

Lakewood Police Department

Report 07/31/2008 19:54

Report # 01-08-006345

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I N C I D E N T	Report #	Report	Occurred From	Occurred To	Report Type														
	01-08-006345	07/31/2008 19:54	07/31/2008 15:00	07/31/2008 19:56	Original														
	Dept. Classification		Case Status	Date Report Completed	Cleared Scene														
	FEL ASSAULT 1303		AR	08/04/2008	07/31/2008 21:19														
	Common Name LAKEWOOD CLUB APTS - 11803 NORTH LANE DR Apt. 3 LAKEWOOD, OH 44107																		
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">Day of Week : Thursday</td> <td style="width: 50%; border: none;">Shift : Patrol Mids 1900 - 0700</td> </tr> <tr> <td style="border: none;">Dispatched : 07/31/2008 19:55</td> <td style="border: none;">Zone : BEAT 100</td> </tr> <tr> <td style="border: none;">Responded : 07/31/2008 19:55</td> <td style="border: none;">Alcohol/Drug Related : Yes</td> </tr> <tr> <td style="border: none;">Arrived : 07/31/2008 19:56</td> <td style="border: none;">Additional Officers : 02, 30, 43, 47, 52, 58, 59, 74, 80, JTW</td> </tr> <tr> <td style="border: none;">Map Reference : RD7</td> <td style="border: none;">Total Damaged Property Value : \$0.00</td> </tr> <tr> <td style="border: none;">Zone : BEAT 100</td> <td style="border: none;">Total Stolen Property Value : \$0.00</td> </tr> <tr> <td style="border: none;">Shift : Patrol Mids 1900 - 0700</td> <td style="border: none;">Total Recovered Property Value : \$0.00</td> </tr> </table>						Day of Week : Thursday	Shift : Patrol Mids 1900 - 0700	Dispatched : 07/31/2008 19:55	Zone : BEAT 100	Responded : 07/31/2008 19:55	Alcohol/Drug Related : Yes	Arrived : 07/31/2008 19:56	Additional Officers : 02, 30, 43, 47, 52, 58, 59, 74, 80, JTW	Map Reference : RD7	Total Damaged Property Value : \$0.00	Zone : BEAT 100	Total Stolen Property Value : \$0.00	Shift : Patrol Mids 1900 - 0700	Total Recovered Property Value : \$0.00
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O F F E N S E 1	State/ Dept. Classification			Attempted/ Committed
	FEL ASSAULT 1303			COMMITTED
	Statute/Ordinance	Location Type	Disposition Date	
	2903.11	Apartment Building	07/31/2008	
Weapon 1 : Knife			Scene Processed By : ALLEN, TODD L.	
Photos : Yes			Evidence Collected : Yes	
Latents : No			# of People Arrested : 01	

O F F E N S E 2	State/ Dept. Classification			Attempted/ Committed
	AGG. MENACING 1314			COMMITTED
	Statute/Ordinance	Location Type	Disposition Date	
	537.05	Parking Lot	07/31/2008	
Weapon 1 : Knife			# of People Arrested : 00	
Evidence Collected : Yes				

P E R S O N 1	Person Type	Business/Person Name			Business Phone
	ARA - Arrested Adult	MICHAEL A NIETO JR			
	Home Phone	Person Address			Map Reference
		3354 W 88TH ST Cleveland, OH 44102 , CUYAHOGA County			
	Other Phone	Employer Address			Map Reference
	Race	Sex	SSN	DL Exp. Date	DL Number
Hispanic	Male	[REDACTED]			
Birth Date	Birth City				
Age : 38			Booking Number : LK-08-006270		
Occupation :			Employer :		
Adult/Juvenile : ADULT					

Reporting Officer	Department	Report Status:
PTL PATRICK ROBERT CANTLIN (1099)	LAKWOOD POLICE DEPARTMENT	Approved
Supervising Officer		Date/Time
Supervising Officer	Department	Date / Time
SGT LESLIE D WILKINS (1031)	LAKWOOD POLICE DEPARTMENT	08/04/2008 14:54

01-08-006345

01-08-00634

Lakewood Police Department

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Report # 01-08-006345

P E R S O N 2 1313	Person Type VIC - Victim		Business/Person Name CRYSTAL D PECK			Business Phone	
	Home Phone		Person Address 11803 NORTH LANE DR Apt. 3 Lakewood, OH 44107 , CUYAHOGA County			Map Reference	
	Other Phone		Employer Address			Map Reference	
	Race White	Sex Female	SSN [REDACTED]	DL Exp. Date	DL Number		
	Birth Date		Birth City				
	Age : 28 Occupation : NONE			Adult/Juvenile : ADULT Employer : UNEMPLOYED			

