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PART I**Sheriff's Office**Collier County
Naples, Florida

CLERKS CASE NO.

REPORT NUMBER

09-461

Agency ORI Number: **FL0110000**

DEPT. OF CORR. NO.	BOOKING NO.	ARRESTING AGENCY	A #	ADULT / JUV
	09-205	FL0110000	00117577	A
FBI NO.	FDLE NO.	OBTS NO.	PIN: 153496	
422290TB2	05433166	1102048681		

LASTNAME, FIRSTNAME MIDDLE		RACE	SEX	DATE OF BIRTH	Age		
DAMAS, MESAC		B	M	07-02-1976	32		
AKA #1 (LASTNAME, FIRSTNAME MIDDLE)		AKA #1 DOB	AKA #2 (LASTNAME, FIRSTNAME MIDDLE)		AKA #2 DOB		
DAMAS, MESAC		07-02-1976	DEMS, MESAC				
SOCIAL SECURITY NO.		DRIVER'S LICENSE NO.		DL STATE	DL EXPIRE		
*****		D520540762420		FL	07-02-2007		
HEIGHT	WEIGHT	HAIR	HAIR STYLE	FACIAL HAIR	EYES	GLASSES	SKIN
602	210	BLK	03	01	BLK		MED
ADDRESS		CITY	STATE	ZIP	RESIDENCE PHONE		
6475 COLLEGE PARK CI Unit 101		NAPLES	FL	34113	(239) 384-4905		
CITY OF BIRTH		STATE	SCARS / MARKS / TATTOOS				
HAITI		HT					
IMMIGRATION STATUS		ALIEN/IMMIGRATION #					
RESIDENCE STATUS		JUVENILE DISPOSITION		MARITAL STATUS	CITIZENSHIP	OCCUPATION	
				MARRIED	US	SERVER/MILLER	
EMPLOYER		ADDRESS		CITY	STATE	EMPLOYER PHONE	
MILLER ALE HOUSE		NAPLES FL				(000) 000-0000	
NEXT OF KIN / GUARDIAN		ADDRESS		CITY	PHONE	RELATIONSHIP	
BOOKING DATE/TIME		BOOKING DEPUTY / ID			NCIC	FCIC	LOCAL
01-06-2009 02:19:12		LUKASZ, CHRISTOPHER K / 2964			Y	Y	Y

IN CUSTODY (Y/N)	RELEASE DATE/TIME	BONDING DEPUTY / OFFICER	BOND AMOUNT	BOND TYPE (SURETY, CASH)
	01-06-2009 20:44:22	CANADY, DAREECE D		
RELEASED TO (Name of Bondsman / Depositor)		CASH BOND NO.	ADDRESS	
BONDED				
HOLD (Y/N)	HOLD FOR	FELONY ARRAINMENT DATE/TIME	MISDEMEANOR ARRAINMENT DATE/TIME	
N			01-28-2009 08:30:00	
ARREST DATE/TIME	ARREST OFFICER / ID			CRIME DATE
01-06-2009 01:33:00	COMINGS, JAMES R / 2039			01-05-2009

DOMESTIC VIOLENCE

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PART II: CHARGE

Sheriff's Office

Collier County
Naples, Florida



LASTNAME, FIRSTNAME
DAMAS, MESAC
REPORT NUMBER
09-461

Agency ORI Number: **FL0110000**

ARRESTING AGENCY FL0110000	ARREST DATE / TIME 01-06-2009 01:33:00	ARREST LOCATION 6475 COLLEGE PARK CI Unit 101			
GEOGRAPHIC INDICATOR 3204	ARREST TYPE ON PROBABLE CAUS	CRIME LOCATION 6475 COLLEGE PARK CI Unit 101	CRIME DATE 01-05-2009		
OFFICER / WITNESS / ID CPL J MAGNER - 3040		CITATION NUMBERS			
VEHICLE DISPOSITION (Towed By)		MAKE	MODEL	YEAR	TAG STATE

CHARGE DESCRIPTION BATTERY - TOUCH OR STRIKE ANOTHER AGAINST THEIR WILL		COUNTS 1	STATUTE 784.03-1a1
GENERAL OFFENSE CHARACTER PRINCIPLE	LEVEL OF OFFENSE MISDEMEANOR	BOND SURETY: Cash(10000.00) Surety(0.00) Jail(0)	
WARRANT NO.	DATE OF WARRANT	STATE	DRUG TYPE DRUG UNIT
DRUG ACTIVITY	VALUE 0	QUANTITY 0	WEAPON HANDS/FISTS/FEET

I understand that should I willfully fail to appear before the court as required by this notice that I may be held in contempt of court and a warrant for my arrest shall be issued. Furthermore, I agree that notice concerning the time, date, and place of all court hearings should be sent to the aforementioned address. I agree that is is my responsibility to notify the Clerk of the Court anytime that my address changes

I hereby promise to be and appear in the appropriate court at the time and the place designated by this notice.

