

#3768

1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 26

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 26th DAY OF April 2021 AT 2053 ☐ A.M. ☒ P.M.

CASE #: 21-021316

DEFENDANT: Muzzarelli, Alexandra, Cloudma

PERSONAL CONTACT/DRIVING PATTERN/OBSERVATION OF DRIVER:

On 4/26/21 at approximately 2020 hours, I responded to 529 E Ocean Ave in reference to backing up K-9 Ofc. Schalk on a traffic stop. Upon arrival Ofc. Schalk advised me of the following; Ofc. Schalk was travelling west on Boynton Beach Blvd until he reached the intersection of N Federal Hwy. Ofc. Schalk was on the left turning lane, waiting for the traffic light to turn green, so he could travel north on N Federal Hwy. Once the light turned green for Ofc. Schalk, he observed a Blue Cadillac travelling southbound on Federal Hwy fail to stop at the red traffic light and almost caused an accident (Recorded on dash camera). Ofc. Schalk then conducted a traffic stop on the Blue Cadillac FL tag PELM96 which driver Alexandra Muzzarelli came to a stop at 529 E Ocean Ave. Upon making contact with the Muzzarelli, who was the sole occupant, Muzzarelli was advised of the traffic infraction she committed. While speaking to Muzzarelli, she was emotional, her eyes were also glassy. When Muzzarelli spoke, an odor of an unknown alcoholic beverage was detected every time she spoke and coming from her mouth area. Muzzarelli also had slurred speech. I asked Muzzarelli if she was okay, which she said that she was. Muzzarelli told me that she was coming from Old Key Lime House. I asked Muzzarelli if she had anything to drink; which she replied yes. Muzzarelli told me she had two shots of Tequila and a beer. Muzzarelli told me that she was on her way home in Lake Worth. Muzzarelli was travelling south, further away from home. I then asked Muzzarelli to step out of the vehicle to continue my investigation. Once out of the vehicle, Muzzarelli was unsteady on her feet and I could observe her swaying in a front and back motion. Muzzarelli was still emotional and every time she spoke, I could still smell the odor of an unknown alcoholic beverage coming from her mouth area. Muzzarelli kept repeating the same statements to me telling me that she is a '3rd grade teacher'.

Based on my observations and Muzzarelli's statements; I advised Muzzarelli that I was conducting a DUI investigation and advised her if she would partake in Standardized Field Sobriety Exercises (SFST'S). Muzzarelli told me that she would participate. I asked Muzzarelli if she had any injuries; which she told me that she didn't. Muzzarelli does not take any medication and does not have any current injuries. Muzzarelli told me she does not have any issues with his eyesight.

Based on the initial indicators that I observed on scene, during the encounter and the indicators that I observed during the SFST exercises, I placed Muzzarelli under arrest for DUI (316.193.1A).

I then transported Muzzarelli to PBCJ BAT. I arrived at the facility at 2114 hours and I started my 20 minutes' observation at 2115. Upon completion, I requested Muzzarelli to provide a sample of her breath to determine the alcohol content, Muzzarelli blew a .211 the first time and a .215 the second time. Muzzarelli was advised of her Miranda Rights for the QUESTIONS AND ANSWERS; Muzzarelli answered questions (see attachments).

HORIZONTAL GAZE NYSTAGMUS:

☒ Left eye does not follow smoothly

☒ Right eye does not follow smoothly

- ☒ Left eye prior to 45 degrees
☒ Distinct jerking in left eye at maximum deviation
☐ Vertical Nystagmus in left eye

- ☒ Right eye prior to 45 degrees
☒ Distinct jerking in right eye at maximum deviation
☐ Vertical Nystagmus in right eye

WALK AND TURN:

The second exercise was the Walk and Turn. The task was demonstrated and explained to Muzzarelli and Muzzarelli advised that she understood it. Muzzarelli had trouble with balance while in ready position. Muzzarelli did not count her steps but said "left, right" every time she took a step. Muzzarelli used arms for balance. Muzzarelli took more than ten steps when walking back. Muzzarelli did not touch heel and toe on every step.

