

## 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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	INDIAN RIVER COUNTY SHERI	FF'S OFFICE	Case Report	# 2024-000	49971 B	ooking # 24-14	(94
	ARREST AFFIDAVIT		Arrest Affic	davit		Juvenile Arrest Affidavit	
岁	4055 41st Ave		☐ Juvenile Ci	MI Citation		Juvenile Complaint Affidavit	
ADMINISTRATIVE	Vero Beach, Florida 32960	)	Court Case #		OBTS	# 3/011519	36
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dam	1421 ABBOTT SEBASTIAN, FL 32958		16		(860)919-4		DY DN
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# INDIAN RIVER COUNTY SHERIFF'S OFFICE ARREST AFFIDAVIT 4055 41st Ave Vero Beach, Florida 32960

Arrest Affidavit Report

Case Report # 2024-00049971

#### NARRATIVE

#### INDIAN RIVER COUNTY SHERIFF'S OFFICE

Deputy: M. Rispoli 5780 Case Number: 2024-49971

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Incident Type: DUI Date: 5/7/2024



On May 7, 2024, at approximately 1230 hours, I was in the parking lot of 1808 Wabasso Beach Road, reference a parking violation.

While I was on scene, a woman I later identified by Florida Driver's license as Mary Mongillo, attempted to leave the beach parking lot. While I was watching, Mongillo backed out of the parking space successfully and began to travel forward. There was a large enough space between a properly parked truck and an improperly parked vehicle for Mongillo's vehicle to fit through. Mongillo hit the rear end of the properly parked pick up truck's rear bumper with the side of her vehicle. This all occurred in front of me, I observed her driving.

I finished my initial call for service at the same location, then assisted with the crash investigation in this case. When I spoke with Mongillo, I noticed her eyes were red, watery and glossed over. I could smell the odor of an alcoholic beverage exhuming from Mongillo's breath as I spoke with her. Once Deputy Fraker completed his crash investigation, I explained to Mongillo the crash investigation is over and I would be moving on to a criminal investigation for DUI.

I conducted Horizontal Gaze Nystagmus with Mongillo and observed the following: Mongillo failed to follow my instructions to use her eyes only, moving her head to follow the tip of my pen multiple times, she had a lack of smooth pursuit, and onset of nystagmus prior to 45 degrees. She was also swaying back and forth as she stood there.

I read Mongillo her Miranda Rights, she stated she did not wish to answer questions. I informed her that I would be stating, not questioning, what happened thus far which got us to this point of our investigation. I further reminded her, anything she chooses to say while I explain the process to her, will be used in my investigation. She understood. I asked her if she had any health conditions which would keep her from being able to conduct a series of simple exercises. She stated she has extreme leg pain,

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

ARRESTING OFFICER / SIGNATURE

Rispoli, Michelle

15780

Sworn and Subscribed before me'this

NOTARY/ ASA

My comission expires

LEO

Agency



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

#### Arrest Affidavit Report

Case Report # 2024-00049971

#### NARRATIVE (Continuation)

not specifying a medical condition. However, she was able to walk a short way on the beach.

Mongillo stated she would participate in the Standardized Field Sobriety Tests.

I explained and demonstrated the one leg stand. I observed the following: She stood with her feet together and hands behind her back. Which was then corrected. She held her hands out to her sides in an attempt to keep her balance. She counted properly until she put her foot down and stopped counting, stopping the exercise. I told her she could stop.

I then explained and demonstrated the walk and turn: Mongillo attempted to begin the exercise a number of times prior to me telling her to begin and before I was finished explaining or demonstrating the exercise. It took multiple tries to explain and demonstrate the exercise, because each time she would start without being told to do so she would get frustrated, say she can't do it and walk away. She came back to me each time after initially walking away. She stated she understood the instructions. When she performed the exercise, she did not make contact between her heel and toe as she made each step. She used her arms to keep balance. When she finished the first set of 9 steps, she thought she was supposed to take 9 heel to toe steps backwards. I demonstrated how to turn, more than once in order to walk the 2<sup>nd</sup> set of 9 heel to toe steps. I told her she was not supposed to walk backwards and that she needed to turn how I demonstrated previously. She turned but did not keep her one foot on the line. The next set of steps she took were also not touching heel to toe. She also did not keep her arms at her sides.

