

Lakewood Police

Report 09/27/2008 02:19

Report # 01-08-007913

1354

5312

Mo: 90

D

08-07913

I N C I D E N T	Report #	Report	Occurred From	Occurred To	Report Type
	01-08-007913	09/27/2008 02:19	09/27/2008 02:00	09/27/2008 02:19	Original
	Dept. Classification		Case Status	Date Report Completed	Cleared Scene
	ASSAULT			09/27/2008	09/27/2008 04:08
	Common Name CORNER PUB - 12301 MADISON LAKEWOOD, OH 44107 (CUYAHOGA County)				
Day of Week : Saturday Dispatched : 09/27/2008 02:21 Responded : 09/27/2008 02:21 Arrived : 09/27/2008 02:23 Map Reference : RD23 Zone : BEAT 300 Shift : Patrol Mids 1900 - 0700					
Shift : Patrol Mids 1900 - 0700 Zone : BEAT 300 Alcohol/Drug Related : Yes Additional Officers : 5, 74, EDG, LFD Total Damaged Property Value : \$0.00 Total Stolen Property Value : \$0.00 Total Recovered Property Value : \$0.00					

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	09/27/2008	
Weapon 1 : FRYING PAN			Scene Processed By : PICKENS, ROBERT 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
	INTOXICATION 5312			COMMITTED
	Statute/Ordinance		Location Type	Disposition Date
509.03		Apartment Building	09/27/2008	
# of People Arrested : 01				

P E R S O N 1	Person Type		Business/Person Name		Business Phone
	VIC - Victim		ROBERTO F CAPESTANY		
	Home Phone		Person Address		Map Reference
			12204 Madison Apt. 11 Lakewood, OH 44107 , CUYAHOGA County		
	Other Phone		Employer Address		Map Reference
Race		Sex	SSN	DL Exp. Date	DL Number
White		Male	██████████		
Birth Date		Birth City			
Age : 41		Adult/Juvenile : ADULT			
Occupation : NONE					

P E R S O N 2	Person Type		Business/Person Name		Business Phone
	ARA - Arrested Adult		BARBARA J MORRIS		
	Home Phone		Person Address		Map Reference
			12521 PLOVER Apt. 2 Lakewood, OH 44107 , CUYAHOGA County		
	Other Phone		Employer Address		Map Reference
Race		Sex	SSN	DL Exp. Date	DL Number
Black		Female	██████████		
Birth Date		Birth City			
Age : 46		Adult/Juvenile : ADULT			
Occupation : NONE		Booking Number : lk-08-07993			

Reporting Officer		Department	Report Status:
PTL AMELIO ANTHONY LEANZA (1098)		LAKEWOOD POLICE DEPARTMENT	Approved
Supervising Officer			Date/Time
Supervising Officer			Date / Time
SGT FRANK S. ESCHWEILER (1034)			09/27/2008 05:42
Department			
LAKEWOOD			

01-08-007913

Lakewood Police

Report 09/27/2008 02:19

Report # 01-08-007913

P E R S O N 3	Person Type OIV - Others Involved		Business/Person Name WALTER J PARKS			Business Phone	
	Home Phone		Person Address 12521 PLOVER Apt. 2 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				

P E R S O N 4	Person Type COM - Complainant		Business/Person Name LORI A GARBUS			Business Phone	
	Home Phone		Person Address 2146 CARABEL Lakewood, OH 44107 , CUYAHOGA County			Map Reference	
	Other Phone		Employer Address 12301 Madison Lakewood, OH 44107 , CUYAHOGA County			Map Reference	
	Race White		Sex Female	SSN [REDACTED]	DL Exp. Date	DL Number	
	Birth Date		Birth City				
	Age : 38 Occupation : BAR OWNER		Adult/Juvenile : ADULT Employer : CORNER PUB				

Reporting Officer PTL AMELIO ANTHONY LEANZA (1098)		Department LAKEWOOD POLICE DEPARTMENT	Report Status: Approved
Supervising Officer			Date/Time
Supervising Officer SGT FRANK S. ESCHWEILER (1034)		Department LAKEWOOD	Date / Time 09/27/2008 05:42

01-08-007913

Lakewood Police

Report 09/27/2008 02:19

Report # 01-08-007913

N
A
R
R
A
T
I
V
E

1

Topic Original Report

MO: By hitting the victim in the side of his face with a deadly weapon, to wit a frying pan, attempting to cause serious physical harm to him.

MO: By being voluntarily intoxicated, having blood shot/glassy eyes, slurred speech, strong odor of alcoholic beverage on her breath, and being involved in a felonious assault; all causing her to be a risk of harm to herself and others.