ONE LEG STAND:

The third exercise was the One Leg Stand. Muzzarelli put her foot down several times. Muzzarelli did not count like instructed. Muzzarelli used arms for balance.

FINGER TO NOSE:

The fourth exercise was the Finger To Nose. The task was demonstrated and explained to Muzzarelli. Muzzarelli needed the task explained several times. Muzzarelli missed the tip of her nose several times. Muzzarelli kept the finger on her nose and did not bring it back down without me instructing her to do so. Muzzarelli was instructed the same thing several times.

ROMBERG/ALPHABET:

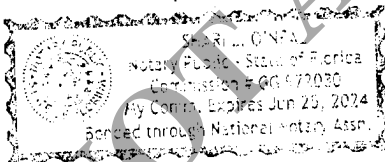
The fifth exercise was the alphabet; Muzzarelli completed the task.

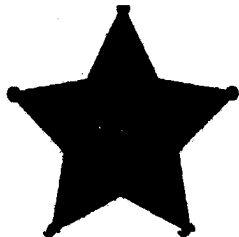
The following instrument was sworn to before me this 26 day of April 2021

By: Nalerio


Notary/Police Officer (F.S.S. 117.10)


Signature of Arresting Officer





PALM BEACH COUNTY SHERIFF'S OFFICE
DUI TESTING FACILITY
INFORMATION SHEET

PBSO CASE # 21059502 PBSO ZONE 6-33

AGENCY CASE # 21-021316 CRASH CASE # _____

TIME OF STOP/CRASH 2020 DATE 04/26/21 DAY Monday

SUBJECT'S NAME Alexandra Muzzarelli RACE W SEX F

HGT 5'5 WGT 160 DOB 8/30/1985

LOCATION Federal Hwy & Ocean Ave, Boynton Beach, FL

ARRESTING OFFICER'S NAME & ID Nalerio #982 AGENCY BBPD

DIVISION: Patrol

NOTIFIED BY COMMO yes

ARRIVAL AT FACILITY 2115

BREATH RESULTS:

Arrest Time 20:53

1. .211
2. .215
3. /
4. /

TESTING OFFICER'S ID 3184

SUBJECT: _____ CASE NUMBER: _____

IMPLIED CONSENT FOR DUI IN A MOTOR VEHICLE

NOTE: READ ONLY THE PARAGRAPH APPLICABLE TO THE TYPE OF TEST YOU ARE REQUESTING.

I am now requesting that you submit to a lawful test of your BREATH for the purpose of determining its alcohol content.

-OR-

I am now requesting that you submit to a lawful test of your URINE for the purpose of detecting the presence of chemical or controlled substances.

-OR-

I am now requesting that you submit to a lawful test of your BLOOD for the purpose of detecting its alcohol content and the presence of chemical or controlled substances.

NOTE: READ ONLY IF THE SUBJECT DOES NOT COMPLY WITH YOUR REQUEST.

I am _____ of the _____.

If you fail to submit to the test I have requested of you, your privilege to operate a motor vehicle will be suspended for a period of one (1) year for a first refusal, or eighteen (18) months if your privilege has been previously suspended as a result of a refusal to submit to a lawful test of your breath, urine or blood. Additionally, if you refuse to submit to the test I have requested of you and if your driving privilege has been previously suspended for a prior refusal to submit to a lawful test of your breath, urine or blood, you will be committing a misdemeanor. Refusal to submit to the test I have requested of you is admissible into evidence in any criminal proceeding.

SUBJECT'S SIGNATURE: (X) _____

CONSTITUTIONAL WARNINGS

I AM REQUIRED TO WARN YOU BEFORE YOU MAKE ANY STATEMENTS THAT YOU HAVE THE FOLLOWING RIGHTS:

1. You have the right to remain silent and not answer any questions.
2. Any statement must be freely and voluntarily given.
3. You have the right to the presence of a lawyer of your choice before you make any statement and during any questioning.
4. If you cannot afford a lawyer, you are entitled to the presence of a court appointed lawyer before you make any statements and during any questioning.
5. If at any time during the interview you do not wish to answer any questions, you are privileged to remain silent.
6. I can make no threats or promises to induce you to make a statement. This must be of your own free will.
7. Any statement can and will be used against you in a court of law.

