

AB&T COMPLAINT FORM
March 12, 2012 13:03:43

COMPLAINT NBR CASE AGENT SERIES
2005037907 FLEISCHMAN, PAUL

ALLEGATION

- 1. BATTERY ON A LAW ENFORCEMENT OFFICER
- 2. OBSTRUCTING JUSTICE

DATE RECEIVED SOURCE INCIDENT DATE PRIORITY
07/16/2005 SELF 07/16/2005 1

COMPLAINANT
PAUL MONROE FLEISCHMAN

400 WEST ROBINSON STREET S#709
ORLANDO, FL 32801

PHONE: 4072450780

RESPONDENT
LICENSE NBR:
EXPIRATION: DOB: 10/05/1983

GEORGE MICHAEL ZIMMERMAN
1874 VALLEYWOOD WAY
LAKE MARY, FL 32746

PHONE: 407/617-9904

SUMMARY INFORMATION:

ON 07-15-05, IN ORANGE COUNTY, FL AT 12287 ALAFAYA TRAIL, AT THE LICENSED PREMISE KNIGHT LIBRARY, GEORGE MICHAEL ZIMMERMAN DID COMMIT THE OFFENSE OF OBSTRUCTION OF JUSTICE, RESISTING AN OFFICER WITH VIOLENCE AND BATTERY ON A LAW ENFORCEMENT OFFICER.

WHILE WORKING AN INVESTIGATION IN PLAIN CLOTHES AT THE ABOVE LOCATION, I WAS ASSISTING OTHER ABT AGENTS OUTSIDE OF THE ABOVE MENTIONED CLUB. WE HAD PLACED SEVERAL BAR EMPLOYEES UNDER ARREST AND SAT THEM DOWN TO THE SIDE OF THE CLUB AWAY FROM THE FRONT DOOR AND WERE WAITING FOR OCSO TO ARRIVE TO TRANSPORT THE ARRESTEES TO THE COUNTY JAIL. WHILE WE WERE GATHERING INFORMATION FOR ARREST REPORTS A W/M LATER IDENTIFIED AS S/ZIMMERMAN WALKED UP TO A FRIEND OF HIS WHOM WAS UNDER ARREST AND BEGAN TALKING TO HIM THUS INTERFERING WITH OUR EFFORTS TO INTERVIEW THE SUBJECT.

I IDENTIFIED MYSELF AS A STATE POLICE OFFICER AND SHOWED S/ZIMMERMAN MY BADGE AND ASKED HIM TO LEAVE THE AREA. HE STATED, "I DON'T CARE WHO YOU ARE", I AGAIN ASKED S/ZIMMERMAN TO LEAVE, HE THEN STATED, "FUCK YOU". AT THAT TIME I ATTEMPTED TO ESCORT S/ZIMMERMAN AWAY FROM THE INTERVIEW AREA, HE SHRUGGED AWAY FROM ME AND THEN, PUSHED MY ARMS AWAY WITH HIS HANDS. AFTER A SHORT STRUGGLE WITH S/ZIMMERMAN HE WAS PLACED IN HANDCUFFS AND DETAINED UNTIL OCSO ARRIVED.

S/ZIMMERMAN WAS TRANSPORTED TO THE COUNTY JAIL BY OCSO. S/ZIMMERMAN WAS CHARGED WITH OBSTRUCTION OF JUSTICE, RESISTING AN OFFICER WITH VIOLENCE IN VIOLATION OF FSS 843.01 AND BATTERY ON A LAW ENFORCEMENT OFFICER IN VIOLATION OF FSS 784.07.

NOTE: S/ZIMMERMAN REFUSED MEDICAL TREATMENT AND THERE WERE NO SUSTAINED INJURIES TO EITHER THE SUSPECT OR THE VICTIM.

G. Z.

IN THE COUNTY COURT OF THE NINTH JUDICIAL CIRCUIT
IN AND FOR ORANGE COUNTY, FLORIDA

STATE OF FLORIDA,
Plaintiff

CASE #:48-2005-MM-010436-O

vs.

GEORGE MICHAEL ZIMMERMAN
Defendant

PRETRIAL DIVERSION CONTRACT

THIS AGREEMENT is between the above-named Defendant and State Attorney Lawson Lamar, by and through the undersigned Assistant State Attorney. Supervision of contract conditions will be administered by the Orange County Corrections Department. The Defendant is charged with Resisting Officer Without Violence, In violation of Florida Statute 843.02 After an investigation of the offense and the Defendant's background, it appears that the interests of the State of Florida and that of the Defendant will best be served by entering into this agreement.

