

0222401

20CT 537 MB

844

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

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

OBTS Number		Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number (N.T.A.'s only) 06-20-023637	
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 <input checked="" type="checkbox"/> 1. Yes <input type="checkbox"/> 2. No N/A	
Location of Arrest (Including Name of Business) GUNCLUB RD / S. CONGRESS AVE, WPB, FL 33406				Location of Offense (Business Name, Address) GUN CLUB RD/S.CONGRESS AVE WPB FL 33406			
Date of Arrest 01/08/2020	Time of Arrest 04:50	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle KELLE SHEEHANS	
Name (Last, First, Middle) GARCIA CLARA M				Alias (Name, DOB, Soc. Sec. #, Etc.)			
Race W - White I - American Indian B - Black O - Oriental/Asian	Sex F	Date of Birth 03/28/1977	Height 5'05	Weight 165	Eye Color BROWN	Hair Color BROWN	Complexion MED
Build SMALL				Marital Status SINGLE		Religion CATH	
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) MULTIPLE TATTOOS				Indication of Alcohol Influence Drug Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Unk.		Residence Type: 1. City 2. County 3. Florida 4. Out of State 1	
Local Address (Street, Apt. Number) 4616 GARDEN AVE		(City) (State) (Zip) WEST PALM BEACH, FL 33405		Phone (561) 324-1521		Address Source FLORIDA DL	
Permanent Address (Street, Apt. Number)		(City) (State) (Zip)		Phone		Occupation ASSISTANT	
Business Address (Name, Street)		(City) (State) (Zip)		Phone			
D/L Number, State G620153776081		Soc. Sec. Number		INS Number		Place of Birth (City, State) WPB, FL	
Citizenship USA		Co-Defendant Name (Last, First, Middle)		Race	Sex	Date of Birth	<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large <input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile
Co-Defendant Name (Last, First, Middle)		Race	Sex	Date of Birth			
<input type="checkbox"/> Parent <input type="checkbox"/> Legal Custodian <input type="checkbox"/> Other:		Address (Street, Apt. Number)		(City)	(State)	(Zip)	Residence Phone () () ()
Business Phone () () ()		Notified by: (Name)		Date	Time	Juvenile Disposition 1. Handled/processed within Dept. and Released. 2. TOT HRS / DYS 3. Incarcerated	
Released To: (Name)		Relationship		Date	Time		
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			
Drug Activity N. N/A P. Possess		S. Sell B. Buy 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 D.U.I.		Counts 1	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number 316.193 (1)		Violation of ORD #	
Drug Activity	Drug Type	Amount / Unit	Offense # 20-023637	Warrant / Capias Number		Bond	
Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number		Violation of ORD #	
Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number		Bond	
Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number		Violation of ORD #	
Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number		Bond	
Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number		Violation of ORD #	
Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number		Bond	
Location (Court Room Number, Address) PALM BEACH COUNTY CRIMINAL JUSTICE COMPLEX - 3228 GUN CLUB RD WEST PALM BEACH FL, 33406							
Court Date and Time Month JANUARY Day 30TH Year 2020 Time 08:30 AM <input checked="" type="checkbox"/> 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)						Date Signed 01/08/2020	
HOLD for other Agency Name:		Signature of Arresting Officer D/S Cisson J. 24091		Name Verification (Printed by Arrestee)			
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal		<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:		Name of Arresting Officer (Print) D/S Cisson J. 24091		(PRINT)	
Intake Deputy Signatures		I.D. # 24091		Pouch #		PAGE 1 OF 1	
Transporting Officer D/S Cisson J.		ID # 24091		Agency PBSO		Witness here if subject signed with an "X"	

JAN 10 2020

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 08th DAY OF January 20 20, AT 04:58 AM PM
SUBJECT: GARCIA CLARA M CASE NUMBER: 20-023637

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: D/S Cisson J. 24091

PERSONAL CONTACT

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

PBSO dispatch received a 911 call in reference to a driver in a white in color Ford Crown Victoria who had sat through three traffic signal changes. Upon arrival, I observed a white Ford Crown Victoria bearing Florida tag LBJC81 sitting in the middle of the median. I observed a white female asleep in the driver seat. The vehicle was still running and the vehicle was in drive. The Ford Crown Victoria was on the center/raised concrete median on Gun Club Rd, just west from S. Congress Ave. The driver who was identified by her Florida Drivers License as Clara Maria Garcia and was the sole occupant of the vehicle.