Mongillo was placed into custody and transported to the jail.

She provided a sample of her breath at the jail. Resulting in a BAC of .203 and .194.

Mongillo's fiancé stated he's attempted to put her into rehab twice already and that has not been successful.

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

ARRESTING OFFICER / SIGNATURE

Rispoli, Michelle

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Sworn and Subscribed before methis

My comission expires

NOTARY/ ASA

Agency

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Victim would like to have their information protected



## INDIAN RIVER COUNTY SHERIFF'S OFFICE ARREST AFFIDAVIT

4055 41st Ave Vero Beach, Florida 32960

### Arrest Affidavit Report

Case Report # 2024-00050044

NARRATIVE
On May 7 <sup>th</sup> , 2024 at approximately 1507 hours, I arrived at 1550 6 <sup>th</sup> Avenue in reference to a civil call.
Upon arrival, I made contact with Tyrone Walter Smith, Corporal Moore recognized Smith from previous interactions and knew that he had a warrant for his arrest. I then placed Smith in handcuffs and detained him in my patrol vehicle. After confirmation from Indian River County Public Safety Dispatch, we served Smith with Martin County Bench Warrant Case #24000287CTAXMX (FTA for DWLS W/ Prior Conviction F.S.S. 322.43(10b2)). Smith was compliant and was promptly transported to the Indian River County Jail without incident.
The preceding is true to the best of my knowledge or belief  Sworn and Subscribed before me this 2 day of May 70.79  ARRESTING OFFICER / SIGNATURE

ne preceding is true to the best of my knowledge or belief	
RRESTING OFFICER / SIGNATURE	Sworn and Subscribed before me this
Wimmers, Christopher A427 #6139	Agency INDIAN RIVER COUNTY SHERIFF'S OFFICE

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ARRESTING OFFICER / SIGNATURE

Binner, Austin A578

#### INDIAN RIVER COUNTY SHERIFF'S OFFICE ARREST AFFIDAVIT

4055 41st Ave Vero Beach, Florida 32960

#### Arrest Affidavit Report

Case Report # 2024-00049881

#### NARRATIVE

On 05/07/2024 I responded to call for service.
I spoke with the owner of the vehicle Teresa Morrow, who stated her boyfriend Homer Petty was in possession of her vehicle without permission. Teresa stated she is the registered owner of the vehicle, and that no one has permission to drive the vehicle other than herself. Teresa stated Homer has had her vehicle the past 7 days, and will not return it.
Teresa showed me multiple text messages telling Homer to bring the vehicle back to the campsite. Homer refused to bring the vehicle back, and blocked Teresa's phone number.
I verified with a records check on NCIC/FCIC that Teresa is the sole registered owner of the vehicle.
While at the scene of my investigation, Homer returned to the scene. In attempts to conceal the vehicle, Homer parked the vehicle at the back of the Campground out of Teresa's sight and my sight. Homer additionally concealed the keys to the vehicle, in the on-site laundry mat underneath a pile of clothes.
Post miranda, Homer advised he did have the vehicle for the past 7 days but claimed he had permission. Homer stated he knew that Teresa wanted the vehicle back but did not have gas to bring it back.
Homer was taken into custody without incident.
Sworn and Subscribed before me this  ARRESTING OFFICER / SIGNATURE

NOTARY/ ASA

My comission expires

Arrest Report 2024-00049881-15 00 13 Page 2 OF 2

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

Vero Beach, Florida 32960

## Arrest Affidavit Report

Case Report # 2024-00050034

#### ADDITIONAL CHARGES

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

#### INDIAN RIVER COUNTY SHERIFF'S OFFICE

ARREST AFFIDAVIT 4055 41st Ave Vero Beach, Florida 32960



#### Arrest Affidavit Report

Case Report # 2024-00050034

#### NARRATIVE

On Tuesday, May 7, 2024 at 1420 hours I observed a white Honda fitting the description of the vehicle I stopped at 1404 hours and the driver Anthony Gonzalez for unknowingly driving with license suspended. The vehicle was heading north on 19th Avenue SW stopping at the stop sign at 14th Street SW. I observed the driver as Anthony Gonzalez.

