

IN THE CIRCUIT/COUNTY COURT IN THE FIRST JUDICIAL CIRCUIT IN AND FOR OKALOOSA COUNTY, FLORIDA

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OKALOOSA CO SHERIFF'S OFFICE

ARREST REPORT

REPORT NO: OCSO15ARR011525

Jail Booking No	Offense No OCSO15OFF014533	Other No OCSO15CAD206360	OBTS 4601105580
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[SUSPECT]

Last CRUZ-DIAZ First GERMAN Middle _____ Title _____ Race W Sex M DOB 6/19/1987 Age 28 Hgt 5'06" Wgt 170
 Eyes BRO Hair BLD MNI Number [REDACTED] SSN [REDACTED] I.D. No. _____ St _____ Type _____ OCA/Agency ID 210790

Birth Location: City: County: State: Nation: HONDURAS Citizenship: HONDURAS
 Address

4 COURT DR DESTIN FL 32541

Occupations (Current/Last Known is Listed First)

Business: OSAKA JAPANESE RESTAURANT, Job Title: DISH WASHER, Phone: (850)650-4688 Entered: 11/21/2015
 34745 EMERALD COAST PKWY Suite: DESTIN FL 32541

Aliases (Last, First Middle Title DOB)

* none found in MINI *

Street Names

* none found in MINI *

[INCIDENT INFORMATION]

Occurred Date Range: 11/21/2015 09:58 to 11/21/2015 09:58 Lat / Long

No.	Di	Street	Apt/Lot	City	ST	Zip	(GEO)
34745		EMERALD COAST PW		DESTIN	FL	32541	3 - 26 - PG53 - U-42

[CHARGES]

784.045.1A2

AGG BATT

PERSON USES A DEADLY WEAPON

Counts	Level	Degree	GOC	UCR	NCIC	AON	Bond Amount
1	Felony	Second	Principal	130A		1318	

790.01.1

CARRYING CONCEALED WEAPON

ELECTRIC WEAPON OR DEVICE

Counts	Level	Degree	GOC	UCR	NCIC	AON	Bond Amount
1	Misdemeanor	First	Principal	5200		5202	

[STATEMENT OF PROBABLE CAUSE / NARRATIVE]

Defendant, German Cruz-Diaz and Victim, Pablo Ontiveros, both share a residence at 4 Court, Destin Florida and they both work at Osaka Japanese Restaurant, located at 34745 Emerald Coast Parkway, Destin, Florida.

On November 21, 2015 at around 1158 hours, I was dispatched to The Osaka Restaurant located at 34745 Emerald Coast Parkway, Destin in reference to a fight in progress. As per both Defendant (Cruz-Diaz) and Victim (Ontiveros), an argument erupted over an argument which started the night before (11/20/2015). Both parties decided the argument could only be settled through a fight. The Victim (Ontiveros) told me he struck the Defendant (Cruz-Diaz) and the Defendant (Cruz-Diaz) struck him back. After the exchange of punches the Victim (Ontiveros) told me the Defendant (Cruz-Diaz) stated "We are even now, so stop fighting." The Victim (Ontiveros) stated the Defendant (Cruz-Diaz) said "No.", and they began to grapple. The victim (Ontiveros) was winning the fight and a couple of their co-workers attempted to break up the fight. After the two were separated the Defendant (Cruz-Diaz) produced a knife from his right hip pocket. The knife had a spring mechanism which allowed it to be opened with one hand. The Defendant (Cruz-Diaz) stabbed the Victim (Ontiveros) in his ribs on the left side of his body. The Victim (Ontiveros) stated he grabbed the the Defendants (Cruz-Diaz) arm and attempted to stop getting stabbed again. The Victim (Ontiveros) and Defendant (Cruz-Diaz) struggled over the knife and the Victim (Ontiveros) was stabbed in both left and right legs and on his right wrist. The fight moved towards the front doors of The Osaka Restaurant where the manager got between the Victim

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(Ontiveros) and Defendant (Cruz-Diaz) and had the victim hide in the Office. Teh Victim waited there until Law Enforcement arrived. The Defendant (Cruz-Diaz) was standing holding the knife when Law Enforcement Officers arrived. The Defendant (Cruz-Diaz) was taken into custody. The Defendant (Cruz-Diaz) was read Miranda warning in English and in Spanish the Defendant (Cruz-Diaz) stated he wished to remain silent.

