parties in order to listen and was given commands multiple times. Austin continued remain calm. Austin immediately stated that he has been drinkin	to speak while he was sweating profusely and would not
I then spoke with Terri who appeared to be scared, Terri informed me that she was in the bathroom when Austin and Motes got into an argument that later turned physical. Terri stated that she was in the bathroom so she was not able to witness what occurred between Austin and Motes. Terri stated that she just wanted them to stop and calm down.	
I then spoke with Motes, who informed me that he got home and heard Austin being verbally abusive to his mother Terri while they were in the bathroom. Motes stated that Austin was intoxicated. Motes informed me of his concern because Terri Motes stated when he confronted Austin, Austin walked towards him and as he got close became aggressive lowered his head and wrapped his hands around his waist. Motes stated that they began to wrestle on the floor physically. Motes had visible scratches and red marks around his waistline and rib area. Motes then decided to get Terri away from Austin. Motes drove Terri to get a soda and when they returned Austin continued his aggression towards him and Terri. Motes then drove around the block while Terri Motes then returned to the house where Austin was once again waiting in anger. While Terri Motes from Terri and disconnected the line. Motes stated he got out of the vehicle and Austin escalated the argument once again and that's when I arrived.	
It should be noted that throughout the entire investigation Austin did not stop speaking whether he was being spoken to or not.	
I then detained Austin and before I could explain why he continued his rant. I noticed Terri exit the vehicle abruptly in fear. I focused my attention to Terri and explained to her why and she understood. I then attempted to do the same to Austin and was unsuccessful. I informed Austin that he is detained and that I would like to read him his Miranda rights. Austin requested to speak before I do so and I allowed him to for a while. Austin went on a long rant about his personal family issues that did not pertain to the investigation. Once he seemed to be done, I started to read him Miranda right from my agency issued card. I could not do so because he kept talking over me. I then spoke with authority and read Austin his Miranda right. Austin did not respond or acknowledge his Miranda rights but requested a supervisor to tell him what he had done wrong and delegate	
The preceding is true to the best of my knowledge or belief	worn and Subscribed before me this 25^{4} day of $July$
ARRESTING OFFICER / SIGNATURE	IOTARY/ ASA <u>ICTOMA</u> Iy comission expires LEO
Fotvollo Amoleo Devoldo en 4500	gencyINDIAN RIVER COUNTY SHERIFF'S OFFICE

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INDIAN RIVER COUNTY SHERIFF'S OFFICE ARREST AFFIDAVIT 4055 41st Ave Vero Beach, Florida 32960

Case Report # 2025-00078120

NARRATIVE (Continuation)

the situation. I advised him that his request was denied.

I them brought Austin to my patrol vehicle where he eventually agreed to listen as I read him Miranda once again. He waived his rights and agreed to speak with me. Post Miranda he denied any involvement in a physical altercation with Motes and denied taking the phone from Terri.

I then made contact with Terri and asked her if Austin took the phone from her hands while she was actively on the phone with Indian River County Public Safety Dispatch and Terri stated yes.

Once I went back to the vehicle to inform Austin of the reason, he is going to jail he admitted to taking the phone from Terri.

Based on the facts listed above I find probable cause to charge Austin with:

- 1. F.S.S. 914.22 1e Hinder communication/ info to leo/judge
- 2. F.S.S. 784.03.1a1 Battery touch or strike DV

Austin was transported to the Indian river county jail while he continued his rant the entire ride.

The preceding is true to the best of my knowledge or belief

ARRESTING OFFICER / SIGNATURE

Estrella Angeles, Donaldson A522

25th day of July Sworn and Subscribed before me this NOTARY/ ASA My comission expires LEO INDIAN RIVER COUNTY SHERIFF'S OFFICE Agency