I conducted a traffic stop and informed Mr. Gonzalez to exit the vehicle. Mr. Gonzalez refused to exit the vehicle and was being noncompliant. After several attempts to get Mr. Gonzalez to exit the vehicle he lowered the window enough to be forcible removed. Mr. Gonzalez would not comply and was forced into leg restraints and a hobble, during which Mr. Gonzalez spat on Deputy Luis Nieves. Mr. Gonzalez was extremely combative and would not comply with instructions.

Mr. Gonzalez was transported to the Indian River County Jail without incident and charged with Battery on Law Enforcement, Resisting without violence and Knowingly driving with license suspended.

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

#### Arrest Affidavit Report

Case Report # 2024-00050128

#### NARRATIVE

On Tuesday, May 7th, 2024, at 1842 hours, I, Indian River County Sheriff's Office Deputy Ballester, responded to in Indian River County, in reference to a disturbance call for service.

Upon my arrival at the residence, I made contact with the complainant, Patrick Gregory Soares, who informed me of the following:

On today's date, May 7<sup>th</sup>, 2024, he was sitting down in the kitchen area having a conversation with his stepson, John Paul Wandell, when his ex-wife, Bobbie L. Di Bendetto, walked into the kitchen and asked him to leave so she could cook in peace. Patrick stated that he wasn't going to move because he was talking to John, at which point Bobbie grabbed the chair where he was sitting and pulled it from underneath, causing him to fall and hit his back.

Patrick informed me that he has seven folding disks due to a car accident he was involved in about three years ago and that Bobbie was aware of it. During my investigation, Patrick was observed limping as he was walking towards law enforcement, and he showed me a medical brace he was wearing on his waist.

Contact was made with John Paul Wandell, who told me the following:

John was talking to Patrick when his mother, Bobbie, walked into the kitchen and began to argue about Patrick leaving the kitchen so she could cook in peace. John stated that he observed his mother bending down near Patrick to pull the chair where he was sitting down, causing Patrick to fall to the ground.

I then made contact with Bobbie L. Di Bendetto, who told me the following:

Bobbie stated that Patrick and her have been having issues due to him not leaving the house and being a terrible roommate. Bobbie stated that she walked into the kitchen to cook and asked Patrick to leave so she could cook in peace, and Patrick told her that he wasn't going to go anywhere. Bobbie then grabbed the chair he was sitting on and pulled it away, causing Patrick to stumble.

I asked Bobbie why she did that knowing about Patrick's injuries, to which she replied, stating that she did not know that he had surgery on his back but was aware of the car accident and medical procedures Patrick had undergone due to the car accident a couple of years ago.

At the conclusion of my investigation and based on the statements from all parties involved, I charged Bobbie L. Di Bendetto with battery domestic violence consistent with FSS 784.03.1a1. Bobby was then transported to the Indian River County Jail without incident.

The preceding is	true to the	best of my	knowledge or	belief
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ARRESTING OFFICER / SIGNATURE

Ballester, Andy A741

Batter 609

Sworn and S	subscribed before me this	Str day	of May
NOTARY/ AS	A Jofor	Ma	/
My comissid	nexpires	LEO	
Agency	INDIAN RIVER COUNTY	SHERIFF'S OFFICE	

		NDIAN RIVER (	OUNTY SI	HERIFF'S	OBI	ČE	Cas	se Repo	ort # 20	024-000	50185	Bookir	ig#24-1	502		
			T AFFIDAVI	т 🧲			X	Arrest A					ile Arrest Affidavit			
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	The preceding is true	to the best of my pr						ore me, the u		>	Receiving Depu	ty (Print)				
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# INDIAN RIVER COUNTY SHERIFF'S OFFICE ARREST AFFIDAVIT

4055 41st Ave Vero Beach, Florida 32960



#### Case Report # 2024-00050185

Arrest Affidavit Report

#### NARRATIVE

On Tuesday, May 07, 2024 at approximately 2234, I Deputy Ramiro Doval responded to 4055 41st Street, Vero Beach, Florida in regards to an active warrant.