Based on the above information I have reason to believe the defendant, German Cruz-Diaz, committed the offense of Aggravated Battery with a Weapon, in violation of FSS 784.045(1a2) and Possession of a concealed weapon FSS 790.01(1).

This offense occurred in Okaloosa County, Florida.

I hereby swear (or affirm) that the facts established on this affidavit are true and correct to the best of my knowledge and belief.

Signature (Arresting Officer) **KRUGER, MICHAEL S** Name **293** ID/SSN

Subscribed and sworn to (or affirmed) before me this 21 day of November A.D., 2015 by _____ who is personally known to me or has produced _____ as identification.

Signature _____ Notary Public _____ LEO _____ CO

Commission No: _____ My Commission Expires _____

[PHYSICAL EVIDENCE] BLACK AND SILVER KNIFE.

[ARREST INFORMATION]

Arrested	Residency	Injured	Extent of Injury	Resist			
11/21/2015 09:58	Within jurisdiction						
		Arrested Prior	Arrest Jurisdiction	Alcohol			
				Drugs			
No.	Di	Street	A/L	City	ST	Zip	Lat / Long
34745		EMERALD COAST PW		DESTIN	FL	32541	
Arresting Officer			Unit	(GEO)	3 - 26 - PG53 - U-42	Officer Type	
293	KRUGER, MICHAEL S		OCSO/FSV/EAST/AC/A-SHIFT				
Reporting Officer			Unit			Original Offense Jurisdiction	
293	KRUGER, MICHAEL S		OCSO/FSV/EAST/AC/A-SHIFT				OCSO
Forward to for approval							
OCSO/FSV/EAST/AC/A-SHIFT							

[WEAPONS]

<u>Type</u>	<u>Feature</u>	<u>Description</u>
Knife		black and silver spring assist

Bond Set by LEO at Time of Arrest & Booking: **\$0.00**

- () None
- () ROR
- () Cash

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() Pro

Bond Set by Judge	() None	() ROR/Sign
_____	() Cash	() PTR
	() Any	
	() Pro	
	() PtrIQ	
()Purge _____		
()SC _____		

Return Court: CIRCUIT COURT: FELONY Date: 12/22/2015 Time: 15:30
 Instructions: OKALOOSA COUNTY COURTHOUSE ANNEX EXTENSION

[DISPOSITION]

<u>Disposition Type</u>	<u>Release Type</u>	<u>Other Desc</u>
<u>Release Date</u> <u>Release Time</u> <u>Release Officer</u>		<u>Printed</u> <u>Printed By</u>
<u>Released To</u>		<u>No</u>
<u>Court Disposition Type</u>		<u>Court Disposition Description</u>

[ADDITIONAL PERSONS]

[VICTIM]

<u>Last</u>	<u>First</u>	<u>Middle</u>	<u>Title</u>	<u>Race</u>	<u>Sex</u>	<u>DOB</u>	<u>Age</u>	<u>Hgt</u>	<u>Wgt</u>
ONTIVEROS	PABLO			W	M	7/26/1966	49		0
<u>Eyes</u> <u>Hair</u> <u>MNI Number</u>	<u>SSN</u>	<u>I.D. No.</u>	<u>St</u>	<u>Type</u>	<u>OCA/Agency ID</u>				
OCSO15MNI016146									

Birth Location: City: County: State: Nation: Citizenship:
Address
 4 COURT DESTIN FL 32541
Occupations (Current/Last Known is Listed First)
 Business: OSAKA, Job Title: BUS BOY, Entered: 11/21/2015
 34745 EMERALD COAST

COURT DISPOSITION: _____	(right index)

No Bill / Petition
 Issue Warrant
 Prosecution Approved

 Signature of Assistant State Attorney Date

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