

# Arrest Report

0520868  
 FLORIDA HIGHWAY PATROL 2ICT-835  
 P.O. BOX 54007, GREENACRES, FL 33454

3114

Report Date / Time 1/19/2021 09:42 PM	Report Number FHP99ARR832013	Case Number/Cad Number FHPL21OFF003727 / LWRC21CAD010509	Reporting Officer Name IV, ANDREW L
Originating Agency ORI	Occur Date Time Range 01/19/2021 20:26:36 - 01/20/2021 00:44:00	Jurisdiction	Clearance

### Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description INTERSTATE 95 NORTHBOUND AND PGA BOULEVARD
Street Number N INTERSTATE 95	Street	Apt/Lot/Bldg PALM BEACH GARDENS
City PALM BEACH GARDENS	State FL	Zip Code 33410

### Defendant

First Name CYNTHIA	Middle Name LYNN	Last Name MORADEL	Suffix	Race WHITE	Sex FEMALE	Height 505	Weight 145	Hair BLO	Eyes HAZ
MNI #	SSN	Date of Birth 01/19/1979	Age 42	ID Type E	Drivers License or other ID M634112795190	State FL	OCA / Agency ID		
Place of Birth:	STUART FL UNITED STATES								
Address	* RESIDENCE / 4796 SE DUVAL DR, STUART, FL 34997 / 561-317-0007								

### Arrest

Arrest Date/Time 1/19/2021 9:12:00 PM	Arrest Location Type PUBLIC PLACE	Arrest Location Description INTERSTATE 95 NORTHBOUND AND PGA BOULEVARD SOF
Street Number N INTERSTATE 95	Street	Apt/Lot/Bldg PALM BEACH GARDENS
County PALM BEACH	City PALM BEACH GARDENS	State FL
Zip Code 33410		

### Charge : S

Counts 1	Charge 316.193.c1	Bond Amount \$0.00	<input type="checkbox"/> No Bond
Charge Degree F	Charge Level MISDEMEANOR	General Offense Code DUI-UNLAW BLD ALCH	
Charge Description DUI AND DAMAGE PROPERTY			
Is Arrestee Juvenile?			No
Type of Arrest			On-View Arrest (apprehension without a warrant or previous incident report)

### Charge : S

Counts 1	Charge 316.1939	Bond Amount \$0.00	<input type="checkbox"/> No Bond
Charge Degree F	Charge Level MISDEMEANOR	General Offense Code DUI-UNLAW BLD ALCH	
Charge Description			

### Arrest Report

Span 8101

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 JAN 20 2021

Page 1 of 5  
 2021 JAN 20 AM 6:  
 JOSEPH ABRUZZO, CLERK  
 PALM BEACH COUNTY, FL  
 GUN CLUB

FILED

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**REFUSE TO SUBMIT DUI TEST AFTER LIC SUSP**

**Bond Set by Court**

<input checked="" type="checkbox"/> Bond Amount	<input type="checkbox"/> No Bond
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Bond Type(s)

**Probable Cause**

On 1/19/2021 at approximately 8:28PM I was dispatched to a reported vehicle collision in the area of Interstate 95 northbound and PGA Boulevard. Upon my arrival I observed a white Freightliner Cascadia semi truck (attached South Carolina tag: P726392) with an attached trailer (attached Oklahoma tag: AB3266) at a complete stop between the outside and outside center travel lanes facing north. There was also a white Hyundai Sonata (attached Florida tag: 6888XX) at a complete stop facing northeast in the outside center travel lane with the right rear side of the Sonata resting against the left front side of the white Freightliner Cascadia. After moving both vehicles to the right shoulder I observed damage to the right rear side of the white Sonata and damage to the left rear side of the white Freightliner Cascadia semi truck. I spoke to the driver of the white Freightliner Cascadia and he stated that as he was traveling in the outside center travel lane the white Sonata moved into his left side colliding with his vehicle. I spoke to the driver of the white Sonata and asked for her license, registration and proof of insurance. She was able to locate the registration and insurance but was unable to find her drivers license. I noticed her fumbling with the cards in her black wallet showing poor coordination. I also smelled the strong odor of an unknown alcoholic beverage coming from her breath as she spoke. Her eyes also appeared to be red and glassy. The driver of the white Sonata was later identified by her Florida drivers license information via FCIC/NCIC as Cynthia Lynn Moradel (FL DL: M634112795190). Trooper Marquis Gonzalez (#1552) also responded to the scene and completed the crash report for the incident. The driver of the white Freightliner semi truck observed Ms. Moradel exit the white Sonata (sole occupant in vehicle) and is the wheel witness for the incident. I informed Ms. Moradel that the crash investigation had ended and I was beginning a criminal investigation for driving under the influence (DUI). I read Ms. Moradel her Miranda Rights from a Florida Highway Patrol Miranda Warning printout. She stated that she understood her rights and agreed to speak with me. I continued to smell the strong odor of an

