

PROBABLE CAUSE AFFIDAVIT		FORM PURPOSE	On View (PC Arrest) <input checked="" type="checkbox"/>	Capias Request _____	Summoned/Cited (NTA) _____	JUVENILE YES _____ NO <input checked="" type="checkbox"/>
			Taken into Custody (Warrant/Capias Arrest) _____		AMENDED _____	Referral _____ Civil Citation _____
ADMINISTRATIVE	Arresting Agency ORI	Arresting Agency Name			Arresting Agency Case/Arrest Number	OBTS Number
	FL0050000	BREVARD COUNTY SHERIFF'S OFFICE			2025-0000034	0501-479077
	FDLE (SID) Number	FBI Number	DOC Number	Transport Time	Jail Date / Time	Jail Booking Number
				02:00	01/01/2025 02:40	2025-0000012
Location of Arrest (Include Name of Business)			City	Location of Offense (Business Name, Address, City)		
N WICKHAM RD / I 95 HWY Melbourne FL 32940				7676 LOREN COVE DR Melbourne FL 32940		
Offense Date OR Date Range		Arrest Date / Time		Charge Type (Check as many as apply)		Evidence Confiscated (Check as many as apply)
01/01/2025		01/01/2025 01:30		Misdemeanor <input checked="" type="checkbox"/> Traffic _____ Ordinance _____		Vehicle _____ Firearm _____ Property _____
Name (Last, First, Middle)			Alias and Type		Date of Birth	Age
GUTIERREZ RICHARD					10/24/1956	68
Race			Ethnicity	Sex	Height	Weight
W-Hispanic			Non-Hispanic	Male	5' 10"	175
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)						
DEPENDANT / JUVENILE	Local Address (Street, Apt. Number)			City, State, Zip	Phone/Type (include area code)	Primary Language
	7673 LOREN COVE DR, Melbourne FL 32940				(321)419-7769 Cellular Phone	English <input checked="" type="checkbox"/>
	Permanent Address (Street, Apt. Number) or Parent's Name if Juvenile			City, State, Zip	Phone/Type (include area code)	Complexion
	7673 LOREN COVE DR Melbourne FL Melbourne					Medium
	Business Address (Name, Street) or School if Juvenile			City, State, Zip	Phone/Type (include area code)	Build
NO INFO AVAILABLE					Average	
Driver's License State / Number / Type		Social Security Number*	INS Number	Place of Birth	Citizenship	
FL/ G362740563840 5 - E		██████████		FL	U.S. Citizen	
Residence Type:		Mark All that Apply (Y, N, Unk)		Suspected of Using (Y, N, Unk)		
City _____ County <input checked="" type="checkbox"/> Florida _____ Out of State _____		Homeless <input checked="" type="checkbox"/> Sex Offender <input checked="" type="checkbox"/> Gang Affiliation <input checked="" type="checkbox"/>		Alcohol <input checked="" type="checkbox"/> Computer/Handheld Device <input checked="" type="checkbox"/> Drugs <input checked="" type="checkbox"/>		
PARENT Driver's License State / Number / Type		PARENT Social Security Number	Juvenile Civil Citation Not Referred Explanation			Juvenile Facility
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*Collection of social security numbers from an arrested individual is to verify identity and may be shared with other law enforcement agencies.						
CHARGE	PC <input checked="" type="checkbox"/>	Capias _____	Warrant _____	Additional Charge _____	Date Issued	Writ Aff. _____ Domestic Violence _____ Order of Arrest _____
	Charge Description			Counts	F.S. <input checked="" type="checkbox"/> Statute / Ordinance Number	Reclassifier
	DUI - Alcohol			1	Ord. _____ 316.193.1a	
Drug Activity		Drug Type	Amount / Unit	Bond Amount	Warrant / Citation / Court Number	
				\$,500.00 Total		
PROBABLE CAUSE	The undersigned certifies and swears that he/she has just and reasonable grounds to believe and does believe that the above named Defendant committed the following violation of law					
	On the 01 day of Jan, 2025 at 0024 X AM PWI (Specifically include facts constituting cause for arrest)					
	See Second page					
Confidential Victim Information Included - YES _____ NO <input checked="" type="checkbox"/>						
In accordance with F.S.S. 938.27, I hereby request reimbursement of investigative costs consisting of _____ hrs @ \$ _____ per hr and/or _____ miles @ _____ per mile for a total of \$ _____.						
Affidavit Attached: Yes _____ No _____ Continue for: Narrative <input checked="" type="checkbox"/> Charges _____						
NOTICE TO APPEAR	Mandatory Appearance in Court		Location (Court and Address)		Division #	
			Date: Month _____ Day _____ Year _____ Time _____ AM _____ PM			
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 OR A TAKE INTO CUSTODY ORDER SHALL BE ISSUED.						
Signature of Defendant / Juvenile		Signature of Juvenile's Parent / Custodian			Release to: (Name)	Date
ADMINISTRATIVE	Hold for Other Agency Name:		Verified By:		Do Not Bond Out Reason	
	I swear/affirm the above and attached statements are true and correct <input checked="" type="checkbox"/> on 01/01/2025		Officer's/Complainant's Signature		ID#	Officer's/Complainant's Name (Printed)
		Electronically Signed		0729	Lauren Donaldson	
Sworn and Subscribed before me, the undersigned authority this _____ day of 01/01/2025		Notary Signature		Notary Name (Printed)		Notary/Law Enforcement Officer In Performance of Official Duties. Personally Known <input checked="" type="checkbox"/> ID _____
		Electronically Signed		Fort, Stephanie		