COURT: County Circuit Juvenile

ADDRESS: _____ DATE: _____ TIME: _____

Defendant can pay a fine in lieu of a Court Appearant FINE: _____

Sworn to and subscribed before me this _____ day of _____ Signature of Defendant / Juvenile _____

NOT FOR OFFICIAL USE!! Refer to original copy filed with Clerk

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PART III: NARRATIVE

Sheriff's Office

Collier County
Naples, Florida



LASTNAME, FIRSTNAME
DAMAS, MESAC
REPORT NUMBER
09-461

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ARRESTED CO-DEFENDANTS

DEFENDANT DID THE FOLLOWING ACT(S) WHICH CONSTITUTE A VIOLATION OF THE LAW (ELEMENTS OF THE CRIME / PROBABLE CAUSE STATEMENT)

ON 5 JANUARY 2009 AT APPROXIMATELY 1854 HOURS CPL J MAGNER AND I, D/S JR COMINGS, WERE DISPATCHED FOR THE REPORT OF A DOMESTIC DISTURBANCE AT 6475 COLLEGE PARK CIRCLE, UNIT 101, NAPLES, FL 34113.

UPON ARRIVAL AT APPROXIMATELY 1900 HOURS, WE MADE CONTACT WITH THE REPORTER/VICTIM GUERLINE DAMAS (DOB: 7/21/77). GUERLINE APPEARED EXTREMELY UPSET AND WAS CRYING AND HAVING TROUBLE SPEAKING. GUERLINE WAS IN HER HOME WITH HER FIVE CHILDREN:

[REDACTED]

GUERLINE STATED THAT AT APPROXIMATELY 1800 HOURS (AN HOUR BEFORE SHE CALLED 911 FOR ASSISTANCE) HER HUSBAND OF APPROXIMATELY 10 YEARS, MESAC DAMAS (DOB: 7/2/76), AND SHE WERE ARGUING IN THE KITCHEN AREA OF THE APARTMENT ABOUT HER COMING HOME LATE FROM WORK. MESAC IS ALSO THE FATHER OF ALL FIVE CHILDREN LISTED ABOVE. GUERLINE WAS HOLDING THE YOUNGEST CHILD, MORGAN, IN HER ARMS AT THIS TIME.

GUERLINE STATED THAT MESAC TORE HER SHIRT/TOP OFF HER BODY AND STRUCK HER SEVERAL TIMES IN AND ABOUT THE FACE WITH AN OPEN HAND AND CHOKED HER BY HOLDING HER BY THE THROAT WITH HIS HAND(S). IN THE COURSE OF THESE ACTIONS, SHE STATES MESAC PULLED UPON HER IN SUCH A WAY THAT THE BABY MORGAN WAS TAKEN OUT OF HER GRASP AND THE BABY FELL TO THE CONCRETE FLOOR AND BEGAN CRYING.

GUERLINE STATED THAT SHE WOULD HAVE CALLED FOR ASSISTANCE EARLIER THAN THE TIME SHE DID BUT THAT MESAC HAD HER CELL PHONE, WHICH HE COMMONLY KEEPS WITH HIM. GUERLINE DID NOT CALL 911 UNTIL HE LEFT THE HOME AT APPROXIMATELY 1850 HOURS. SHE FURTHER STATED HE HAS DONE THIS IN THE PAST, AS WELL.

GUERLINE INDICATED THAT MESAC WAS LEAVING TO GO TO HIS COUSIN'S (NOT FURTHER IDENTIFIED) HOUSE IN CAPE CORAL AND HE WAS USING HIS BROTHER'S VEHICLE IDENTIFIED ONLY AS A DARK CHRYSLER. GUERLINE COULD NOT PROVIDE ANY FURTHER INFORMATION ON MESAC'S POSSIBLE LOCATION.

WHILE MAKING CONTACT WITH THE REPORTER/VICTIM ONE OF THE CHILDREN, LATER IDENTIFIED AS THE WITNESS NAVEN DAMAS, SPONTANEOUSLY STATED "DADDY WAS HITTING MOMMY".

Sworn to and subscribed before me this _____ day of _____	THE ABOVE STATEMENTS ARE true TO THE BEST OF MY KNOWLEDGE, INFORMATION, OR BELIEF
<p>CONFIRMED COPY</p> <p>NOT FOR OFFICIAL USE! Refer to 6475 COLLEGE PARK CIRCLE, UNIT 101, NAPLES, FL 34113</p>	

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GUERLINE STATED THAT THE CHILDREN WERE PLAYING OUTSIDE WHEN THIS INCIDENT OCCURRED, BUT NAVEN CAME BACK INSIDE AS IT WAS STILL HAPPENING.

