



**Naples Police Department**  
 355 Riverside Cir • Naples, Florida 34102  
 239-213-4844

**PART I**

Agency ORI Number **FL0110100**

CLERKS CASE NO.	19-mm-674
REPORT NUMBER	19-0000828

A D M I N	DEPT. OF CORR. NO.	BOOKING NO.	ARRESTING AGENCY	A #	A adult	A	
		19-2747	NPD	209135	J juvenile		
D E F E N D A N T	FBI NO.	F D L E NO.	O B T S NO.				
			1102089853				
	LAST NAME	FIRST NAME	MIDDLE	RACE	SEX	DATE OF BIRTH	AGE
	BEN	PADGETT		White	Male	4/16/1986	32
	SOCIAL SECURITY NO.		DRIVER'S LICENSE NO.		DL STATE	VALID DL	
	[REDACTED]		P323062861360		Florida	N - No	
	HEIGHT	WEIGHT	HAIR	HAIR STYLE	FACIAL HAIR		
	507	170	Blond	W - Wavy	09 - Unshaven/Stubble		
	EYES	GLASSES	BUILD	SKIN			
	Blue	N - No	M - Medium	LGT - Light			
	ADDRESS						
	2001 AIRPORT RD S NAPLES FL 34112						
	CITY OF BIRTH			STATE			
	Tampa			FLORIDA			
	IMMIGRATION STATUS			ALIEN #	RESIDENCE STATUS	MARITAL STATUS	
CITIZEN				Local	Single		
JUVENILE DISPOSITION			CITIZENSHIP		OCCUPATION		
			USA		Unknown/Not Stated		
EMPLOYER		ADDRESS			BUSINESS PHONE		
Unemployed		N/a N/A					
BOOKING DATE	TIME JAIL RC'D	BOOKING DEPUTY / ID		NCIC	FCIC	LOCAL	
4/7/19	2007	A # 350		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
IN CUSTODY (Y/N)	RELEASE DATE	TIME	BONDING DEPUTY / OFFICER	BOND AMOUNT	BOND TYPE: (SURETY, CASH)		
Y							
RELEASED? ( Name of Bondman/ Depositor)		CASH BOND NO.		ADDRESS			
HOLD (Y-N)	HOLD FOR	ARRAIGNMENT (Felony)		ARRAIGNMENT (Misdemeanor)			
		Date: Time:		Date: 5/1/19 Time: 0830			
<b>Car Camera Footage Available</b> : Y - Yes							

FILED 04/08/19 08:57 Collier Co



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**CHARGE PART II**

Agency ORI Number  
**FL0110100**

LAST NAME, FIRST NAME BEN PADGETT
REPORT NUMBER 19-0000828

<b>A R R E S T</b>	AGENCY NPD	ARREST DATE 4/7/2019 3:37:00 PM	ARREST TIME	ARREST LOCATION 1565 5Th Avenue South Naples, FL 34102	
	GEOGRAPHIC INDICATOR	ARREST TYPE O - On Site/PC		CRIME DATE 4/7/2019	
	CRIME LOCATION 1565 5th Ave S , Naples, FL 34102				
	OFFICER WITNESS Travis #235	VEHICLE DISPOSITION			
	CITATION NUMBERS				
<b>N O T I C E  T O  A P P E A R</b>	<input type="checkbox"/> 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 al court hearings should be sent to the aforementioned address. I agree that it is my responsibility to notify the Clerk of the Court anytime that my address changes.				
	<input type="checkbox"/> I hearby promise to be and appear in the appropriate court at the time and the place designated by this notice.				
	COURT: <input type="checkbox"/> County <input type="checkbox"/> Circuit <input type="checkbox"/> Juvenile				
	ADDRESS : _____ DATE: _____ TIME: _____				
	<input type="checkbox"/> Defendant can pan pay a fine in lieu of a Court Appearance    Fine: _____				
Sworn to and subscribed before me this _____ day of _____		_____ Signature of Defendant / Juvenile			
_____ Notary / Deputy		_____ Signature of Parents of Juv. Defendant			



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<b>C H A R G E S E - B O N D</b>	CHARGE DESC			COUNTS
	856.011(2) - DISORDERLY INTOXICATION - PUBLIC DISTURBANCE			1
	ATTEMPTED 777.04?	GENERAL OFFENSE CHARACTER	LEVEL OF OFFENSE	WARRANT NO
	N - No	PRINCIPAL	Misdemeanor	
	BOND - TYPE	BOND - CASH	BOND - SURETY	
	SURETY OR CASH	1,000.00	1,000.00	
	DATE OF WARRANT		STATE	
DRUG TYPE		DRUG UNIT		
ACTIVITY		VALUE / QTY.	WEAPON	
		/	07 - Hands / Fists / Feet	