It is agreed that the prosecution in this matter will be deferred for a period of SIX (6) months, commencing on the date this contract is signed by the authorized representative of the Office of the State Attorney, provided the Defendant abides by the following conditions:

- (A) You must refrain from violation of any federal, state, or local law. If you are arrested or charged with a crime while on the Pretrial Diversion Program, you are subject to automatic revocation whether the crime occurred before or after the signing of the contract.
- (B) You must associate only with law abiding persons.
- (C) You must work regularly at a lawful occupation; or pursue a course of studies as a full-time student, or both. Employment must be verified by documentation only within the first 30 days of supervision. Thereafter, employment verification shall be made every other month.
- (D) You must take an active part in counseling and attend all scheduled appointments. You Must participate in and be responsible for program costs of any referrals your Officer Recommends. Referrals may include, but are not limited to participation in drug/alcohol Counseling, a mental health evaluation, urine screenings, General Equivalency Diploma (GED) and English for Speakers of Other Languages (ESOL).
- (E) You must immediately inform the Pretrial Diversion Program of any anticipated or unanticipated change in your residence or your employment. It is your obligation to notify Pretrial Diversion of any change in your address and to comply with residence verification instructions. Should it be determined that you have moved from your reported residence or changed employment, without notice to Pretrial Diversion, and are no longer able to be contacted through your reported mailing address, you are subject to automatic revocation. If you have been arrested in this case, you must also notify the Clerk of the Court for Orange County (see below for addresses), preferably in writing, of your address change.

OFFICER: DeAnn Carr
ACCT: PO05142269

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NAME: GEORGE MICHAEL ZIMMERMAN

CASE #: 48-2005-MM-010436-O

All Notices, Summonses, or other mail will be sent to your current address. If you fail to appear in court due to paperwork being sent to an old address, a warrant may be issued for your arrest, and you may be revoked from the Pretrial Diversion Program.

CLERK OF THE COURT LOCATIONS:

CR or CF cases: 425 N. Orange Ave., 2nd Floor Orlando, 32801
836-2056

MO or MM Orlando cases: 425 N. Orange Ave., 2nd Floor Orlando, 32801
836-2066

MA or MM Apopka cases: 1111 N. Rock Springs Rd., Apopka, 32703
654-1030

MW or MM Ocoee cases: 475 W. Story Rd., Ocoee, 34761
667-6240

ME or MM Winter Park cases: 450 N. Lakemont Ave. Winter Park, 32792
671-1116

- (F) You will promptly and truthfully answer all questions directed to you by your Officer.
- (G) You must pay a supervisory fee of \$300.00 to the Pretrial Diversion Program, as REQUIRED BY Florida Statute Section 948.08.
- (H) You will complete 40 hours of Alternative Community Service (ACS). ACS is to be completed sixty days prior to the expiration of this contract or sixty days prior to any subsequent expiration date resulting from an extension or as determined by a Review Board panel.

Special conditions: You will complete an Anger Management Class. You will write and submit a letter of apology to the arresting officer. This letter is subject to the review and approval of the Community Corrections Division.

II

By signing this contract, you affirm that you have no criminal history (arrests, convictions, or cases in which adjudication of guilt has been withheld, whether as a juvenile or adult), or if you have a prior criminal history, you have fully and completely disclosed it to Pretrial Diversion. If it is found that you have not been fully candid on this issue, you are subject to revocation from the Pretrial Diversion Program.

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Name: GEORGE MICHAEL ZIMMERMAN

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III

If you fail to comply with any of the above conditions, your case may be subject to the following action, depending upon the violation:

- (A) Your officer may extend the period of deferred prosecution to a term not to exceed two (2) years from the date of this agreement, or
- (B) The Review Board may add additional special conditions or otherwise modify this contract, or
- (C) Revoke this Contract and the State Attorney will prosecute you for this offense.

A Review Board comprised of an Assistant State Attorney, an Assistant Public Defender and a representative of the Community Corrections Division, Pretrial Diversion Program, has been established for purpose of reviewing any proposed revocation or modification of your Pretrial Diversion Contract. Your Pretrial Diversion Officer will attend this hearing. Modification of your Pretrial Diversion Contract may occur if you agree to the modification, by Review Board decision or, automatically in the event you are re-arrested for any new offense or have been less than candid about your criminal history. At Review Board Hearings, evidence establishing violations of conditions of the Pretrial Diversion Contract will be heard. You will be given notice of this hearing and may attend and present any evidence you have in your defense and/or any evidence you have to establish matters in mitigation. Failure to appear will result in automatic revocation from the Pretrial Diversion Program. The Review Board, after hearing and considering all evidence, will render a decision in writing, citing the reasons for that decision. A majority of the Review Board must agree to revocation or modification.