I EXAMINED THE INJURIES THAT WERE APPARENT ABOUT GUERLINE'S FACE AND HER NECK. VISIBLE INJURIES INCLUDED ONE SMALL LACERATION AT THE LEFT BOTTOM EXTERIOR NOSE AND ONE SMALL LACERATION AT THE LEFT UPPER LIP JUST BELOW THE NOSE. ALSO VISIBLE WAS A RED AND SWOLLEN AREA JUST BELOW AND TO THE RIGHT OF HER RIGHT EYE. ALTHOUGH THERE WERE NO VISIBLE MARKS ON HER NECK, GUERLINE STATED, WHILE INDICATING HER NECK WITH HER HANDS, THAT MESAC "CUT OFF MY AIR" WITH HIS HAND(S).

GUERLINE WAS ASKED IF SHE WANTED/NEEDED EMS TO EXAMINE HER INJURIES AND DECLINED.

THE BABY MORGAN WAS EXAMINED AND FOUND TO NOT HAVE ANY VISIBLE INJURIES. BECAUSE OF THE REPORTED FALL FROM APPROXIMATELY FOUR FEET FROM MOTHER'S ARMS TO THE CONCRETE FLOOR, EMS WAS SUMMONED AND EXAMINED MORGAN RESULTING IN THE CHILD BEING FOUND NOT IN DANGER AT THE MOMENT, BUT THAT MOM SHOULD WATCH THE CHILD AND NOTIFY EMS IF THERE WAS A CHANGE IN HER CONDITION.

PHOTOS WERE TAKEN OF GUERLINE'S FACE AND NECK AND SUBMITTED FOR EVIDENCE.

GUERLINE WAS CRYING/TEARFUL BUT COOPERATIVE AND FORTHCOMING. THE CHILDREN WERE ALL WELL BEHAVED AND SPOKE POLITELY TO INCLUDE THE WITNESS NAVEN.

GUERLINE DECLINED TO WRITE A STATEMENT, INDICATING THAT SHE WAS TOO STRESSED AT THIS TIME.

MESAC WAS NOT INTERVIEWED AT THIS TIME AS HE HAD DEPARTED PRIOR TO CCSO ARRIVAL. WE RETURNED TO THE COLLEGE PARK APARTMENT COMPLEX AT APPROXIMATELY 0125 ON 01/06/2008 IN AN EFFORT TO LOCATE MESAC TO CONTINUE THE INVESTIGATION. AS WE DROVE THROUGH THE PARKING LOT WE LOCATED A BLACK CHRYSLER THAT HAD BEEN POSITIVELY IDENTIFIED AS THE VEHICLE MESAC PREVIOUSLY LEFT IN. I OBSERVED THE VEHICLE HAD TWO MEN INSIDE (DRIVER SIDE DOOR OPEN) AS WE STOPPED TO MAKE CONTACT. THE DRIVER OF THE VEHICLE WAS IDENTIFIED AS MESAC AND THE OTHER MALE WAS NOT FURTHER IDENTIFIED AND WAS ALLOWED TO LEAVE THE AREA ON FOOT.

CONTINUING THE INVESTIGATION, MESAC WAS ALLOWED TO PROVIDE ANY INFORMATION REFERENCE THE ACTIVITIES OF THE PERIOD OF TIME INDICATED ABOVE FOR THE ARGUMENT. HE

Sworn to and subscribed before me

day of

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DENIED ANY/ALL OF THE ALLEGATIONS MADE BY GUERLINE AND PROVIDED NO INFORMATION AS THE VISIBLE INJURIES NOTED ON HER. HE DENIED THAT THE BABY FELL TO THE FLOOR.

MY INVESTIGATION INDICATES THERE IS PROBABLE CAUSE FOR THE ARREST OF THE SUSPECT MESAC DAMAS FOR VIOLATION OF FS 784.03(1)(A)(1) BATTERY (DOMESTIC VIOLENCE) IN THAT HE DID ACTUALLY AND INTENTIONALLY STRIKE GUERLINE AGAINST HER WILL AND CAUSED BODILY HARM TO HER PERSON.

MESAC WAS ARRESTED, HANDCUFFED, AND TRANSPORTED TO THE NAPLES JAIL CENTER FOR PROCESSING.

VINE FORM WAS COMPLETED AND PROVIDED TO GUERLINE ALONG WITH ENGLISH AND HAITIAN VERSIONS OF THE DART PHAMPLETS.

BASED UPON THE DOMESTIC VIOLENCE NATURE OF THIS INCIDENT, DEPARTMENT OF CHILDREN AND FAMILIES REPRESENTATIVE TAMARRAH ID#5882 WAS CONTACTED AND PROVIDED THE INFORMATION SHE REQUESTED.

Sworn to and subscribed before me this

day of

THE ABOVE STATEMENTS ARE true TO THE BEST OF MY KNOWLEDGE, INFORMATION, OR BELIEF