Upon arrival, I made contact with Jamal Osbourne. He stated he had an active warrant for Vero Beach Police Department (reference VBPD case # 2023001576) and wished to turn himself in. I ran Jamal by his first and last name and date of birth via dispatch. Dispatch advised me Jamal had outstanding warrants for Saint Lucie County, FL and also has local warrants for the following offenses;

One count of Violation of F.S.S 812.014 Grand Theft.

Two counts of Violation of F.S.S 810.02 Auto Burglary/ Burglary of Conveyance. Bond \$7500.00 each, totaling in \$15,000.

Jamal was placed under arrest for the aforementioned offenses and transported to the Indian River County Jail without incident.

A Florida Jurisdiction Hold form was filled out for the outstanding warrants Jamal has in Saint Lucie County, Florida.

ne preceding is true to the best of my knowledge or belief	C.
DDECTING OFFICER (CICHATURE	Sworn and Subscribed before me this
RRESTING OPFICER / SIGNATURE	NOTARY/ ASA / / / / / / / / / / / / / / / / /
W 5/1/21	My comission expires LEO
Doval, Ramiro A550	
	INDIAN RIVER COUNTY SHERIFF'S OFFICE
Doval, Ramiro A550	Agency INDIAN RIVER COUNTY SHERIFF'S OFFICE

AGENCY CASE #: 20240010

2. TRAFFIC FELONY

ARREST

PRE DIRECTION

PRE DIRECTION

SCARS/MARKS/TATOOS (LOCATION / DESCRIBE)

CIRCUIT

FL0310300

AGENCY CASE #

2024001020 OBTS #

310115194 1. FELONY

05/07/2024

AT BUSINESS?

**VERO BEACH** 

AT BUSINESS?

YES
STREET #
2530 US HWY
CITY

**VERO BEACH** 

FIRST NAME

DAVID

GENDER

BUILD

SLIM

NONE

SOC. SEC. #

STREET #

HOMELESS CITY

VERO BEACH

UNKNOWN

PERSON RESIDENCE CODE

DUI INDICATOR

IDENTIFICATION DRIVER LICENSE #

PERMANENT ADDRESS

PERSON # COARRESTEE STATUS

BUSINESS/GOVERNMENT NAME

HEIGHT

5'10"

DATE

YES

STREET #
2530
CITY

YES

CASE INFORMATION

9

LOCATION

**LOCATION OF** 

ARRESTEE

19TH JUDICIAL CIRCUIT

REPORTING AGENCY ORI #

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E-MAIL

PHONE #



AGENCY CASE #: 2024001020 REPORT DATE: 05/07/2024

	L	VICTIM P	ERSON #		E START DATE	- 1	OFFENSE END DATE 05/07/2024		- 1	NCIDENT START 05/07/2024	DATE		INCIDENT END DATE 05/07/2024	
INFORMATION	UVENILE RE	FERRAL												
INFOR	CHARGE TYPE CHARGE SEVERITY FSS MISDEMEANOR			ORDI	ORDINANCE # STATE STATUT 810.08(2A)						STATUTE CA			
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<u> </u>			RMED TO BEFORE		05/07/202	AT.	22:00 BY_	J	- 14	バング AS IDEN		, ,	)/CO (FSS 117.10)	