Sgt. Eschweiler, Sir:

On 9/27/08, at 0219 hours, INV PICKENS, PTL MULLEN, SGT GANNON, LFD and I were detailed to 12301 Madison (Corner Pub) on a report of a male bleeding from the head. The call to dispatch came from COM/ LORI GARBUS . She advised that the male was in the bar.

We went into the bar and located the male. He was identified as VIC/ ROBERTO CAPESTANY. He was bleeding from his right temple. He told me that he wanted to tell me what happened but he had to tell me in private. He took me outside and advised the following: He stated that he is a confidential informant for CPD. He stated that he started talking to a black female inside the bar. He asked her if she knew where he could get some crack cocaine. She stated that she could take him to someone who could get it for him. She took him to her residence in Bird Town. He was not sure of the street name or address. He stated that once inside the apartment, the female grabbed a frying pan that was in the kitchen and hit him in the side of the head. He stated that he left the residence and went back to the bar. LPD arrived shortly after.

Squad One was on scene to treat CAPESTANY. CAPESTANY advised that he would go to the hospital for treatment, but he wanted to show us where the house was located. He took us to 12521 Plover #2. Upon walking up to the residence, a female came walking outside from in the apartment building and handed me her ID. CAPESTANY positively identified the female was the one who assaulted him. The female was identified as ARA/ BARBARA MORRIS. I asked her what happened and she stated that she is drunk. I asked her if she remembered hitting CAPESTANY in the head with a frying pan and she responded, "yes". I advised MORRIS that she was under arrest for felonious assault and DCI. She was handcuffed. MORRIS refused to tell officers why she struck CAPESTANY.

CAPESTANY was transported to Lakewood ER by Squad One. He was later treated by Doctor Gabrin for a laceration of his right temple. INV PICKEN later photographed his injuries at the hospital.

PTL MULLEN, SGT GANNON and I responded to MORRIS' apartment to try and locate the frying pan. We were let into the apartment by OIV/ WALTER PARKS. PARKS lives with MORRIS. PARKS advised that he did not see what happened in the apartment between MORRIS and CAPESTANY. He stated that he had just gotten out of the shower. It should be noted that PARKS had white dust on his arms. I asked MORRIS if he knew why CAPESTANY was at his apartment. He stated that MORRIS and CAPESTANY asked him if he wanted to "party". I asked him if that meant to smoke crack with them, and he answered "yes". He stated that he told them it was too late to try and get some crack. There was a frying pan on the stove, a pot on the stove and a frying pan filled with water in the sink.

Reporting Officer PTL AMELIO ANTHONY LEANZA (1098)	Department LAKEWOOD POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Supervising Officer SGT FRANK S. ESCHWEILER (1034)	Department LAKEWOOD	Date / Time 09/27/2008 05:42

Lakewood Police

Report 09/27/2008 02:19

Report # 01-08-007913

We were not able to determine which pan was used. INV PICKENS photographed all of the pans. There was no blood located on the kitchen floor.

I asked MORRIS if he would consent to a search of his apartment and he answered "yes". I gave him the consent to search form and he signed the form in the presence of PTL MULLEN and SGT GANNON. We checked the apartment. No drugs were located. It should be noted that there was no water residue in the bath tub therefore there were no signs the shower had been used. The plaster wall behind the toilet was broken and the lath board was exposed and pulled from the wall. I checked with wall with my flash light, but the space behind the wall appeared to go all the way down to the first floor. After checking the wall, I had the same white dust on my arms as PARKS. PARKS advised the wall has been in that condition for some period of time.

MORRIS was secured in the rear of unit #220 and transported to the station. She was booked by PTL De McCARTHY for felonious assault and DCI. I was unable to obtain a statement from CAPESTANY at the time of this report. He does desire prosecution.

It should be noted that MORRIS has a CCH which includes priors for DV, felonious assault, drugs, and CCW (FBI# [REDACTED] and BCI# [REDACTED]). PARKS has a CCH which includes priors for drug abuse, possession and trafficking (FBI# [REDACTED] and BCI# [REDACTED]). CAPESTANY has a CCH which includes priors for DV and drugs (FBI# [REDACTED] and BCI# [REDACTED]).

Reporting Officer PTL AMELIO ANTHONY LEANZA (1098)	Department LAKEWOOD POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Supervising Officer SGT FRANK S. ESCHWEILER (1034)	Department LAKEWOOD	Date / Time 09/27/2008 05:42