

Office of the Sheriff



Sheriff of Charlotte County

7474 Utilities Road
Punta Gorda, Florida 33982
(941) 639-2101

STATE OF FLORIDA
COUNTY OF CHARLOTTE

State of Florida

Plaintiff,

- vs -

BROWN, NICHOLAS PATRICK

DOB 8/19/82

2557 RUNNING OAK CT

NORTH PORT FL, 34289

Defendant

BROWN, NICHOLAS PATRICK (DEFENDANT)

Before me, a notary public, Kuba, James AFFIANT, personally appeared, who being duly sworn alleges on information and belief, that in Charlotte County the state of Florida the defendant BROWN, NICHOLAS PATRICK did commit the offense(s) listed to wit:

316.193 3c1 - DUI DAMAGE TO PROPERTY OR PERSON OF ANOTHER (LEV:M DEG:F 374)

316.061 1 - Leaving the Scene of Crash Involving Property Damage (LEV:M DEG:S 5994)

893.13 6a - Possess Cntrl Sub WO Prescription (LEV F DEG T 3695)

893.147 1 - Drug Paraphernalia - Possession or Use Of (LEV:M DEG:F 3768)

318.14 3 - Refusing to Accept and Sign a Summons (LEV:M DEG:S 392)

OCA/CASE/WARRANT NUMBER: 2601-017922

Arrest Date/Time: 01/24/26 02:11

Arrest Location: Gasparilla Rd & Marathon Blvd, Port Charlotte, Charlotte County, Florida

Related OCA/CASE Numbers:

Probable cause for this arrest is as follows:

On 1/24/2026, around 0132 hours, while on uniform marked patrol near Winchester Blvd and S McCall Rd, Englewood, Charlotte County, Florida, I responded with Deputy Longo to a call of a reckless driver at the intersection of Gasparilla Rd and Marathon Blvd, Port Charlotte, Florida 33981. The caller, Max J Glidden (DOB: 6/2/2006), was traveling southbound on Gasparilla Rd near Rotonda Blvd East when he observed the gray Honda swerve several times across the road, drive on the median, and hit and destroy the median separation sign before driving away. On arrival, I observed a gray Honda sedan bearing FL tag #RREJ49 on the shoulder of the northbound lane of Gasparilla Rd at the intersection of Marathon Blvd. I activated my emergency lights and approached the vehicle. I also observed rear left quarter panel damage to the vehicle and a large section of the front bumper was missing from the vehicle.

The driver and lone occupant identified themselves by their FL DL as Nicholas P Brown (DOB: 8/19/1982). Nicholas opened the driver door, and I immediately detected an odor similar to that of alcoholic beverages. I advised Nicholas, Deputy Longo and I stopped out with him because an eyewitness observed his vehicle driving erratically and was concerned about the driver and vehicle. Nicholas stated he was an assistant principal at a Charlotte County school and worked as a bartender at the Gasparilla Inn at night. He advised he had left his shift immediately after finishing, although he estimated the current time to be approximately an hour earlier (0030-0100 hours) than it actually was (0140 hours).

Nicholas then stated he was struggling in his home life and initially admitted to having 1 drink, then to having more drinks than he should have without being able to specify an exact number of drinks.

I requested Nicholas exit the vehicle and advised I suspected him to be operating a motor vehicle while under the influence. As he stepped out of the vehicle, Nicholas was having a difficult time keeping his balance. While away from his vehicle, I detected a distinct, strong odor of alcoholic beverages coming from Nicholas. Nicholas's pupils were dilated, his face was flushed red in color, and Nicholas's eyes were watery while making slight jerking movements side-to-side. Nicholas also had slurred speech. I then asked Nicholas if he would be willing to participate in Standardized Field Sobriety Exercises to dispel my fear that he was driving while impaired, to which he agreed.

I asked Nicholas the following questions:

Are you sick or injured? Nicholas stated no.

Are you diabetic? Nicholas stated no.

Do you take insulin? Nicholas stated no.

Are you epileptic? Nicholas stated no.

Are you under the care of a doctor? Nicholas stated no.

Are you under the care of a dentist? Nicholas stated no.

Are you taking any medications? Nicholas stated no.