DSA-479077
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AGENCY NAME: BREVARD COUNTY SHERIFF'S OFFICE	BREVARD COUNTY, FLORIDA	Arresting Agency Case Number 2025-0000034
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Defendant / Juvenile Name (Last, First, Middle) GUTIERREZ RICHARD	OBT's Number 0501-479077
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Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth/Age	Juvenile (Y or N)
Arrested <input type="checkbox"/> At Large <input type="checkbox"/> Cited <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/>				
Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth/Age	Juvenile (Y or N)
Arrested <input type="checkbox"/> At Large <input type="checkbox"/> Cited <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/>				

PC <input checked="" type="checkbox"/> Capias <input type="checkbox"/> Warrant <input type="checkbox"/> Additional Charge <input type="checkbox"/>	Date Issued	Writt Aff. <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Order of Arrest <input type="checkbox"/>
Charge Description Refusal to Submit DUI Testing - Alcohol	Counts 1	F.S. <input checked="" type="checkbox"/> Statute / Ordinance Number 316.1939.1
Drug Activity	Drug Type	Bond Amount \$,500.00 Total
	Amount / Unit	Warrant / Citation / Court Number

PC <input type="checkbox"/> Capias <input type="checkbox"/> Warrant <input type="checkbox"/> Additional Charge <input type="checkbox"/>	Date Issued	Writt Aff. <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Order of Arrest <input type="checkbox"/>
Charge Description	Counts	F.S. <input type="checkbox"/> Statute / Ordinance Number
Drug Activity	Drug Type	Bond Amount
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PC <input type="checkbox"/> Capias <input type="checkbox"/> Warrant <input type="checkbox"/> Additional Charge <input type="checkbox"/>	Date Issued	Writt Aff. <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Order of Arrest <input type="checkbox"/>
Charge Description	Counts	F.S. <input type="checkbox"/> Statute / Ordinance Number
Drug Activity	Drug Type	Bond Amount
	Amount / Unit	Warrant / Citation / Court Number

Year 2019	Make Mercedes-Benz	Model	VIN	Tag / Tag State EPMG69 / FL	Primary Color Blue	Secondary Color
* If Applicable, provide information related to the vehicle involved in the crime.						

On the above date and time, 911 communications center received a call in regards to a reckless driver on Wickham Road. The witness observed a blue Mercedes SUV failing to maintain a single lane, and the began traveling in the wrong lane of travel, and almost hit another vehicle. The driver, later identified as Mr. Richard Gutierrez (arrestee) swerved to miss the vehicle. He then continued to travel across the median, and blew 3 of his four tires. Mr. Gutierrez then traveled 3.5 miles recklessly to his residence on 3 flat tires. The wheel witness stayed with the vehicle and driver the entire time. Mr. Gutierrez told the witness that he was, "sorry," and that he knew he was wrong, which was all recorded by the witness' phone.

I arrived on scene, and made contact with both parties. When speaking with Mr. Gutierrez, I could smell the odor of an unknown alcoholic beverage emanating from his breath and person. Mr. Gutierrez, had slurred speech, and swayed when he walked, and had trouble with his balance. Mr. Gutierrez admitted to drinking alcohol at Tracy's Lounge and Bar, and then drove home after having multiple drinks, at least four.

Mr. Gutierrez submitted to field sobriety exercises. Which he did not complete to standard.

Due to the totality of the circumstance, Mr. Gutierrez was placed under arrest for DUI. Mr. Gutierrez was read implied consent, and refused to submit to a breath sample. It should be noted that Mr. Gutierrez has multiple prior DUI Convictions from 2002, and 2005.

Officer's/Complainant's Signature Electronically Signed	ID# 0729	Officer's/Complainant's Name (Printed) Lauren Donaldson
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