

**7th. Judicial Circuit 707
Charging Affidavit - Flagler Beach**

Arrest # _____

Bk # 19-2526

Pg #1 of 3

ARREST <input checked="" type="checkbox"/> NOTICE TO APPEAR <input type="checkbox"/> AFFIDAVIT <input type="checkbox"/> C.C. <input type="checkbox"/>		ADULT <input checked="" type="checkbox"/> JUVENILE <input type="checkbox"/>		Court Case Number: 2019 MM 001081 Agency Case Number: 2019-00022692
(ORI) FL: 0 1 8 0 2 0 0	Agency Name: Flagler Beach Police Department			
FCIC/NCIC Check? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	OBTS# <u>188105610</u>		CCR:	Date Arrested: 10/20/2019 Time of Arrest: 02:19
ADDRESS OF ARREST: 509, N, OCEAN SHORE, BLVD, Flagler Beach, Florida, 32136				Arrested By: Cozzone Gaetano ID Number: 7068
DEFENDANT		Name (L.F.A.): Lozada, Richard	A.K.A.:	Sex: Male Race: HISPANIC
DOB: 11/28/1966	Age: 52	Driver's Lic ID No.: L23074066338	State: Illinois	Year Expires: 2022 S.S. #: _____
Height: 5 07	Weight: 170	Hair:	Eyes:	POB (City, St, County):
Scars, Marks, Tattoos:	Business & Occupation:		Statement: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Citizenship: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Probation: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Sexual Predator: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	English: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Deaf Mute: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Address-Home Permanent (STREET, APT. NUMBER)		(CITY)	(STATE)	ZIP CODE RESIDENCE PHONE
Address-Local (STREET, APT. NUMBER)		(CITY)	(STATE)	ZIP CODE RESIDENCE PHONE
211 6th ST		Flagler Beach	Florida	32136- (309)307-9154
Address-Other (Employer School) (STREET, APT. NUMBER)		(CITY)	(STATE)	ZIP CODE BUS SCHOOL PHONE
CHARGES		DOMESTIC VIOLENCE? YES <input type="checkbox"/>	Attachments: Affidavit(s) <input type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/> IUT <input type="checkbox"/> Total Charges: 1	
#1	Charge: BATTERY - SIMPLE	FEL <input type="checkbox"/> MISD <input checked="" type="checkbox"/> ORD <input type="checkbox"/>	FS ORD: 784.03.1.B	Citation No.: Bond: None
#2	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS ORD:	Citation No.: Bond:
#3	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS ORD:	Citation No.: Bond:
CO-DEFENDANT		Co-Def #1, Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel <input type="checkbox"/> Misd <input type="checkbox"/> Traf. <input type="checkbox"/> Ord. <input type="checkbox"/> NTA <input type="checkbox"/>		
#1 NAME (L.F.A.):		Race:	Sex:	DOB: Age:
#2 NAME (L.F.A.):		Race:	Sex:	DOB: Age:
NARRATIVE The undersigned certifies and swears that there is a probable cause to believe the above names defendant, on the <u>20th</u> day of <u>October</u> , 2019, at approximately <u>02:19</u> A.M. <u>X</u> P.M. at <u>509 N Oceanshore BLVD</u> within <u>Flagler</u> County, violated the law and did then and there.				
<p>On October 20, 2019 at approximately 2:08 p.m. I was requested to respond to a physical disturbance at 509 North Oceanshore Boulevard (Coco's). Upon arrival, I observed a male later identified as Jose Perez (V1) visibly upset. I then observed Detective Vinci standing with another male identified as Richard Lozada (S1). S1 was sweating and I observed some scratches on his neck and chest. Detective Vinci, explained that while she was going to the business to check on video footage for a separate incident, she overheard the disturbance in the back kitchen area. It was at this location she observed S1 and V1 fighting each other and another male identified as Joseph Lennox (W1) pulling S1 away from V1. The subjects dispersed upon Detective Vinci's arrival and she called in for backup.</p>				
Supervisor Approved:				
NOTICE TO APPEAR		MANDATORY APPEARANCE <input type="checkbox"/>	YOU NEED NOT APPEAR IN COURT BUT MUST COMPLY WITH INSTRUCTIONS ON THE REVERSE SIDE OF YOUR COPY <input type="checkbox"/>	FINE, AND COSTS AMOUNT:
I AGREE TO APPEAR IN COURT HEREIN TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE INDICATED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED, OR PAY THE LISTED FINE, I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST WILL BE ISSUED.				
SIGNATURE OF DEFENDANT		DATE	RELATIONSHIP TO JUVENILE	Juv. Disp. CITATION No.
Sworn to and subscribed before me, the undersigned This <u>20</u> day of <u>10</u> , 20 <u>19</u> .		I swear affirm the above statements are correct and true.		
Name: <u>[Signature]</u>		OFFICER'S/COMPLAINANT'S SIGNATURE: <u>[Signature]</u>		
Notary Public <input type="checkbox"/> Law Enforcement or Corrections Officer <input checked="" type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/> Type of Identification:		NAME (PRINTED)	ID NUMBER	RT Thumb
		<u>G. Cozzone</u>	<u>7068</u>	
OFFICIAL USE ONLY		Inmate Number & Facility:		

707 - COURT COPY

Witness/Victim/Evidence Form 707-A

Arrest
 Affidavit
 Notice to Appear
 Adult
 Juvenile

Court Case Number:


Page #2 of 3

Defendant Name: Lozada, Richard		Agency Case Number: 2019-00022692	
Name (L,F,M): LENOX, JOSEPH, MICHEAL	Vic <input type="checkbox"/> Wit <input checked="" type="checkbox"/>	Race: WHITE	Sex: M <input checked="" type="checkbox"/> F <input type="checkbox"/>
Address 23 SENSENEY PLACE PALM COAST, Florida		Zip: 32164	Age: 27 DOB: 03/28/1992 SSN: [REDACTED]
Bus/School Address:		Home Phone:	Statement: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Relative/Contact Name:		Relative/Contact Address:	Bus Phone: Phone:
Name (L,F,M): PEAVEY, AMY, ANGELIQUE	Vic <input type="checkbox"/> Wit <input checked="" type="checkbox"/>	Race: WHITE	Sex: M <input type="checkbox"/> F <input checked="" type="checkbox"/>
Address 7 BECKNER LN PALM COAST, Florida		Zip: 32137	Age: 44 DOB: 05/07/1975 SSN: [REDACTED]
Bus/School Address:		Home Phone: (904)806-3151	Statement: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Relative/Contact Name:		Relative/Contact Address:	Bus Phone: Phone:
Name (L,F,M): Perez, Jose,	Vic <input checked="" type="checkbox"/> Wit <input type="checkbox"/>	Race: HISPANIC	Sex: M <input checked="" type="checkbox"/> F <input type="checkbox"/>
Address 211 S 6th ST Flagler Beach, Florida		Zip: 32136-	Age: 66 DOB: 11/11/1952 SSN: --
Bus/School Address:		Home Phone: (312)217-0101	Statement: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Relative/Contact Name:		Relative/Contact Address:	Bus Phone: Phone:
Name (L,F,M):	Vic <input type="checkbox"/> Wit <input type="checkbox"/>	Race:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>
Address (# Street, City, State):		Zip:	Age: DOB: SSN:
Bus/School Address:		Home Phone:	Statement: Yes <input type="checkbox"/> No <input type="checkbox"/>
Relative/Contact Name:		Relative/Contact Address:	Bus Phone: Phone:
Name (L,F,M):	Vic <input type="checkbox"/> Wit <input type="checkbox"/>	Race:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>
Address (# Street, City, State):		Zip:	Age: DOB: SSN:
Bus/School Address:		Home Phone:	Statement: Yes <input type="checkbox"/> No <input type="checkbox"/>
Relative/Contact Name:		Relative/Contact Address:	Bus Phone: Phone:
Name (L,F,M):	Vic <input type="checkbox"/> Wit <input type="checkbox"/>	Race:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>
Address (# Street, City, State):		Zip:	Age: DOB: SSN:
Bus/School Address:		Home Phone:	Statement: Yes <input type="checkbox"/> No <input type="checkbox"/>
Relative/Contact Name:		Relative/Contact Address:	Bus Phone: Phone:

EVIDENCE COLLECTED

Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Security footage of incident.	10/20/2019		
Owner(Name) FBPD,	(Address) 204 S Flagler	(Phone) (386)517-2020	Value
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Owner(Name)	(Address)	(Phone)	Value
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount

I certify that the foregoing is a complete list of witnesses/victims & evidence known to me.

 **7068** **FBPD**
 Investigating Officer ID Number Agency

707-A - COURT COPY

Narrative 707-B Supplement

Arrest
 Affidavit
 Notice to Appear
 Adult
 Juvenile

Court Case Number:

Page # 3 of 3

Defendant Name: Lozada, Richard	Agency Case Number: 2019-00022692
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CHARGES	DOMESTIC VIOLENCE? YES <input type="checkbox"/>	Attachments: Affidavit(s) <input type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/>	Total Charges:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: Citation No: Bond:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: Citation No: Bond:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: Citation No: Bond:

I asked S1 what happened and he explained that he is the "executive chef" for the business and was cooking food that he purchased for another business in which he cooks for. He stated V1 thought he was stealing food; however, attempted to explain that he purchased the food on his own. He went on to say that V1 then choked him and began beating him up. He stated that W1, was also fighting him causing a 2 on 1 scenario.

I went to speak with V1 who was arguing with S1 about his depiction of the events. I requested V1 speak with me and explain what happened. He stated that he is the owner of the business and S1 was asked to leave for stealing merchandise from his business. He stated when he told him to leave he began fighting him and punched him with a right closed fist to the left side of his face. S1 then began grappling him and brought him to the ground. I asked V1, if the cameras that were in the kitchen area worked and he stated they did.

W1 was then interviewed, and he stated that S1 began beating up V1. He told Officers that he grabbed S1 from the back and pulled him off of V1, which appeared to have caused the aforementioned scratches. A 2nd independent witness, Amy Peavey (W2) stated that S1 "attacked the owner (V1) and slammed him on the ground." W2 provided Officers a sworn written statement; however, V1 and W1 could not provide a sworn written statement at this time and advised they would drop it off later this date.

V1 did state verbally that he wished to pursue charges for battery. The video was reviewed on-scene and it showed S1 as the primary aggressor of the incident. Said video was submitted into the property and evidence section of the Flagler Beach Police Department.

S1 was secured in the kitchen and placed under arrest in reference to battery. He was transported to the Flagler County Inmate Facility without incident.

No other information or action.

Sworn to and subscribed before me, the undersigned this <u>20</u> day of <u>12</u> 19.	I swear/affirm the above statements are correct and true.	Right thumb
Name: <u>[Signature]</u>	OFFICER'S/COMPLAINANT'S SIGNATURE	
Notary Public <input checked="" type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/>	NAME (PRINTED) <u>Corzora</u>	ID NUMBER <u>7068</u>
Type of Identification:		

707-B - COURT COPY