OBSERVATION OF DRIVER:

I observed that Clara Maria Garcia was wearing blue jean pants and white sweater top. While questioning Garcia, I observed that she seemed to be confused by my questions, such as why I was asking her questions about where she was coming from and why her vehicle was parked on the median. Garcia had difficulty performing tasks such as locating the registration and insurance, she provided me the certificate of title and as is sales receipt in place of those items. I observed Garcia's eyes appeared red and glassy. I observed that she was slurring her words. Garcia was asked to exit the vehicle to perform field sobriety tasks and she agreed. While exiting the vehicle, Garcia appeared to be shaky on her feet. Garcia stumbles slightly as she walked toward the rear of her vehicle.

DRIVER'S STATEMENTS:

I asked if the driver had been drinking or used any drugs to which she laughed and then said no. I asked the driver what medical problems and/or previous injuries they had to which she also said no. Garcia had contacts in and she took them out on her own. Garcia does not take any prescribed medications.

ODORS:

Obvious odor of an unknown alcoholic beverage

GENERAL OBSERVATIONS

SPEECH: Slurred, thick, slow

ATTITUDE: Calm, compliant

CLOTHING: Wearing blue jean pants and a white sweater top

MEDICAL/OTHER: NONE

STATE OF FLORIDA
COUNTY OF PALM BEACH

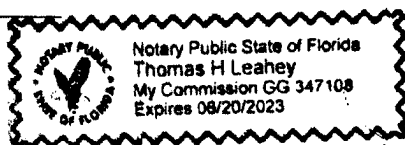
D/S Cisson J. 24091

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 8th day of January 20 20 by D/S Cisson J. 24091

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

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



SUBJECT: GARCIA

CLARA

CASE NUMBER 20-023637

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

LT EYE-LACK OF SMOOTH PURSUIT

RT EYE-LACK OF SMOOTH PURSUIT

LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION

RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION

LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

Other Observations:

Once positioned in the front of my vehicle, I continued my investigation. I instructed Clara Maria Garcia to keep her hands by her side, stand with her feet together, and follow a red light stimulus with her eyes not turning her head. I asked her if she understood my instructions. Garcia verbally stated she understood my instructions. Garcia however swayed while standing stationary. I observed both eyes to be red, bloodshot, and glossy. Her left and right eye displayed equal pupil size, equal tracking, and a lack of smooth. I observed distinct and sustained nystagmus was present in both her left and right eye at maximum deviation during two separate four second evaluations. The onset of nystagmus was prior to a 45 degree angle in both her left and right eye during two separate four second evaluations. Vertical nystagmus was present in both the left and right eye during two separate four second evaluations. While conducting the task I had to remind her to keep hands by her side, not turn her head and follow the stimulus multiple times.

WALK & TURN:

I positioned Garcia on a yellow tape line which was on a smooth and level surface, free of any debris and well lit by the headlights on my vehicle and (nearby street lighting). I instructed the Garcia to place her left foot on the line and her right foot in front of the left touching heel to toe. I instructed her that she was to keep her hands at her side and stay in this position until I instructed her to do otherwise. I instructed her to walk nine heel to toe steps counting out loud, while watching her feet. On the ninth step she was to keep her front foot on the line and use her back foot, in a series of small steps, to turn around before walking nine heel to toe steps the opposite direction counting out loud and watching her feet. I demonstrated the task while I was verbally instructing her in the proper way to complete the task. During the task, I observed Garcia swayed while balancing, stops walking to steady self, did not touch heel to toe on any step. Used arms to maintain balance (+6"), did not turn properly. Garcia took 12 steps on the first 9 and then 10 steps on the second 9 steps.

