

0390692

17C102369 3802

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

1. Arrest
2. N.T.A.
3. Request for Warrant
4. Request for Capias

1 Juvenile N

OBTS Number	Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number (N.T.A.'s only) 06-17100602	
Charge Type: Check as many as apply: <input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony		<input type="checkbox"/> 3. Misdemeanor <input checked="" type="checkbox"/> 4. Traffic Misdemeanor		<input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		Weapon Seized / Type 2 1. Yes 2. No
Location of Arrest (Including Name of Business) 20900 Lyons Rd, Boca Raton, FL 33428				Location of Offense (Business Name, Address) 20900 Lyons Rd, Boca Raton, FL 33428		
Date of Arrest 07/10/2017	Time of Arrest 0110	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle 20900 Lyons Rd, Boca Raton, FL 33428

Name (Last, First, Middle) Garcia, Andres, Javier						Alias (Name, DOB, Soc. Sec. #, Etc.)		
Race W - White 1 - American Indian B - Black 0 - Oriental/Asian	Sex M	Date of Birth 08/11/1989	Height 5'05	Weight 155	Eye Color brown	Hair Color brown	Complexion Light	Build Med
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) None				Marital Status Single	Religion NONE	Indication of: Alcohol Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Unk. Drug Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Unk.		
Local Address (Street, Apt. Number) (City) (State) (Zip) 9088 Pine Springs Dr, Boca Raton, FL 33428			Phone (561) 674-8381		Residence Type: 1. City 2. County 3. Florida 4. Out of State 2			
Permanent Address (Street, Apt. Number) (City) (State) (Zip) 9088 Pine Springs Dr, Boca Raton, FL 33428			Phone () () ()		Address Source FI ID card			
Business Address (Name, Street) (City) (State) (Zip)			Phone () () ()		Occupation Unemployed			
D/L Number, State G620010892910, FL		Soc. Sec. Number () () () () () ()		INS Number		Place of Birth (City, State) Jackson Heights, NY		Citizenship USA

Co-Defendant Name (Last, First, Middle)				Race	Sex	Date of Birth	<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile		
Co-Defendant Name (Last, First, Middle)				Race	Sex	Date of Birth	<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile		

Parent Name (Last) (First) (Middle) () () () () () ()		Residence Phone () () () () () ()		
Legal Custodian Name (Last) (First) (Middle) () () () () () ()		Business Phone () () () () () ()		
Other: Name (Last) (First) (Middle) () () () () () ()		Business Phone () () () () () ()		
Address (Street, Apt. Number) (City) (State) (Zip)		Business Phone () () () () () ()		
Notified by: (Name)		Date	Time	Juvenile Disposition Handled / processed within Dept. and Released. 2. TOT HRS / DYS 3. Incarcerated
Released To: (Name)		Relationship		Date
The above address provided by <input type="checkbox"/> defendant and / or <input type="checkbox"/> defendant's parents The child and / or parent was told to keep the Juvenile Court Clerk (Phone 355-2526) informed of any change of address. <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No: (Reason)		School Attended		Grade
Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No	Description of Property		Value of Property	

NO BOND open case

Drug Activity N. N/A S. Sell B. Buy P. Possess T. Traffic	R. Smuggle D. Deliver E. Use	K. Dispense/ Distribute	M. Manufacture/ Produce/ Cultivate	Z. Other	Drug Type N. N/A A. Amphetamine	B. Barbiturate C. Cocaine E. Heroin	H. Hallucinogen M. Marijuana O. Opium/Deriv.	P. Paraphernalia/ Equipment S. Synthetics	U. Unknown Z. Other
Charge Description Driving Under the Influence					Counts 1	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number 316.193(1)		
Drug Activity N	Drug Type N	Amount / Unit N/A	Offense # 17100602		Warrant / Capias Number		Bond (Signature)		
Charge Description Driving an Unregistered motor vehicle					Counts 1	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number 320.02(1)		
Drug Activity N	Drug Type N	Amount / Unit N/A	Offense # 17100602		Warrant / Capias Number		Bond (Signature)		
Charge Description Reckless Driving					Counts 1	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number 316.192(1)(A)		
Drug Activity N	Drug Type N	Amount / Unit N/A	Offense # 17100602		Warrant / Capias Number		Bond (Signature)		
Charge Description DWLS (habitual)					Counts 1	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number 322.34(2)		
Drug Activity N	Drug Type N	Amount / Unit N/A	Offense # 17100602		Warrant / Capias Number		Bond (Signature)		