P E R S O N 3	Person Type OIV - Others Involved		Business/Person Name DAVID J RANDER			Business Phone	
	Home Phone		Person Address 11803 NORTH LANE DR Apt. 3 Lakewood, OH 44107 , CUYAHOGA County			Map Reference	
	Other Phone		Employer Address			Map Reference	
	Race Black	Sex Male	SSN [REDACTED]	DL Exp. Date	DL Number		
	Birth Date		Birth City				
	Age : 48 Occupation : NONE			Adult/Juvenile : ADULT Employer : UNEMPLOYED			

P E R S O N 4 1393	Person Type VIC - Victim		Business/Person Name RAYMOND NMI PEREZ			Business Phone	
	Home Phone		Person Address 1944 W 48TH ST Cleveland, OH 44102 , CUYAHOGA County			Map Reference	
	Other Phone		Employer Address			Map Reference	
	Race Hispanic	Sex Male	SSN [REDACTED]	DL Exp. Date	DL Number		
	Birth Date		Birth City				
	Age : 30 Occupation : NONE			Adult/Juvenile : ADULT			

P E R S O N 5	Person Type OIV - Others Involved		Business/Person Name ANTONIO I PEREZ			Business Phone	
	Home Phone		Person Address 1944 W 48TH ST Cleveland, OH 44102 , CUYAHOGA County			Map Reference	
	Other Phone		Employer Address			Map Reference	
	Race Hispanic	Sex Male	SSN [REDACTED]	DL Exp. Date	DL Number		
	Birth Date		Birth City				
	Age : 26 Occupation : NONE			Adult/Juvenile : ADULT Employer : UNEMPLOYED			

Reporting Officer PTL PATRICK ROBERT CANTLIN (1099)		Department LAKEWOOD POLICE DEPARTMENT	Report Status: Approved
Supervising Officer			Date/Time
Supervising Officer SGT LESLIE D WILKINS (1031)		Department LAKEWOOD POLICE DEPARTMENT	Date / Time 08/04/2008 14:54

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Lakewood Police Department

Report 07/31/2008 19:54

Report # 01-08-006345

PERSON 6	Person Type OWN - Owner		Business/Person Name MARIA T BOWIE			Business Phone	
	Home Phone		Person Address 2259 W 67TH ST Cleveland, OH 44102 , CUYAHOGA County			Map Reference	
	Other Phone		Employer Address			Map Reference	
	Race Hispanic		Sex Female	SSN ██████████	DL Exp. Date	DL Number	
	Birth Date		Birth City				
	Age : 44 Occupation : UNKNOWN			Adult/Juvenile : ADULT Employer : UNKNOWN			

VEHICLE 1	Plate # DZS5378	Plate Expirati 09/14/2008	Year 2003	Make GMC	Model	Vehicle Style StationWagon
	Empty Field		Plate State OH	Vehicle Type Automobiles	VIN 1GKDT13S432335951	Category OTHER
	Model Free Form : ENVOY Top Color : BLACK			Vehicle Disposition : OTHER(SEE NARRATIVE) Association : Owner is MARIA BOWIE		

VEHICLE 2	Plate # ECW1579	Plate Expirati 10/01/2008	Year 2005	Make HONDA	Model ACCORD	Vehicle Style 4 Door
	Empty Field		Plate State OH	Vehicle Type Automobiles	VIN 1HGES16325L006865	Category OTHER
	Top Color : SILVER Vehicle Disposition : OTHER(SEE NARRATIVE)			Association : Owner is RAYMOND PEREZ		

PROPERTY 1	Category EVIDENCE		Property Type Knife		Make	Model
	Serial #		Color	Description BLACK HANDLE/STAINLESS BLADE		Condition
	Quantity/Weight : 1 Value : \$, , 1.00			Rec. Officer : ALLEN, TODD L.		

PROPERTY 2	Category EVIDENCE		Property Type CD		Make VERBATIM	Model
	Serial #		Color	Description 911 CALLS		Condition
	Quantity/Weight : 1			Value : \$, , 1.00		

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Topic Original Report

M/O#1: By cutting the victim's hand with a knife while the victim was attempting to take the knife away from him.

M/O#2: By chasing the victim through a parking lot with a knife threatening physical harm.

Sgt. Wilkins,

On 07/31/08, at approximately 1954 Hrs, LPD officers were detailed Code 3 to 11803 North Lane on a report from VIC/RAYMOND PEREZ that there was a large fight in the parking lot. RAYMOND stated that one male, later identified as ARA/MICHAEL NIETO, had a knife. He stated that another male had a pit bull. Prior to our arrival, RAYMOND advised dispatch that he left in the listed Honda and that NIETO was chasing him on foot. RAYMOND stated that NIETO was carrying a small black gun. RAYMOND stated that he would wait for officers on W117th near the railroad tracks. Several officers located RAYMOND and his brother OIV/ANTONIO PEREZ in the Honda while in the parking lot of Diana's Deli. NEITO was also located in the parking lot. It should be noted that dispatch received several more calls about the fight.

