



Orlando Police Department Field Report



1250 W South St Orlando, FL 32805 (407) 246-2470

Case Number: **2018-00040500**

DETAILS

Location: 83 E COLONIAL DR

Incident Type: **Battery**

Occurred From: 01/30/2018 01:50 Thru: 01/30/2018 02:04

Reporting Date: 01/30/2018 02:04

Reporting Officer ID: 31617 Railey, Jonathan

Approving Officer:

OFFENSES

Counts	Attempt/Commit	Description	Dom. Violence	Location Type
1	Commit	BATTERY	No	Gas Station

NARRATIVE

On January 30, 2018, at approximately 0204 hours, I Corporal J. Railey (31617) responded to 83 E. Colonial Drive (7-Eleven) in reference to a battery.

Upon arrival, contact was made with the victim, Daniel Lester Kurtz. Mr. Kurtz is hearing impaired and was unable to verbally communicate what occurred. Ofc. J. Bennett #19313 who speaks American Sign Language, responded to the scene to assist. Mr. Kurtz advised that on 1/30/18, he was at the 7-Eleven and was asking people for money. An unknown white/Hispanic male arrived at the gas station. Mr. Kurtz asked the male if he had any money. The male became irate and agitated towards Mr. Kurtz. The male suddenly approached Mr. Kurtz aggressively and kicked a trash bin into his body, pushing him into the wall. The unknown male then grabbed Mr. Kurtz and pushed his forearm into his chest and throat. Witnesses observed the altercation and attempted to intervene. The male then got into his vehicle and fled the scene. Mr. Kurtz does not know who the male was and did not give him permission to touch/strike him. Mr. Kurtz advised he wishes to prosecute. Mr. Kurtz did not suffer any cuts or bruises from the incident but did complain of chest pain. American Medical Response and the Orlando Fire Department arrived on scene and transported Mr. Kurtz to Florida Hospital South for evaluation. It should be noted that Mr. Kurtz is homeless but has a phone number and email address if needed to be contacted.

I then spoke with Quentin Johnson who witnessed the incident. Mr. Johnson advised that at approximately 0204 hours, he was in the parking lot of 7-Eleven when he witnessed a white/Hispanic male in a silver SUV arrive at the gas station. The male was wearing a black shirt and jeans. The male became aggravated with Mr. Kurtz and kicked a trash bin into his body. The male fled the parking lot in his vehicle. Mr. Johnson advised that he could identify the male again if needed.

I then spoke with Chad Boone who also witnessed the incident. Mr. Boone stated on 1/30/18 at approximately 0150 hours, he was in the parking lot of 7-Eleven purchasing gas for his work vehicle. Mr. Boone observed an unknown dark skinned male arrive at the gas station in a Mazda SUV silver in color. Mr. Boone witnessed the male become aggravated with a homeless man (Daniel Kurtz). The male struck Mr. Kurtz with a trash bin and pushed his forearm into his chest and throat. Mr. Boone yelled for



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NARRATIVE CONTINUED

the man to stop and he turned and became aggressive with Mr. Boone. The male stated "what are you going to do". Mr. Boone was able to capture a photograph of the male standing next to his vehicle. The vehicle license plate was ILYM55. That plate was registered to a 2015 Mazda CX-5 SUV to a Luis Gimenez Ortiz, DOB 6/29/1989. The male then fled the scene in the SUV towards Interstate 4. Mr. Boone advised that he would be able to identify the subject again if needed.

Mr. Boone was able to provide the photograph taken of the suspect and vehicle. A "DAVID" search of Luis Gimenez Ortiz' driver's license photograph was compared to the photograph provided. Both subjects appeared to match in size and description provided by witnesses. A photo line-up was completed via computer. The line-up consisted of six individual photographs, three above and three below, with Mr. Gimenez Ortiz being the number three. Ofc. Bennett who was unaware of the case administered the line-up to Mr. Kurtz who was still at the hospital for medical evaluation. Mr. Kurtz was unable to identify Mr. Gimenez Ortiz as the individual who battered him.

Attempts to contact Mr. Boone and Mr. Johnson will continue to be made to administer the line-up for suspect identification.

Surveillance cameras at the gas station were unable to capture the incident. The photograph provided by Mr. Boone was entered into evidence.



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SUBJECTS

Case Subject Name	Type	Subtype	Street Address City, State Zip City of Birth	Cell Phone State/Country of Birth	Home Phone Work Phone	Sex Race Soc. Sec #	Age DOB
Suspect		Suspect	14566 GRASSY COVE CR-Circle ORLANDO, FL, 32824			M	28
GIMENEZ ORTIZ, LUIS, JAIME						W	06/29/1989
6' 00	BLK	BRN	G552-530-89-229-0/FL				
Victim		Adult	TRANSIENT			M	59
KURTZ, DANIEL LESTER				(407)515-0284		W	11/23/1958
5' 05	GRY	UNK	G552-530-89-229-0/FL				
Witness			4417 S KIRKMAN RD-Road ORLANDO, FL 32811		(321)430-9942	M	36
JOHNSON, QUENTIN ANTWAN						B	12/12/1981
5' 5	BLK	BRN	J525-701-81-452-0/FL				
Witness			300 SHEOAH BV-Boulevard ORLANDO, FL 32708		(561)260-9723 (407)461-9255	M	42
BOONE, CHAD EDWARD						W	02/08/1975
5' 10			B500-105-75-048-0/FL				

PROPERTY - GENERAL

Date	Code Property Type	Quantity	Units	Category Style/Drug Type	Value Serial Number	OAN
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PROPERTY - VEHICLE

Date	Code Property Type	Year	Category/Make/Model/Model Desc Color	Year/Plate/State	Value VIN/Serial Number
01/30/2018	Registration Vehicle VEHICLE USED BY SUSPECT	2015	Automobile/Mazda Silver	2018 ITYM55/FL	\$1.00 JM3KE2CYXF0540253

PROPERTY - GUNS

Date	Code Value	Type Caliber	Make Finish	Serial Number OAN
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I swear or affirm the above statements are correct and true. Signature _____	Officer Name/ID # (Print) _____
Sworn to and subscribed before me, the undersigned authority, This ____ day of _____, _____. Notary Public <input type="checkbox"/> Law Enforcement Officer <input type="checkbox"/> Emp # _____ Orlando Police Department	