

ORIGINAL

ARREST / NOTICE TO APPEAR

1 Arrest 2 Notice To Appear [1] Juvenile []

OFFENSE NUMBER 31607170383		Lee County Sheriff	
AGENCY ORI NUMBER F L 0 3 6 0 0 0 0		CASE NUMBERS 23CF014518	AGENCY REPORT NUMBER 23-070307
CHARGE TYPE <input checked="" type="checkbox"/> 1 FELONY <input type="checkbox"/> 2 TRAFFIC FELONY		<input type="checkbox"/> 3 MISDEMEANOR <input type="checkbox"/> 4 TRAFFIC	<input type="checkbox"/> 5 ORDINANCE <input type="checkbox"/> 6 OTHER
WEAPON SEIZED / TYPE 2		DATE OF OFFENSE 2/15/2023	
LOCATION OF ARREST (include Name of Business)		LOCATION OF OFFENSE (Business Name, Address)	
DATE OF ARREST 2/15/2023		TIME OF ARREST 2138	BOOKING DATE 2/16/23
JAIL NUMBER 904027		COUNTY ID NUMBER 324457	OTHER LOCAL NUMBER 1122586
NAME (Last, First, Middle) POWELSON, DAVID SHERMAN		ALIAS	
RACE W	SEX M	DATE OF BIRTH OR AGE 12/26/1958	HEIGHT 5'09"
WEIGHT 130	EYE COLOR BLU	HAIR COLOR WHI	COMPLEXION FAR
BUILD SBULD		INDICATION OF Alcohol Influence Drug Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> UNK	
LOCAL ADDRESS (Street, Apt. Number)		PHONE (970)231-9200	RESIDENCE TYPE <input type="checkbox"/> 1 City <input type="checkbox"/> 2 County <input type="checkbox"/> 3 Florida <input type="checkbox"/> 4 Out-of State
PERMANENT ADDRESS (Street, Apt. Number)		PHONE	ADDRESS SOURCE
BUSINESS ADDRESS (Name, Apt. Number)		PHONE	OCCUPATION
DRIVER'S LICENSE STATE / NUMBER FL P425177584660	SOCIAL SECURITY NUMBER	INS NUMBER	PLACE OF BIRTH
CITIZENSHIP		CO-DEFENDANT NAME (Last, First, Middle)	
RACE		SEX	DATE OF BIRTH OR AGE
CO-DEFENDANT NAME (Last, First, Middle)		RACE	SEX
DATE OF BIRTH OR AGE		<input type="checkbox"/> 1 Arrested <input type="checkbox"/> 3 Felony <input type="checkbox"/> 2 At Large <input type="checkbox"/> 4 Misdemeanor <input type="checkbox"/> 5 Juvenile	
ACTIVITY N	DRUG TYPE	AMOUNT / UNIT	GOC Not Applicable
CHARGE DESCRIPTION *AGGRAV BATTERY - ON PERSON 65 YEARS OF AGE OR OLDER - 23CF014518		COUNTS 1	STATUTE VIOLATION NUMBER 784.08(2a)
BOND \$		BOND \$	
<input type="checkbox"/> PC# <input type="checkbox"/> CAPIAS <input type="checkbox"/> AC <input type="checkbox"/> BW <input type="checkbox"/> FW <input type="checkbox"/> PW <input type="checkbox"/> JUV PU <input type="checkbox"/> CITATION DATE ISSUED		<input type="checkbox"/> Wnt Att <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Domestic Violence Injury <input type="checkbox"/> Order of Arrest	
CHARGE DESCRIPTION		COUNTS	STATUTE VIOLATION NUMBER
ACTIVITY		DRUG TYPE	AMOUNT / UNIT
GOC		BOND \$	
<input type="checkbox"/> PC# <input type="checkbox"/> CAPIAS <input type="checkbox"/> AC <input type="checkbox"/> BW <input type="checkbox"/> FW <input type="checkbox"/> PW <input type="checkbox"/> JUV PU <input type="checkbox"/> CITATION DATE ISSUED		<input type="checkbox"/> Wnt Att <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Domestic Violence Injury <input type="checkbox"/> Order of Arrest	
<input type="checkbox"/> Mandatory Appearance in Court <input type="checkbox"/> You need not appear in Court but must comply with instructions on Notice To Appear page		LOCATION (Court, Room Number, Address)	
MONTH March		DAY 20	YEAR 2023
TIME 08:30		<input checked="" type="checkbox"/> AM <input type="checkbox"/> 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 SHALL BE ISSUED			
SIGNATURE OF DEFENDANT / JUVENILE AND PARENT OR CUSTODIAN			
<input type="checkbox"/> Miranda Warning <input type="checkbox"/> ADULTS ONLY Hold for First Appearance Do Not Bond out. Reason.		HOLD FOR OTHER AGENCY NAME	
VERIFIED BY		DATE	BOND CHARGE #
I SWEAR / AFFIRM THE ABOVE AND ATTACHED STATEMENTS ARE TRUE AND CORRECT		BOND TYPE <input type="checkbox"/> 1 ROR <input type="checkbox"/> 2 Cash	<input type="checkbox"/> 3 Surety <input type="checkbox"/> 4 Bail / Bond <input type="checkbox"/> 5 Cert <input type="checkbox"/> 6 Other
OFFICER'S / COMPLAINTANT'S SIGNATURE TY JAMES 2022229		RETURNABLE COURT DATE	RETURNABLE COURT TIME
NAME (Printed) TY JAMES		RELEASE DATE	RELEASE TIME
ID NO / TROOP 2022229		RELEASE OFFICER	
REPORT ENTERED BY		<input type="checkbox"/> AM <input type="checkbox"/> PM <input type="checkbox"/> AM <input type="checkbox"/> PM	
NAME (Printed)		ID NO / TROOP	