SUSPECT'S SIGNATURE: (X) _____

SUBJECT: _____ CASE NUMBER: _____

QUESTIONS AND ANSWERS

I AM NOW GOING TO ASK YOU SOME QUESTIONS. WITH THESE RIGHTS IN MIND, YOU MAY ANSWER SOME OF, ALL OF, OR NONE OF THE FOLLOWING QUESTIONS AS YOU LIKE.

WERE YOU OPERATING A MOTOR VEHICLE AT THE TIME OF THE STOP/ACCIDENT? Yes

WHERE WERE YOU GOING? 11

WHAT STREET OR HIGHWAY WERE YOU ON? Laurens

DIRECTION OF TRAVEL? W WHERE DID YOU START? Key Line House

WHAT TIME DID YOU START? 7:00 PM WHAT TIME IS IT NOW? 9:00 PM

WHAT IS TODAY'S DATE? 4 WHAT DAY OF THE WEEK IS IT? Monday

WHAT COUNTY AND CITY ARE YOU IN NOW? PRL

WHEN DID YOU LAST EAT? 11 WHAT DID YOU EAT? Chicken

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? 11

HOW MUCH DO YOU WEIGH? 140 HAVE YOU BEEN DRINKING? Yes WHAT? Tiquia 2 EFAS

HOW MUCH? 1 WHERE? Key Line House WITH WHOM? Self

WHEN DID YOU HAVE YOUR FIRST DRINK? 8 PM AND YOUR LAST DRINK? 8 PM

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? 1

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? No ARE YOU UNDER THE INFLUENCE? No

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? 1 HOW MUCH? 1

WHAT? 1 WHERE? 1 WHEN? 1

WHAT LINE OF WORK ARE YOU IN? 1 WHEN DID YOU LAST WORK? 1

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? No WHAT? 1

ARE YOU SICK OR INJURED? No WHAT'S WRONG? 1

DO YOU LIMP? No DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? 1

WERE YOU IN AN ACCIDENT TODAY? No

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? No WHEN? 1

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? No WHO? 1 WHY? 1

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? No WHAT? 1 WHEN? 1

DO YOU HAVE:

EPILEPSY?	<u>N</u>
GLASS EYE?	<u>N</u>
FALSE TEETH?	<u>N</u>
EAR INFECTION?	<u>N</u>
INNER EAR TROUBLE?	<u>N</u>
DIABETES?	<u>N</u>

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? No

DO YOU TAKE INSULIN? No IF SO, WHEN WAS YOUR LAST INJECTION? 1

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? N WHERE? 1

INTERVIEWER: _____

**FLORIDA DEPARTMENT OF LAW ENFORCEMENT
ALCOHOL TESTING PROGRAM
BREATH ALCOHOL TEST AFFIDAVIT**

Instrument Type: Intoxilyzer 8000
Instrument Registered To: PALM BEACH CO SO
Instrument Serial Number: 80-006027 Software: 8100.27
Date of Test: 04/26/2021

Date of Last Agency Inspection: 04/09/2021

Observation Period Began: 21:15

Subject's Name: ALEXANDREA C MUZZARELLI

DOB: 08/30/1985 Sex: F

The subject was observed for at least twenty-minutes prior to the administration of the breath test to ensure that the subject did not take anything orally and did not regurgitate.

Results:	Test	g/210L	Time
	Diagnostics Check	OK	21:38
	Air Blank	0.000	21:39
	Control Test	0.079	21:39
	Air Blank	0.000	21:40
	Subject Sample #1	0.211	21:40
	Air Blank	0.000	21:41
	Air Blank	0.000	21:43
	Subject Sample #2	0.215	21:44
	Air Blank	0.000	21:44
	Control Test	0.079	21:45
	Air Blank	0.000	21:45
	Diagnostics Check	OK	21:45

Cylinder Lot: 22620080A2
Exp: 10/05/2022

State of Florida, County of Palm Beach

Personally appeared before me the undersigned authority, who (✓) is personally known to me or () produced _____ as identification, and who after being placed under oath, states:

I SUE OWEN, hold a valid Breath Test Operator permit issued by the Florida Department of Law Enforcement, I administered the above breath test to the subject named above in accordance with Chapter 11D-8, Florida Administrative Code, and this form is a true and accurate report of that breath test.