Location (Court, Room Number, Address) South County Courthouse, Courtroom #1, 200 W. Atlantic Ave., Delray Beach, FL 33444 Ph: (561) 355-2996			
Court Date and Time Month Aug Day 7 Year 2017 Time 0830 2017 AM X PM			
I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED			
Signature of Defendant (or Juvenile and Parent /Custodian) (Signature)		Date Signed 07/10/2017	

HOLD for other Agency Name:		Signature of Arresting Officer (Signature)		Name Verification (Printed by Arresting Officer) 10 AM 5:33	
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal	<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other	Name of Arresting Officer (Print) D/S Jacob Frey		(PRINT)	
Intake Deputy (Signature)	I.D. # () () () () () ()	Transporting Officer D/S Jacob Frey	ID # 9658	Agency PBSO	PAGE OF
Witness here if subject signed with an "X"					

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 10 DAY OF Jul 20 17, AT 0034 AM PM

SUBJECT: Garcia, Andres, Javier CASE NUMBER: 17100602

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: D/S Jacob Frey

PERSONAL CONTACT

DRIVING PATTERN: ACTUAL PHYSICAL CONTROL (PHYSICAL EVIDENCE OR STATEMENTS PUTTING DEF. BEHIND WHEEL OF VEHICLE)

On 10 July 17 at approximately 0034hrs D/S D. Powell (7378) and I were on patrol in the parking lot of 9244 Glades Rd, Boca Raton, in unincorporated Palm Beach County.

Both of us observed a black motorcycle (loud) traveling westbound on Glades Rd (SR808) at the intersection of Lyons Rd. The motorcycle was traveling at a high rate of speed westbound (estimated above the speed limit). We then observed the motorcycle perform a U-turn and travel eastbound. The motorcycle then turned southbound on Lyons Rd and began to head southbound at a high rate of speed. I then moved my marked patrol vehicle out of the parking lot and into the center median of Lyons Rd (facing southbound). D/S Powell went southbound on Lyons Rd. He observed the motorcycle perform a U-turn and travel northbound on Lyons Rd. I then observed the motorcycle traveling northbound towards me. I estimated the vehicle to be accelerating to the speed of 102mph in a 45mph zone this was confirmed by the audio Doppler tone and display on my STALKER II RADAR (S/N AS004927). I pulled a U-turn to get behind the motorcycle as it approached the intersection with Glades Rd. I observed the motorcycle turn into the left turn lane. The motorcycle had no visible tag attached to the back. I activated my emergency lights on my marked patrol vehicle. All the lights for northbound Lyons Rd were red including the left turn lanes. The vehicle did not stop and perform a wide U-turn on the red light. The motorcycle traveled southbound on Lyons Rd and then pulled into the parking lot at 20921 Lyons Rd.

OBSERVATION OF DRIVER:

The driver, later identified by his FL ID card as ANDRES GARCIA, stepped off the left of the motorcycle. I approached the driver. D/S Powell spoke to Andres. D/S Powell told Andres and I that he could smell the odor of an unknown alcoholic beverage coming from his breath. As I spoke to Andres I could smell the odor of an unknown alcoholic beverage coming from his person and from his breath. I could see his eyes were watery and he was sweating profusely.