**AGENCY CASE #: 2024001020** 

REPORT DATE: 05/07/2024

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: 05/07/2024 20:55
On , at (Specifically include facts constituting cause for arrest.)
I, Officer Ayala, responded to Southeastern Truck & Auto located at 2530 US HWY 1 in reference to a suspicious incident.
Upon arrival, I made contact with Officer Covarrubias who advised he observed a white male subject, later identified as David A Farinella, located inside a vehicle belonging to the auto shop. Officer Covarrubias stated he spoke to the owner of Southeastern Truck & Auto who explained that he stopped by his shop and observed an unknown white male subject playing music inside one of his vehicles. Officer Covarrubias detained the subject and inquired if that was his vehicle to which he stated no and that the vehicle had been unlocked which is how he gained access.
I made contact with owner, Steven Loudermilk, who advised he had stopped by to switch his vehicle out when he noticed an individual on his property and as he got closer, he observed the subject get inside one of the vehicles and close the door behind him and proceed to smoke a cigar. Loudermilk immediately contacted Law Enforcement. Loudermilk advised the vehicle was left unlocked due to a missing key. Loudermilk advised the business was closed and no one had permission to be on the property.
I then made contact with Farinella. I read Farinella his Miranda warning to which he advised he understood, but was not willing to speak to me.
Farinella was placed under arrest for being in violation of FSS 810.08 Trespass and FSS 856.021 Loitering and Prowling.
This incident was captured on my agency issued body worn camera.
·
AFFIRMING OFFICIAL NAMESUBSCRIBED AND AFFIRMED TO BEFORE ME ON
AFFIRMING OFFICIAL SIGNATURE
I swear/affirm the above attached statements are true and correct. OFFICER'S SIGNATURE
P.C. Exists for Charge(s):
NO Judge's Signature Date
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. SIGNING THIS NOTICE TO APPEAR IS NOT AN ADMISSION OF GUILT. YOUR SIGNATURE ACKNOWLEDGES RECEIPT OF THE INFORMATION LISTED HEREON.
DEFENDANT/JUVENILE SIGNATURE PARENT/GUARDIAN SIGNATURE

AGENCY CASE #: 24-0677 REPORT DATE: 05/07/2024

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*f*-- .

#### **AGENCY CASE #:** 24-0

CHARGE SEVERITY

MISDEMEANOR

DRUG TYPE

RACE

INS #

SCARS/MARKS/TATOOS (LOCATION / DESCRIBE)

STREET NAME

MAIN

OPERATE MOTOR VEHICLE WO VALID LICENSE

PERSON # | COARRESTEE STATUS

BUSINESS/GOVERNMENT NAME

HEIGHT

CHARGE # VICTIM PERSON #

2

JUVENILE REFERRAL

STATUTE DESCRIPTION

CHARGE TYPE

DRUG ACTIVITY

BUSINESS/GOVERNMENT
STATE OF FLORIDA
FIRST NAME

GENDER

BUILD

DUI INDICATOR

SOC. SEC. #

STREET #

1201

CITY

**IDENTIFICATION** DRIVER LICENSE #

**PERMANENT ADDRESS** 

FSS

**VICTIM STATE OF** 

#:	24-0677			EPORT D			12024			
	05/07/20		OFFENSE EN 05/07/20			NT START DA <b>7/2024</b>	- I	ident end da <b>/07/2024</b>	TE	
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TY OR	ORDINANO	Œ #	STATE STATUTE 322.03(1)				TUTE CATEGORY			
ID LICEN	SE			COUNT 1	S INCREASE	ED PENALTY		DOMESTIC NO	VIOLENC	
E	DRUG A	MOUNT	BAIL BOND	TYPE B	OND DATE		BOND AMOUNT \$500.00	WARRANT #		
us Ju	VENILE?	PARENTS	CONTACTED? REL	ATIONSHIP TO	SUBJECT			NTA ?		
			VIСТІМ Т	O SUBJECT REL	TIONSHIP	<del>-</del>				
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L.	ETHNICITY	′	ALIAS / MAIDEN			ALT NAME	DESC.	COMPLEXTI	ON	
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STREET