PROBABLE CAUSE STATEMENT

Agency ORI Number F L 0 3 6 0 0 0 0	Agency Name Lee County Sheriff	1 Offense 2 Arrest 1	Juvenile 1	1 Original 2 Supplement 1
Original Date Reported 0 2 1 5 2 3		Agency Report Number 2 3 - 0 7 0 3 0 7		
Case Reference POWELSON, DAVID SHERMAN			CLERK CASE NUMBERS 23CF014518	

Assignment/ Arrival:
 On 02/15/2023, at 1700 hours, Deputy James was assigned to the Lee County Sheriff's Office West District working uniformed patrol as W43. Deputy James wore a class "B" uniform and drove a marked sheriff patrol vehicle.

At 2033 hours, Deputy James was dispatched to a physical domestic dispute between two brothers at [REDACTED]. Deputy James arrived at about 2046 hours.

Victim Contact: [REDACTED]
 On arrival, contact was made with the victim identified by his Florida Driver License as [REDACTED]. The Victim advised he was sitting on his recliner chair in the living room of the residence. The Victim saw that his brother, later identified as David Powelson DOB:12/26/1958, had eaten his key-lime pie he was saving. The Victim became upset and an argument ensued. While sitting in the chair, David emptied two large glasses of water on the Victim. The Victim feared David's aggressive behavior would lead to him being physically harmed and or killed.

Suspect Contact: David Powelson
 After speaking with the Victim, contact was made with David at the front door of the residence. David advised there was a piece of the pie the Victim had left in the fridge for several days without eating. David ate the pie. An argument ensued in the living room. David was near the kitchen and decided to fill up a large glass full of water and dump it on the Victim to "cool him down". David proceeded to fill up another glass and dumped it the Victim in the living room.

Injuries
 :

The victim did not suffer any injuries during the altercation. Only water was thrown on the Victim.