Do you have any physical handicaps? Nicholas stated no.

I demonstrated each stage of Field Sobriety prior to beginning each exercise. Nicholas attempted to begin each exercise prior to being told to do so.

Nicholas began with Horizontal Gaze Nystagmus. Nicholas displayed lack of smooth pursuit in each eye. Nicholas had distinct and sustained nystagmus at maximum deviation. Nicholas also had onset of nystagmus prior to 45 degrees. Nicholas did not appear to have vertical nystagmus.

The next Field Sobriety Exercise performed was the walk and turn. Nicholas needed to use his arms to balance to even get himself into the starting position. Nicholas missed heel-to-toe twice on both sets of 9 steps, stepped off the line twice, performed 10 steps on his first set and 14 on his second set, and performed an incorrect turn by pivoting instead of making a series of small steps. He used his arms to balance several times and stopped walking once during each set of steps.

The next Field Sobriety Exercise performed was the one leg stand. Nicholas was wearing Vans slip-on sneakers and elected to stand on his left foot. Nicholas lifted his leg only about 3 inches off the ground, could not keep his foot parallel to the ground, and needed his arms to balance. Nicholas put his foot down several times and stopped counting several times, as well as stopped counting out loud several times. Nicholas's final count at 30 seconds was 7.

The next Field Sobriety Exercise performed was the finger to nose. Nicholas could not hold his head at 45 degrees the entire time. He missed every finger to nose, using the pad of his fingers instead of the tip.

Deputy Perrone responded to Max's residence and obtained a sworn statement and video footage from him regarding the incident. Max observed the vehicle swerve along the roadway, drive onto the median and strike the median sign, briefly becoming stuck. Max then stated he observed the lone occupant exit the vehicle wearing a white button up shirt and black pants, directly matching the clothes observed on Nicholas when I made contact with him. Refer to Deputy Perrone's supplement for the detailed statement.

Deputy Longo and Sgt Freitas located the sign that was stated to have been hit by Nicholas's vehicle and a piece of gray plastic with a Honda logo stamped on it, later matched to the front of Nicholas's vehicle as the missing piece of the front bumper. Deputy Longo, while inventorying the vehicle again, located several pieces of the undercarriage of the vehicle which Max stated he observed Nicholas try to place in the trunk of the vehicle. This correlates Max's observation of Nicholas placing the vehicle pieces in the trunk of the car.

Due to the odor of alcoholic beverages coming from Nicholas, his physical clues, Nicholas's own admittance to drinking, the physical evidence observed and obtained from the scene of the accident, Nicholas's poor performance with Field Sobriety, and Max's sworn statement, Nicholas was placed under arrest at 0211 hours on 1/24/2026 for violating FSS 316.193 3c1 - DUI DAMAGE TO PROPERTY OR PERSON OF ANOTHER and FSS 316.061 1 - Leaving the Scene of Crash Involving Property Damage. While inventorying the vehicle, I located a Trulieve THC vape cartridge in the driver

side internal door handle of the vehicle. When asked about it, Nicholas stated it was his buddy's but couldn't give a coherent answer as to why it was in his. Nicholas was additionally charged with FSS 893.13 6a - Possession of a Control Substance WO Prescription and FSS 893.147 1 - Drug Paraphernalia - Possession or Use Of. Deputy Longo stood by with the vehicle as Gulfside responded and removed the vehicle.

Nicholas was handcuffed (double locked) and placed into the rear seat area of my patrol vehicle. Prior to being placed into my patrol vehicle I searched the rear seat area of my vehicle and found it to be free of contraband. I then transported him to the Charlotte County Jail without further incident. Nicholas smelled of alcoholic beverages while in the rear seat of my patrol vehicle.

Upon arrival at the jail, Nicholas was removed from my vehicle by detention deputies. Once Nicholas was removed from my vehicle by detention deputies, I searched the rear seat area of my vehicle where Nicholas was and found it to be free of contraband. I continued to detect an odor of alcoholic beverages coming from the rear seat area of my patrol vehicle even after Nicholas had been removed from it.

While in the pre-intake area, I asked Nicholas if he would be willing to provide a sample of his breath, to which he refused the first time but agreed to the second. The results from Nicholas's breath test were .189 and .181, respectively.