I responded to 11803 North Lane and was advised that a female had been assaulted and then went into apartment #3. I recognized OIV/DAVID RANDER, from previous incidents, as the resident of #3. RANDER eventually stated that VIC/CRYSTAL PECK was inside the apartment, but did not want to talk to us. I advised RANDER that even if she did not want any police involvement, that we needed to check her welfare as several people stated that she had been assaulted. I also observed blood droplets leading into the building. RANDER eventually cooperated and we spoke with PECK.

PECK advised the following: NIETO is her ex-boyfriend and RAYMOND is her child's father. NIETO and RAYMOND do not get along due to the fact that NIETO was physically abusive to PECK while they were dating. On today's date, sometime between 1500 Hrs and 1530 Hrs, NIETO came over to visit with PECK and RANDER. PECK and NIETO drank alcohol together and between 1600 Hrs and 1630 Hrs, RAYMOND called PECK. As PECK was speaking with RAYMOND, NIETO began yelling at RAYMOND in the background. He was telling RAYMOND, "I am here, come get me." RAYMOND then told PECK the he was on his way over to the apartment.

At this point, NIETO called his nephew, whom PECK could not give any information for, and asked that he come to the apartment for "backup." When RAYMOND arrived outside in the parking lot, NIETO began to go outside. PECK stated that NIETO pulled the listed knife out of his pocket. She believed that NIETO intended to use the knife to stab RAYMOND, so she attempted to stop NIETO. PECK attempted to take the knife away from NIETO and a struggle ensued. PECK was eventually able to get the knife away from NIETO and she gave it to RANDER. RANDER then hid the knife under some items on his dining room table. During the struggle, PECK received a laceration on the bottom of her left thumb. NIETO then went outside to fight RAYMOND. As NIETO got to the parking lot, RAYMOND drove away. PECK followed NIETO outside. NIETO began punching her in the head, and threw her to the ground. While PECK was on the ground, NIETO continued to punch her in the head. PECK also saw that NIETO's nephew had arrived. He had a rottweiler on a leash, and a tire iron in one of his hands. PECK believed that NIETO'S nephew intended to use the dog as a weapon. PECK was unsure of what happened next but remembered RANDER helped her to her feet. She went back

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inside.

Other officers spoke with RAYMOND. He stated that PECK had called him and told her that she was "getting beat up." He went to her apartment and saw NIETO "beating up" PECK. He yelled at NIETO to come outside and fight him. He stated that NIETO came to the apartment window with the knife and then came outside. Once NIETO came outside, he and RAYMOND began to argue. RAYMOND stated that NIETO chased him through the parking lot with the knife. RAYMOND got into his Honda and began driving away. He stated that he saw NIETO begin to beat up PECK again.

RANDER related the same story as PECK.

Several bystanders stated that the male with the dog and tire iron had ran towards the parking lot on South Lane and then got into the listed GMC Envoy and drove away. PECK stated that she recognized the male as NIETO'S nephew, but did not know his name. She stated that the males mother, OWN/MARIA BOWIE, owned a black GMC Envoy. She stated that the house that the male lives in is a "drug house," and that they own 8 rottweilers. She stated that the dogs are all vicious as the family uses them to guard the large amount of marijuana that they keep in the house. This is why PECK believed that the male intended to use the dog as a weapon.

NIETO was advised that he was under arrest for Felonious Assault. He was handcuffed, searched, and secured in the rear of unit #203. P.O. RUSNAK then transported him to LPD where he booked him in with C.O. MCCARTHY and C.O. SMITH.

Written statements were obtained from PECK and RAYMOND.

PECK had a laceration on the bottom of her left thumb that measured approximately 1/2" long. She had an abrasion to the top left side of her forehead. She also had a small scratch on her left cheek. She stated that she had several "bumps" on her head from NIETO punching her. PECK stated that she was in a lot of pain, but declined medical attention. INV. ALLEN photographed her injuries.

RANDER retrieved the listed knife. He had placed it under several magazines on his dining room table. In checking the knife, there was dried blood in the tip. The knife was taken as evidence by INV. ALLEN. He later tagged the knife and secured it in locker #17 of the LPD property room.

Both PECK and RAYMOND stated that they desire prosecution.

Sgt L. WILKINS made a copy of the calls that dispatch received. They were tagged and secured in locker #18 of the LPD property room.

NIETO has a CCH. He has FBI# 205490FB8 and BCI#B755209. He shows prior arrests for Drug Trafficking and Breaking and Entering.

RECORD ROOM: RAYMOND PEREZ as VIC of Agg. Menacing
 CRYSTAL PECK as VIC of Felonious Assault
 ARA/NIETO for Felonious Assault; SUS/NIETO for Agg. Menacing

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