ONE LEG STAND:

I placed Garcia with her feet together and arms at her side. I demonstrated the task as I verbally instructed her to raise one of her feet approximately six inches off of the ground, point her toe towards my patrol car, look at the raised foot, and count out loud 1001, 1002, 1003 and so on until told to stop. I asked her if she understood the instructions and demonstration I provided. After Garcia stated she understood my instructions, the task was performed. While Garcia stood in the instructional position, I observed she swayed while standing stationary. On the command of begin, Garcia place her right foot on the ground in front on her. She did not lift her foot off the ground. While she counted, she said 1, 2, 3, 4, 5 and so on, not 1001, 1002, 2003 as instructed.

FINGER TO NOSE:

I instructed Garcia to stand with her feet together, make each hand into a fist, extend her index fingers, and keep her palms up. She was instructed to lower her arms by her side. I instructed and demonstrated the proper hand and arm position and for her to remain in this position while I demonstrated the rest of the task. I instructed and demonstrated her to tilt her head back approximately 45 degrees and close her eyes while waiting for a verbal command of left or right. On the command of "left" or "right", she would raise the requested hand, touch the tip of her finger to the tip of her nose, then bring her hand immediately back down to her side. During the instruction and demonstration of the task she swayed heavily while standing in the instructional position. Also while attempting to position her in the instructional stance she had difficulty with manual dexterity and struggled to keep her index finger pointed without opening her hand. I asked her if she understood the instructions I provided and she verbally stated she understood. I instructed her to start the task as explained. During the task, I observed she failed to return arms to side. On each left or right command, Garcia did not touch the tip as described to her, to the tip of her nose. She touched the sides and bridge of her nose.

ROMBERG ALPHABET:

I verbally inquired if Garcia could recite the entire English alphabet. She stated she was able to recite the English alphabet and I instructed her to place her feet together with her arms at her side and stay in this position until told to do otherwise. I instructed her that upon starting she was to tilt her head back approximately 45 degrees and close her eyes. She would begin to state the alphabet in a slow and methodical manner without singing or rhyming it. I asked her if she understood the instructions and she verbally replied she understood. During the instructions she continued to sway while standing stationary. I instructed Garcia to start the task as explained. During the task, I observed the driver did not keep her eyes closed, swayed more than (+2") from side to side, from front to back.

BREATH TEST RESULTS:

STATE OF FLORIDA
COUNTY OF PALM BEACH

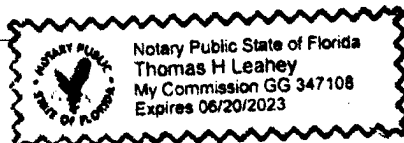
D/S Cisson J. 24091

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 8th day of January 2020 by D/S Cisson J. 24091

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

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



SUBJECT: Garcia, Clara M

CASE NUMBER: 20-023637

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? Home

WHAT STREET OR HIGHWAY WERE YOU ON? Summit Blvd

DIRECTION OF TRAVEL? West WHERE DID YOU START? TDK / NO

WHAT TIME DID YOU START? TDK / NO WHAT TIME IS IT NOW? NO

WHAT IS TODAY'S DATE? 1-8-20 WHAT DAY OF THE WEEK IS IT? Wednesday

WHAT COUNTY AND CITY ARE YOU IN NOW? TDC

WHEN DID YOU LAST EAT? 00:00 WHAT DID YOU EAT? Hamburger

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? Hanging out with friends

HOW MUCH DO YOU WEIGH? 160 lbs HAVE YOU BEEN DRINKING? Yes WHAT? Red Light

HOW MUCH? 2-3 WHERE? Strip Club WITH WHOM? Friends

WHEN DID YOU HAVE YOUR FIRST DRINK? --- AND YOUR LAST DRINK? ---

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? ---

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

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

WHAT? --- WHERE? --- WHEN? ---

WHAT LINE OF WORK ARE YOU IN? Fabricating Trucks WHEN DID YOU LAST WORK? 1-7-20

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? NO WHAT? ---

ARE YOU SICK OR INJURED? NO WHAT'S WRONG? ---

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

WERE YOU IN AN ACCIDENT TODAY? NO

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? NO WHEN? ---

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? NO WHO? --- WHY? ---

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? NO WHAT? --- WHEN? ---

DO YOU HAVE:

EPILEPSY?	<u>NO</u>
GLASS EYE?	<u>NO</u>
FALSE TEETH?	<u>NO</u>
EAR INFECTION?	<u>NO</u>
INNER EAR TROUBLE?	<u>NO</u>
DIABETES?	<u>NO</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? ---

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? NO WHERE? ---

INTERVIEWER: Casson J. 241091

STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH AND/OR URINE TEST

I, D/S Cisson J. 24091, a duly certified Law Enforcement Officer or Correctional Officer,
(Name of Officer reading Implied Consent Warning)

am a member of Palm Beach County Sheriff's Office, and I do swear
(Name of law enforcement agency)

or affirm that on or about the 8th day of January, 20 20, at 04:50 P.M. A.M.

DRIVER CLARA M GARCIA
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

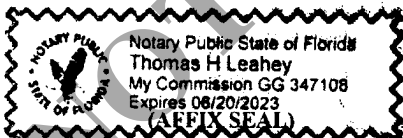
DL# G620153776081, state of FLORIDA, was placed under lawful arrest for
the offense of D.U.I. by D/S Cisson J. 24091 and
issued Citation # A2GD1ZP
(Name of Arresting Officer)

That on or about the 8th day of January, 20 20, at 05:29 P.M. A.M.
in PALM BEACH County,

I requested that the driver submit to a X breath and/or urine test to determine his or her blood alcohol level
and/or the presence of chemical or controlled substances. I informed the driver that the refusal to submit to such
test(s) would result in the suspension of his or her driving privilege for a period of one (1) year for a first refusal, or
for a period of eighteen (18) months if his or her driving privilege had been previously suspended for refusing to
submit to a breath, urine or blood test. I also informed the driver that he or she commits a misdemeanor by refusing
to submit to a lawful test as requested above if his or her driving privilege has been previously suspended for
refusal to submit to a lawful test of his or her breath, urine, or blood. Additionally, I informed the driver that if he
or she holds a CDL, or was operating a CMV, refusal will result in the disqualification of the Commercial Driver's
License/driving privilege for a period of one (1) year in the case of a first refusal or permanently if he or she has
previously been disqualified as a result of a refusal to submit to any such lawful test. Nonetheless, the driver
refused to submit to the test(s) requested.

Signature of Law Enforcement Officer or
Correctional Officer

THE AFFIDAVIT MUST BE NOTARIZED OR ATTESTED TO (F.S. 117.10)



The foregoing instrument was sworn and subscribed before

me this 8th day of January, 20 20,

by D/S Cisson J. 24091,

who is personally known to me or who has produced

Law Enforcement Officer as identification

Notary Public [Signature]

The foregoing instrument was sworn and subscribed before me:

Signature of Attesting Officer

Title

Date 01/08/2020

Note: Mail or hand deliver to the designated
Bureau of Administrative Reviews office,
Department of Highway Safety and Motor
Vehicles, with the driver's license, the
appropriate copy of the UTC, and the
probable cause affidavit.

WITNESS LIST

CASE NUMBER: 20-023637

ARRESTING OFFICER: D/S Cisson J. 24091

ADDRESS: 3228 GUN CLUB RD WEST PALM BEACH, FL 33406

PHONE NUMBERS (HOME): _____ (WORK) 561-688-3600

CAN TESTIFY TO: FACTS OF CASE AND INVESTIGATING SUCH CASE

NAME: _____

ADDRESS: 3228 GUN CLUB RD WEST PALM BEACH, FL 33406

PHONE NUMBERS (HOME) _____ (WORK) 561-688-3000

CAN TESTIFY TO: FACTS OF CASE

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) 0 (WORK) 0

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

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CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

SCANNED
JAN 13 2020