In its written decision, the Review Board will state whether it has decided to revoke this Contract or continue you in your present status. If you are revoked from the program, you will be prosecuted for the original criminal violation. If the agreement is modified, the modifications made by the Review Board will be stated. You will be bound by the decision of the review board.

This agreement is a deferral of prosecution. If its terms are met, the initial charge will be dropped and the State of Florida will be barred from prosecution. If its terms are violated, prosecution concerning this charge will proceed.

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NAME: GEORGE MICHAEL ZIMMERMAN

CASE #: 48-2005-MM-010436-O


IV

I HEREBY STATE that the above has been read by me or to me. All conditions have been explained to me and I understand them and agree that I will comply with them. I also state that I have never before participated in any Pretrial Diversion or Pretrial Intervention program. Furthermore, I fully understand the criminal charge (s) pending against me.

By signing this Pretrial Diversion Contract, I understand I waive my right to have prosecution commence within the time limits required by the statute of limitations and my right to a speedy trial as defined by the Constitutions of the United States and Florida, and the Florida Rules of Criminal Procedure.

I further agree that if the offense, with which I am charged involves the use or possession of a weapon or firearm, I agree to forfeit that weapon to the appropriate authority, as defined by Florida Statute.

I have reviewed the amount of money I am required to pay, and I am financially able to pay these amounts set out in Contract, within the time of this Contract.



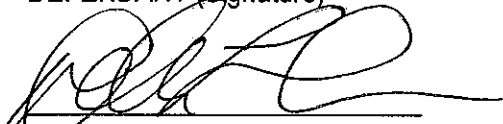
DEFENDANT (Signature)

10-05-83

DATE OF BIRTH

1-10-06

DATE SIGNED



Witness to Defendant's Signature

Lawson Lamar, State Attorney, Ninth Judicial Circuit, hereby agrees that, should the defendant fully meet the terms and conditions of this agreement, the charge(s) referred to herein shall be dropped (by Nolle Prosequi or No Information Notice) upon completion of the Program.



Assistant State Attorney

1/10/06
DATE

#249017

The State Of Florida

Witness Subpoena

TO: PAUL M. FLEISCHMAN
DATE, 3050FF0000011,
Div. Alcohol, Tobacco & Firearms
400 West Robinson Street
North Tower, Suite 709
Orlando, FL 32801

State of Florida
vs.
GEORGE MICHAEL
ZIMMERMAN

Case Number: 43-2005-MM-0010436-0 /A
Division Number: 80 (3)
Subpoena Type: Trial

To be served in: ORANGE County

GREETINGS: You are hereby directed to be on call to personally appear, if needed, before the County Court, Ninth Judicial Circuit, for the County of Orange, State of Florida to testify and speak the truth in a certain matter before said Court. This subpoena has been issued at the request of the State. You are on call for this appearance and must follow future directions from Court Officials.

Call Directions: You are directed to call the following number between the hours of 8:30 AM and 5 PM, Monday through Friday, on the next business day after receiving this subpoena and provide Court Officials with your current phone number and address:
Call: Div 80, 407 836-1680

The "On-Call" Period Begins: Monday, October 31, 2005 and continues until 11/11/2005.

When Directed, You Must Report To: 425 N. Orange Ave., Room 4A Orlando, Florida, 32801

Telephone (Hearing Impaired): (TTD) 800-955-8771 (V) 800-955-8770

This is an On Call Subpoena and failure to call and appear as directed can result in a contempt of court proceeding or an agency disciplinary proceeding. You must comply with Call Directions listed above. Do Not Report Until Directed by a Court Official.

IN WITNESS WHEREOF, I HAVE HEREUNTO
SET MY HAND AND AFFIXED THE SEAL OF
THE CIRCUIT COURT OF SAID COUNTY
October 14, 2005

LYDEA GARDNER

BY [Signature]
CLERK OF THE CIRCUIT COURT

ORANGE COUNTY
CLERK OF CIRCUIT COURT
ORANGE CO., FL.
2005 NOV 14 PM 2:33 A 755

AMERICANS WITH DISABILITIES

IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED TO, AT NO COST TO YOU, THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT COURT ADMINISTRATION AT 425 N. ORANGE AVENUE, ROOM 2130, ORLANDO, FLORIDA 32801 TELEPHONE 407-836-2303 WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS DOCUMENT. IF YOU ARE HEARING OR VOICE IMPAIRED, CALL 1-800-955-8771.