Breath Test Operator: _____

Signature

Date: 04/26/21

Sworn to (or affirmed) before me this 26th day of April, 2021

Signature of Notary Public-State of Florida

Printed Name of Notary Public-State of Florida

Note: Pursuant to section 117.10, Florida Statutes, law enforcement officers, correctional officers, traffic accident investigation officers and traffic infraction enforcement officers are notaries public when engaged in the performance of official duties. In accordance with section 316.1934(5), F.S., this completed form is admissible without further authentication and is presumptive proof of the results herein. To be used in accordance with Section 316.1934(5), F.S., and in administrative proceedings pursuant to 322.2615, F.S.

TESTING FACILITY TASK REPORT

AGENCY: BOYNTON BEACH P.D.

SUBJECT: MUZZARELLI, ALEXANDRA CLOUDMAN

CASE NUMBER: 21059502

DATE: 04/26/2021

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 2138

ENDING TIME: 2154

BREATH TESTS RESULTS: 1) .211 TIME 2140 A.M. ☐ P.M. ☒ 2) .215 TIME 2144 A.M. ☐ P.M. ☒
3) TIME A.M. ☐ P.M. ☐ 4) TIME A.M. ☐ P.M. ☐

BREATH OPERATOR: S. Owen #3184

MAINTENANCE TECHNICIAN: J. Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: CO-OPERATIVE, QUIET, THEN BEGAN CRYING

ATTITUDE: TENNIS SHOES, BLACK TIGHTS, GREY T-SHIRT

CLOTHING: BLACK JEANS, GREEN POLO SHIRT, TENNIS SHOES

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

COMPLAINED BECAUSE SHE WAS TRYING TO GET INTO FIRE ACADEMY AND WANTED TO KNOW IF WE COULD NOT ANYTHING TO HELP HER.

COMMENTS:

A/O AND DEFENDANT ARRIVED AT 2115 HOURS. A/O OBSERVED 20 MINUTES. A/O REQUESTED BREATH TEST, DEFENDANT AGREED. NO PROBLEM WITH TEST. TECH GAVE RESULTS. A/O READ C/W, DEFENDANT UNDERSTOOD RIGHTS AND ANSWERED Q & A. HAD TWO DRINKS TEQUILA AND BEER. DIDN'T THINK SHE WAS UNDER INFLUENCE..



**PALM BEACH COUNTY
SHERIFF'S OFFICE**
Florida State Statute Exemption Sheet

Palm Beach County Sheriff's Office – Arrests Only

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	<input type="checkbox"/>	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	<input type="checkbox"/>	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	<input type="checkbox"/>	119.071(4)(c)	Undercover personnel.	
	<input type="checkbox"/>	119.071(2)(f)	Confidential informants (CIs).	
	<input type="checkbox"/>	119.071(2)(e)	Confession.	
Public Info. Exemptions	<input type="checkbox"/>	985.04(1)	Juvenile offender records.	
	<input type="checkbox"/>	119.071(h)(i)	Assets of a crime victim.	
	<input type="checkbox"/>	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	<input type="checkbox"/>	394.4615(7)	Mental health information.	
	<input type="checkbox"/>	119.071(4)(d)(2)(a)	Home address, telephone, Social Security number, date of birth, or photos of active/former LE personnel, spouses, and children.	
Florida Rules of Judicial Administration 2.420 (Rule of 23)	<input checked="" type="checkbox"/>	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	<input type="checkbox"/>	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	<input type="checkbox"/>	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	<input type="checkbox"/>	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
Other	<input type="checkbox"/>		Other:	
	<input type="checkbox"/>		Other:	

REVIEW COMPLETED BY

Booking Number: 2021010135

Date: 4/27/2021

Specialist Name/ID: M. Tooks #8557