Nicholas was provided with a DUI CITATION (AJ7J9UE) for DUI with Property Damage, and UTC's for (AMQFYBE) Leaving Scene of an Accident, (AMQFYCE) Possession of Controlled Substance WO Prescription, and (AMQFYDE) for Refusing to Accept and Sign Citations.

Each citation carries a court date of 2/18/2026 at 0900 hours at the Charlotte County Clerk of the Court at 350 E Marion Ave, Punta Gorda, Charlotte County, Florida.

Incident captured on my agency issued Axon 4 Body Worn Camera.

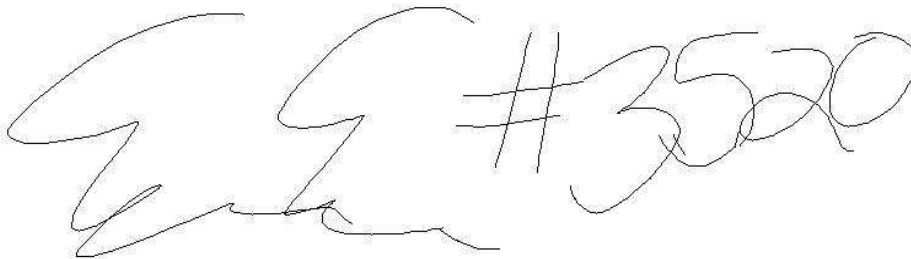


Signed

AFFIANT Kuba, James 3801

01/24/26 06:18:20

Sworn to (or affirmed) before me by means of physical presence, on 1/24/26 by Kuba, James, and subscribed by Etienne, Edwin at the direction of Kuba, James by written statement, and in the presence of these witnesses:



Signed
06:23:27

01/24/26

NOTARY PUBLIC/DEPUTY SHERIFF Etienne, Edwin

RECORD OF FIRST APPEARANCE HEARING

Felony: _____ Misdemeanor: _____

Date of Hearing: _____

STATE OF FLORIDA

VS

BROWN, NICHOLAS PATRICK

Case Number: _____

On the above date the above named defendant has been advised that he is under arrest for the following charge(s):

Statute & Description

Court Sets Bond

316.193 3c1 - DUI DAMAGE TO PROPERTY OR PERSON OF ANOTHER (LEV:M DEG:F 374)

316.061 1 - Leaving the Scene of Crash Involving Property Damage (LEV:M DEG:S 5994)

893.13 6a - Possess Cntrl Sub WO Prescription (LEV F DEG T 3695)

893.147 1 - Drug Paraphernalia - Possession or Use Of (LEV:M DEG:F 3768)

318.14 3 - Refusing to Accept and Sign a Summons (LEV:M DEG:S 392)

Arraignment on _____ At _____ AM in the _____ Court, Punta Gorda Florida

Defendant advised of right to an attorney:

☐ Defendant waives right to an attorney.

☐ Defendant will retain private attorney.

☐ Defendant states indigence and requests services of the Office of the Public Defender.

☐ Found indigent, after review of Application for Determination of Indigent Status.

☐ Found NOT indigent. (**if denied, may seek judicial review per Fla. Stat. § 57.082(4)*)

☐ Appointing counsel on an interim basis, defendant must complete Application of Indigent Status, per *Fla. Stat. § 27.52(3)*

☐ No contact with victim(s) per separate order.

☐ May make one trip back to residence to retrieve personal property (with deputy supervision).

☐ No alcohol consumption or possession.

☐ Defendant qualifies under the *Anti-Murder Act* - must be held NO BOND pursuant to *FS § 903.0351*.

☐ Defendant qualifies under the *Jessica Lunsford Act*. A Danger Hearing was not conducted because the Defendant is held NO BOND at this time.

☐ The Court has reviewed the Sheriff's Office determination of qualification and, at this time, has determined that the Defendant does not qualify under either the *Jessica Lunsford* or *Anti-Murder Act*.

☐ This is to certify that I have examined the evidence in this case and find probable cause.

☐ No probable cause found: 24 hours to produce.

Judge's signature

Defendant's signature