THE FOLLOWING ITEMS WILL BE PROHIBITED FROM COMING INTO THE COURTHOUSE

- FIREARMS BOX CUTTERS PEPPER SPRAY AEROSOL CANS KNIVES OF ANY KIND HANDCUFFS
HANDCUFF KEYS SCISSORS RAZORS TOOLS TAPE MEASURES CLAY OR PLUTTY MATERIAL
CHAINS OVER 12" IN LENGTH GLASS PERFUME BOTTLES OVER 4 OZ. OVERSIZED BELT BUCKLES

THESE ITEMS MUST BE TAKEN BACK TO YOUR VEHICLE OR THEY WILL BE CONFISCATED AND DISPOSED OF. IF THEY WILL NOT BE RETURNED.

SERVICE REPORT - COUNTY COURT

WITNESS: SERVED [X] UNSERVED [] MAIL [] DATE & TIME OF SERVICE []
FOR SERVICE ON MEMBER OF FAMILY PERSONAL [] KEVIN BEARY
SUBSTITUTE [] ORANGE COUNTY, FLORIDA
FILE [Signature] POSTED [] BY []

CT-17 2005
PROVIDE

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT, IN
AND FOR ORANGE COUNTY, FLORIDA

CASE NO.: 48-2005-CF-009525-0

STATE OF FLORIDA,
Plaintiff,

vs.

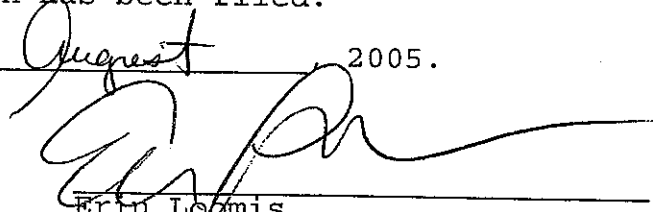
GEORGE MICHAEL ZIMMERMAN,
Defendant.

FILED IN OFFICE
CRIMINAL DIVISION
2005 AUG 29 PM 3:49
LYDIA GARDNER
CLERK CIRCUIT COURT
ORANGE CO., FL.

REQUEST FOR ADMINISTRATIVE TRANSFER

COMES NOW the State of Florida, by and through the undersigned Assistant State Attorney, pursuant to Administrative Order dated August 9, 1989, and hereby requests the Clerk of Court to transfer the above-styled felony case from Circuit Court to the County Court, Orlando Ninth Judicial Circuit, Orlando, Florida, where a misdemeanor information has been filed.

DATED this 29th day of August, 2005.



Erin Loomis
Assistant State Attorney
Florida Bar No.: 504572
415 N. Orange Ave., P.O. Box 1673
Orlando, FL 32801
(407) 836-2410

IN THE COUNTY COURT OF THE
NINTH JUDICIAL CIRCUIT, IN AND FOR
ORANGE COUNTY, FLORIDA

STATE OF FLORIDA

CASE NO: 48-2005-MM-010436-O

vs.

DIVISION: 80

GEORGE MICHAEL ZIMMERMAN
_____ /

NOLLE PROSEQUI

FILED
CRIMINAL DIVISION
2006 JUL 28 PM 12:09
LYDIA GARBER
CLERK CIRCUIT COURT
ORANGE CO., FL.

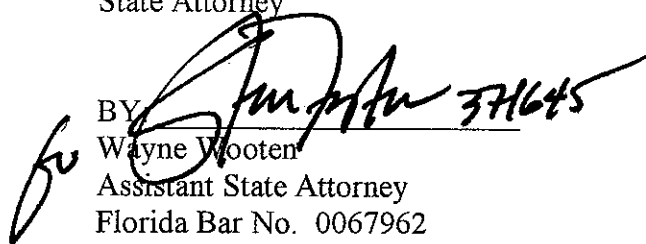
Docketed By:
A. MONTOYA

THE STATE OF FLORIDA, by the undersigned State Attorney, enters a Nolle Prosequi in
the above-entitled action as to:

Count 1. RESISTING OFFICER WITHOUT VIOLENCE (M1)

I HEREBY CERTIFY that a copy hereof has been furnished to defense counsel Zahra S.
Umansky, PO Box 533069, Orlando, FL 32853-3069 on this 26 day of July, 2006.

LAWSON LAMAR
State Attorney

BY  371645
Wayne Wooten
Assistant State Attorney
Florida Bar No. 0067962
415 N. Orange Ave., P.O. Box 1673
Orlando, FL 32801
Telephone No. (407)836-1680