DRIVER'S STATEMENTS:

He stated he had just came from work (bar) and had not been drinking.

ODORS:

Smell of an unknown alcoholic beverage coming from his breath and person.

GENERAL OBSERVATIONS

SPEECH: Slow and slurred

ATTITUDE: cooperative, paranoid, talkative, excited, tense

CLOTHING: green t-shirt with black vest overtop, tan pants, and black shoes

MEDICAL/OTHER: None stated

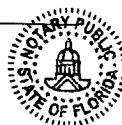
STATE OF FLORIDA
COUNTY OF PALM BEACH

D/S Jacob Frey
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 10 day of July 20 17 by D/S Jacob Frey

(Print name of Arresting/Investigative Officer) who is personally known to me and/or produced identification. Type of identification produced KNOWN

Notary Public, Clerk of Court, Officer (F.S.S. 117.10)



Samantha Palmer
Commission # FF172377
Expires: OCT 28, 2018
BONDED THRU
1ST FLORIDA NOTARY, LLC

2017 JUL 10 AM 8:32

SUBJECT: Garcia, Andres, Javier

CASE NUMBER 17100602

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

- | | |
|---|---|
| <input checked="" type="checkbox"/> LT EYE-LACK OF SMOOTH PURSUIT | <input checked="" type="checkbox"/> RT EYE-LACK OF SMOOTH PURSUIT |
| <input checked="" type="checkbox"/> LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION | <input checked="" type="checkbox"/> RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION |
| <input checked="" type="checkbox"/> LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES | <input checked="" type="checkbox"/> RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES |

Other Observations:

His body swayed and his eyes were watery. He had taken the vest off he was wearing but still was sweating profusely. He had equal pupil size and equal tracking. He had vertical gaze nystagmus in both eyes (VGN)

WALK & TURN:

I instructed and demonstrated the Walk and Turn. He acknowledged he understood. He could not stand as instructed and had to step off the line for balance (3 times) and started to walk before instructed. His body swayed during the instruction and demonstration. He walked 9 steps forward and failed to count each step out loud. He stopped and had to ask for the instructions. He then turned incorrectly. He walked 9 steps back stepping off the line several times. The task was completed on a dry and level surface using a white painted parking line.

ONE LEG STAND:

I instructed and demonstrated the One Leg Stand. He acknowledged he understood. His body swayed and he had to lift his arms from his side to maintain balance. He hopped on his left leg and lifted his right leg approximately 18 inches off the ground. He failed to count out loud as instructed. The task was completed on a dry and level surface.

FINGER TO NOSE:

I instructed and demonstrated the Finger To Nose. He acknowledged he understood. His body swayed. On each command he touched under or the side of his nose. I had to remind him several times to place his arm back down to his side. The task was completed on a dry and level surface.

ROMBERG ALPHABET:

I instructed the Rhomberg Alphabet. He stated he graduated from high school and had two years of culinary school. He told me although he is born in the U.S. English was not his primary language but understood and spoke English very well. His body swayed during the task. He recited the alphabet incorrectly: a b c d e f g h i j k l f m n o p q u v r. The task was completed on a dry and level surface.

I instructed the Modified Rhomberg. He acknowledged he could estimate 30 seconds. His estimate of 30 seconds was approximately 45 seconds. His body swayed. The task was completed on a dry and level surface.

BREATH TEST RESULTS: refusal

STATE OF FLORIDA
COUNTY OF PALM BEACH

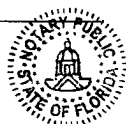
D/S Jacob Frey

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 10 day of July 20 17 by D/S Jacob Frey

(Print name of Arresting/Investigative Officer, who is personally known to me and/or produced identification. Type of identification produced Known)

Notary Public, Clerk of Court, Officer (F.S.S. 117.10)



Samantha Palmer
Commission # FF172377
Expires: OCT 28, 2018
BONDED THRU
1ST FLORIDA NOTARY, LLC