

Orange County

OJIS Arrest Affidavit

Division # 11
Court Case # 48-2009-CF-000550-O

Arrested [X] At-Large [] JRA []

Document # 149723

Handwritten initials/signature

Document Date 1/12/2009

Location of Defendant Vehicle: NONE
Date-Time Booked: 01/12/2009 03 21
Agency Case Number: 09-3865

(ORI) FL0480000
Agency Name: ORANGE COUNTY SHERIFF'S OFFICE
FCIC/NCIC Check: [X]
Date-Time of Arrest: 01/12/2009 01 47

Address of Arrest: 1490 E BUENA VISTA DR

DEFENDANT
Adult [X] Juvenile []
Name Key:
Jacket Number:
Inmate Number: 09001823
Language: ENGLISH

NAME (L,F,M): ARTHUR, AUSTIN ANDREW
A.K.A.:
Race: W Sex: M DOB: 6/13/1985 Age: 23

Height: 5'10" Weight: 165 Hair: BRO Eyes: HAZ POB City: MIAMI
POB State: FL POB Country: UNITED STATES

RES Street#: 9012 AVENUES POINT CIR #18-107
Citizenship: UNITED STATES

City: ORLANDO State: FL Zip: 32821
Home Phone:
Other Phone:

Scars/Tattoos:
Ethnicity: NOT HISPANIC OR LATINO

Driver's License/ State ID No: A636001852130
State: FL Year Expires:
SSN #: [REDACTED]

Next of Kin Name:
Address:
Phone:

Business and Occupation:

Bus Street#:

City: State: Zip: Bus Phone:

AGGRAVATORS
Firearm [] Weapon [] Mask [] Vest [] Convicted Sex Batterer [] Hate Crime [] Special Victim [] Domestic Violence? N

OFFENSES
Felony [X] Misd [] ORD [] Traffic []
Court Location: CIRCUIT

Table with 7 columns: #, GOC Code, Description, Bond Amt \$, FSS/ORD, FDLE Rec#, Drug Name, Citation Number. Contains two entries for BATTERY ON A UNIFORMED SECURITY OFFICER and RESISTING OFFICER WITHOUT VIOLENCE.

Handwritten notes and stamps: BRB, ORANGE CO FL, JAN 12 AM 5:06

CHECK HERE IF OFFENSES ARE CONTINUED []

Table for CODEFENDANT with columns: #1-4, NAME (L,F,M), Arrs?, Juv, Fel, Misd, ORD, Traff, NTA, Race, Sex, Age, DOB.

DCF Notified? N By Whom? On Probation? N Miranda Warning? N By Whom? Invoked? N

Sworn to and subscribed before me this 12 day of January 2009. Notary Public Diana D Morris, My Commission # DS 837613, Expires March 11, 2013.

I swear or affirm the above statements are correct and true. Officer's Signature: [Signature] Officer's Bus Phone N: 407-254-1001. Officer's Name/ID: GORBERG, JASON / 4662. Booking/Receiving Signature: [Signature]

Notice to Defendant Regarding Social Security Number: This Law Enforcement Agency has collected your social security number (SSN) as required by FSS (119.07). This agency will use it for the purpose of confirming your identity and sharing it with other governmental agencies to identify records linked to your SSN.

ICJIS Continuation of:

Affidavit
 to Appear

Document # 149723

Defendant's Name	ARTHUR, AUSTIN ANDREW	Case Number	09-3865
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NARRATIVE: The undersigned has probable cause to believe the above-named defendant on the, 12 of January 2009 at 1:45 AM at 1490 E BUENA VISTA DR, (Zone 60) in Orange County did

commit the offense of battery of a uniformed security personnel and resisting a law enforcement officer without violence. On the above date while working in an off duty capacity at 1490 E Buena Vista Drive (House of Blues), I was summoned to the left side of the club entrance in reference to a disorderly subject. As I rounded the corner, I observed House of Blues security personal physically fighting with a white male later identified as the defendant Austin A Arthur. Security personal were attempting to restrain the defendant who was actively fighting as he was taken to the ground. At the time of the incident, I was wearing my issued Orange County Sheriff's Office uniform. Upon seeing the Malay, I drew my issued Electronic Control Weapon (ECW), turned it on, and pointed the laser at the defendant. At the time, he was on his stomach and was actively attempting to complete a push-up in order to clear security from his back. I then ordered in a loud, clear voice the defendant to stop resisting. The defendant continued to resist all requests to stop fighting. I then ordered all security personal to "Clear" in a loud clear voice. I then aimed the ECW laser at the subject's exposed back and pulled the trigger. The ECW's probes then struck the defendant in the left side of his back through a black cotton T-shirt. I completed one (1) five second cycle and took my finger off the ECW trigger. The defendant continued to resist and attempted to stand up. I then activated the ECW again for a complete five second cycle. The defendant then complied with my loud verbal commands and put his hands behind his back as instructed. D/S Tony Shea then assisted by handcuffing the defendant. The defendant was then sat up and the probes were removed from his back (See Use of Force Report). I then met with Security employee Timothy (TJ) Hunter who stated he was escorting a guest out the exit door. Hunter stated he turned to check behind his and observed the defendant approaching him in a fast and aggressive manner. Hunter stated the defendant then punched him in the face with a closed fist, striking him in the facial area (nose). At the time, there was approximately 1800 people inside the club. Hunter stated he then took the defendant to the ground and with the assistance of other security personal, he was taken outside. Hunter stated the defendant continued to fight security as he was being removed outside. Hunter stated upon Orange County Deputies presence and intervening, he disengaged from the situation. Hunter stated the strike he received from the defendant caused his eyes to water and felt pain in his nose and facial area. Hunter stated he will press charges for battery on a uniformed security personal and testify in court. Hunter completed a sworn statement detailing the incident. At the time of the incident, Hunter was wearing his employee issues security uniform. The defendant Austin A Arthur was placed under arrest and transported to the Orange County Booking and Release Center and charged with battery on a uniformed security personal and resisting a law enforcement officer without violence.

Sworn to and subscribed before me, this 12 day of JAN year 09

Notary Public Personally Known Type of Identification Signature

DANN MORRIS
Law Enforcement Officers Office
MY COMMISSION # DD 837613
EXPIRES March 2010
Bonded Third Notary Public Underwriters

I swear or affirm the above statements are correct and true

Officer's Signature [Signature] Officer's Bus Phone N 407 254-1001

Officer's Name/ ID GORBERG, JASON / 4662 Booking/Receiving Signature

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