STREET CATEGORY CODE

OTHER ID #

APT/UNIT #

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CEMENT	FIRST NAME J	LAST NAME MCELVY	BADGE # <b>482</b>	RANK OFFICER	SIGNATURE METHOD ELECTRONIC
ENFORC OFFI	I SWEAR/AFFIRM THE ABOVE ATTACHED STA 05/07/2024 at 02:17	ATEMENTS ARE TRUE AND CORRECT ON	OFFICER SIGNA	TURE	

**AGENCY CASE #: 24-0677** 

ORT DATE: 05/07/2024

AFFIRMING OFFICIAL NAME AFFIRMING AGENCY ORI # SIGNATURE METHOD AFFIRMING OFFICIAL SIGNATURE BADGE # s. Shuren 5230 1298 SUBSCRIBED AND AFFIRMED TO BEFORE ME ON SUBSCRIBED AND AFFIRMED TO BEFORE ME ON MOY WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED. AT 0256 AS IDENTIFICATION. \_LEO/CO (FSS 117.10)

# PROBABLE CAUSE STATEMENT



AGENCY CA	SE #:	24-0677		REPORT	DATE:	05/07/2024
The undersigned certifies and 05/07/2024	swears that	he/she has just and re	asonable gro	ounds to believe that	t the above nan	med defendant committed the following violation of law:
On	, at	(Specifically	include facts	constituting cause	for arrest.)	
high rate of speed. I v my agency issued rada	isually est ar (Kuston	rest bound traffic timated the vehic n Golden Eagle II	, I observe de's speed I S/N XE3	ed white Hond I to be approxi 8932) which di	a 4D bearing mately 80 m isplayed a sr	patrol vehicle, at the 300 block of CR-512 g FL temporary tag DPV7619 traveling at a nph in a posted 35 mph zone. I activated peed of 81 mph for the vehicle. The stop of the above vehicle.
listed vehicle. While re has no license". Due to stated Hugo explained	ehicle, ide equesting o the lang I he just w s in Orland	entified via Guate basic documents uage barrier, Off vas involved in a do, although drov	mala Pass such as d cer Veneg verbal dis e to Seba	sport as Hugo I Iriver's license, gas #420 was s turbance with	Ruiz Doming registratior summoned t his boyfrien	vay. I made contact with the driver and go, who was the registered owner of the n and vehicle insurance, Hugo stated "he to the scene to translate. Officer Venegas d, causing him to drive as fast as he was. It is admitted he has never had a driver's
Through the course of Additionally, it was lea 02/06/2024 from Orla	irned Hug	o received a crim	inal citati	on (A5HELJP)	regarding di	license which was confirmed via dispatch. riving without a driver's license on 124.
At this time, Hugo was Jail for processing. Hu	s placed u go was iss	nder arrest and i sued a uniform tr	n mechani affic citati	ical hand restration (AIU68UE)	aints. Hugo for F.S.S. 32	was transported to Indian River County 22.03 (1).
FEIRMING OFFICIAL MANE						
AFFIRMING OFFICIAL NAME						ND AFFIRMED TO BEFORE ME ON
swear/affirm the above atta				OFFICER'S SIGN		RCEMENT OFFICER OR NOTARY
		3.0		OF FIGER 5 SIGN.	- TURE	
P.C. Exists for Charge(s):	☐ YES		Judada	Signature		- Park
LAGREE TO APPEAR AT THE TIME	AND PLACE DES	IGNATED TO ANSWER THE O		Signature ED OR TO PAY THE FINE S	SUBSCRIBED. I UND	Date ERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE
DEFENDANT/JUVENILE SIGNATURE	IO AFFEAR,	I THAT I MAT BE HELD IN CON	TEMPT OF COUR	RT AND A WARRANT FOR EDGES RECEIPT OF THE	INFORMATION LISTE	BE ISSUED. SIGNING THIS NOTICE TO APPEAR IS NOT AN ADMISSION ED HEREON.
					I PARENT/G	HARDIAN SIGNATURE