<b>C H A R G E S E - B O N D</b>	CHARGE DESC			COUNTS
	843.02 - RESISTING OFFICER WITHOUT VIOLENCE TO HIS PERSON			1
	ATTEMPTED 777.04?	GENERAL OFFENSE CHARACTER	LEVEL OF OFFENSE	WARRANT NO
	N - No	PRINCIPAL	Misdemeanor	
	BOND - TYPE	BOND - CASH	BOND - SURETY	
	SURETY OR CASH	2,000.00	2,000.00	
	DATE OF WARRANT		STATE	
DRUG TYPE		DRUG UNIT		
ACTIVITY		VALUE / QTY.	WEAPON	
		/	07 - Hands / Fists / Feet	



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**PART III**

Agency ORI Number **FL0110100**

ARRESTED CO-DEFENDANTS

LAST NAME, FIRST NAME BEN PADGETT
REPORT NUMBER 19-0000828

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

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On Sunday April 7, 2019 at 1529 hours Police Officers Kazmierczak #293 and Travis #235 responded to the Olive Garden Restaurant, located at 1565 5Th Avenue South in reference to an intoxicated male causing a disturbance. Upon arrival the Officers observed a white male, later identified by his Florida ID Card as Ben Padgett, sitting on a bench to the right of the front door.

Both Officers Kazmierczak and Travis then exited their marked NPD patrol vehicle and they approached Padgett who was not wearing a shirt and was shoveling spaghetti into his mouth using his hands. As the Officers got closer they detected a strong smell of an alcoholic beverage emanating from Padgett who then began to yell obscenities in their direction. Officer Kazmierczak then attempted to speak with Padgett as Officer Travis met with Ronald Worst who unlocked the front door to the Olive Garden and came outside.

Worst then explained to Officer Travis that customers informed him that a white male, Padgett, who was not wearing a shirt was standing outside the front door asking patrons for money. Worst then added that when he approached Padgett and asked him to stop asking the patrons for money Padgett stated "Where is the guy who said that so I can beat his ass." Worst further stated at that point he told Padgett he was calling the police but Padgett stated that "I could beat your ass!". Worst then explained that he left Padgett outside and entered the restaurant to call the police but Padgett followed him inside and repeatedly stated, in a loud voice in the presence of restaurant patrons, "Do you have a Dick or a Vagina?" Worst then informed Officer Travis that Padgett then repeatedly entered and exited the restaurant yelling various expletives while he was on the phone with a Naples Police dispatcher. Worst then stated that after Padgett went outside and sat down on the bench and began eating food, with his hands, he locked the front door of the business to prevent Padgett from coming back inside. Worst also stated that Padgett, who smelled like he had been drinking alcohol, created a disturbance in the restaurant which alarmed and annoyed the guests and patrons.

Worst then provided Officer Gullekson #225 with a signed sworn statement indicating that he would assist in prosecuting Padgett.

Officer Travis returned to Officer Kazmierczak who had been attempting to speak with Padgett. Officer Travis then informed Padgett, who was still muttering obscenities, that he was being placed under arrest for Disorderly Intoxication. The Officers then had Padgett stand and they assisted him by using paper towels to wipe his face and hands from the debris of eating the food. Then without incident Padgett was placed in handcuffs but when Officers Travis and Kazmierczak began to place him in the rear of their patrol vehicle he began to violently twist his body and kick his legs. Then with assistance from Officer Gullekson the three Officers where finally able to get Padgett into the rear seat of the patrol vehicle. Officer Kazmierczak then made sure that Padgett was seated correctly and that his seatbelt was fastened.

Officer Travis then entered the patrol vehicle, #4050, and as he began move the vehicle from in front of the entrance of the Olive Garden Padgett began to smash his forehead on the medal cage of the partition. Officer Travis observed that Padgett had injured himself and that his forehead was bleeding heavily. Officer Travis immediately advised Naples Police Dispatch of Padgett's injury and Collier County EMS was dispatched to the scene. Due to his agitated state, Officer Travis and Kazmierczak transported Padgett to the Naples Jail Center and requested that EMS respond to that location. Padgett, during the ride to NJC, continued to bang his head on the medal cage partition.

07-11-19



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Upon arrival at the Naples Jail Center Collier County EMS Medic #20 and Collier County Sheriff's Office Jail personnel assisted the Officers in safely removing Padgett from the patrol vehicle and placed him safely on the EMS stretcher. Collier County EMS Medic #20 then transported Padgett to Naples Community Hospital for treatment (Run#19030280).

Once at Naples Community Hospital Officer Travis and Kazmierczak explained to Padgett that he was under arrest and that he was being charged with Disorderly Intoxication and Resisting an Officer Without Violence. The officers explained to Padgett that after he is treated for his injuries he would be transported to the Naples Jail Center for the booking process.

Officer Travis took digital photographs of the rear of NPD vehicle #4050 and off Padgett. These photographs along with the in-car video were entered into NPD Property as evidence. A request for a copy of the 911 call made by Ronald Worst was submitted to NPD dispatch and when it is produced it will be entered into NPD Property as evidence.

Sworn to and subscribed before me this

7th day of April, 2019

[Signature]  
(Notary/Deputy)

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

[Signature] # 293

ARRESTING LAW ENFORCEMENT OFFICER  
KAZMIERCZAK, BRIAN

ID. NO.