Arrest:
 Based on statements from both parties, David was arrest for violation of Florida State Statute 784.08(2)(a) Battery on a Person 65 years or older. David was transported by Lee County Sheriff's Office Jail Transport and booked at the jail.

NARRATIVE / CONTINUATION

Report Contains		Related Report Number(s)	
Officer(s) Reporting JAMES, TY	ID Number(s) 2022229	Troop	Date
Officer Reviewing (If Applicable)	ID Number	Routed To	Referred To
Assigned To	By	Date	
Case Status	1 Arrest 3 Unfounded 2 Exceptional	A - Adult J - Juvenile A	Date Cleared
Arrest Number 2023008191	Number Arrested		
Exception Type 1 Extradition Declined	2 Arrest on Primary Offense Secondary Offense Without Prosecution	3 Death of Offender 4 VAW Refused to Cooperate	5 Prosecution Declined 6 Juvenile / No Custody
OBTS Number	Page 2 of 2		

ADMINISTRATIVE

964027 / 324457

LEE COUNTY SHERIFF'S OFFICE

(THIS FORM IS TO BE COMPLETED FROM ALL CRIMES INVOLVING A VICTIM)

Date: 20 32 00 02/15/23 District/Component: WEST DISTRICT CFS #: 23-070307

Deputy/Member: JAMES, TY I.D: 2022229

Defendant: POWELSON, DAVID SHERMAN

Offense (s): AGG ASSAULT ON PERSON 65 YOA OR OLDER

VICTIM INFORMATION

Mandatory Contact when Defendant is released? N

Contact Phone: Contact Person:

Name: [Redacted]
DOB: [Redacted]
Address: [Redacted]
City: [Redacted]
Home Phone: [Redacted]

Notified Victim/Family of Incident? N

Referred To: Date:

CONTACT INFORMATION (IF VICTIM IS A MINOR OR DECEASED)

Name:

Address:

City: State: Zip:

Home Phone: WorkPhone:

WITNESS INFORMATION

Name:

DOB: Sex: Race:

Address:

City: State: Zip:

Home Phone: WorkPhone:

IN THE CIRCUIT/COUNTY COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR LEE COUNTY, FLORIDA

STATE OF FLORIDA

Plaintiff/Petitioner

vs

Case No: 23CF014518

DAVID S. POWELSON

Defendant/Respondent

NOTICE OF CONFIDENTIAL INFORMATION WITHIN COURT FILING

Pursuant to Florida Rule of Judicial Administration 2.420(d)(2), I hereby certify:

1. I am filing herewith a document containing confidential information as described in Rule 2.420(d)(1)(B) and:

a. The title/type of the document is:

AND:

b. the entire document is confidential, OR the confidential information within the document is precisely located at:

VICTIM INFORMATION SHEET/SECTION OF BOOKING REPORT

OR

2. A document was previously filed in this case that contains confidential information as described in Rule 2.420(d)(1)(B), but a Notice of Confidential Information within Court Filing was not filed with the document and the confidential information was not maintained as confidential by the Clerk. I hereby notify the Clerk that this confidential information is located as follows:

a. Title/type of document:

b. Date of filing (if known):

c. Date of document:

d. Docket entry number:

e. Entire document is confidential, OR

Precise location of confidential information in document:

I HEREBY CERTIFY that a copy of the foregoing was furnished by (e-mail) (delivery) (mail) (fax) to: on (date).

Signature T. JAMES
Address: 15650 Pine Ridge Rd
Phone: 239-477-1000
Florida Bar #, if applicable:
Email address:

Note: The Clerk of Court shall review filings identified as containing confidential information to determine whether the information is facially subject to confidentiality under subdivision (d)(1)(B). The clerk shall notify the filer in writing within 5 days if the clerk determines that the information is NOT subject to confidentiality, and the records shall not be held as confidential for more than 10 days, unless a motion is filed pursuant to subdivision (d)(3) of Rule 2.420.