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unknown alcoholic beverage coming from her facial area as we spoke. I also continued to observe that her eyes were red and glassy. I asked her if she had anything to drink and she stated that she did not. I asked where she was coming from and she stated that she was driving home from work. I asked on a scale of 1 to 10 with 1 being completely sober and 10 falling over drunk where she would rate herself and she stated 1. I asked if she was taking any medications and she stated no. I asked if she was willing to perform standardized field sobriety exercises and she refused. I informed her that her refusal to do the exercises could be used against her and that I would have to make a decision based upon all my observations. She still refused to perform the exercises. Based upon the performance of the above exercises and the totality of the circumstances I determined that there was probable cause to believe that Cynthia Lynn Moradel committed the offense of driving under the influence by being in actual physical control/operating a motor vehicle while under the influence of alcoholic beverages, any chemical substance per Florida State Statute 877.111, or any controlled substance per Chapter 893, while their normal faculties were impaired. Ms. Moradel was placed under arrest for the above offense and handcuffed behind her back. After her vehicle was towed from the scene by a rotational wrecker she was transported to the Palm Beach County Breath Alcohol Testing (BAT) facility. At the BAT facility a 20 minute observation period was conducted where she did not ingest anything by mouth or regurgitate (mouth was confirmed to be empty prior to beginning of the observation period). She was then asked to provide a breath test sample to test for the alcoholic content of her breath. She refused to provide the breath test sample. I then read her the Florida Implied consent drivers license suspension warning and asked her again if she would provide a breath test sample. She refused again and a refusal time of 10:28PM was notated. A search with FCIC/NCIC of Ms. Moradel's Florida drivers license showed that she had a prior suspension for refusal to submit to a lawful test of breath, urine, blood. A search with DAVID showed that Ms. Moradel had a drivers license suspension with an effective date of 05/04/2002 with the following information: REFUSE SUBMIT BREATH/URINE/BLOOD TEST: Citation/Case #: 448976X in Martin County, FL. Based upon the above information there is probable cause to believe that Ms. Moradal committed the offense of refusing to submit to a lawful test of breath, urine, blood when she had her license suspended for a prior refusal contrary to

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Florida State Statute 316.1939. The Constitutional Warning document was then read to her and she stated that she understood her rights and did not wish to answer any questions. The question and answer portion was not performed. She was later taken to JFK North Medical Center for a medical clearance. After being medically cleared she was transported back to the jail. She was issued a DUI citation and was booked without incident. All of the above events occurred in Palm Beach County, FL.

Note: My patrol vehicle is equipped with in car video and audio that is available upon request.

#### Jail Booking Facility

Booking Date/Time	Booking County PALM BEACH	Booking Facility PALM BEACH COUNTY CORRECTIONS	Booking Facility Phone (561) 688-4400
Booking Facility Location 3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406		Booking Number	
Booking Comments			

#### Court

Court County PALM BEACH	Court Location 3228 GUN CLUB ROAD WEST PALM BEACH, FL 33406		
Court CRIMINAL JUSTICE COMPLEX	Court Phone 561-355-2994	Court Appearance Date / Time 02/18/2021 8:30AM	Court Fine
Comments			

Officer Name Rank / ID # IV, ANDREW L TPR	Involvement On Report / Reporting Role REPORTING OFFICER	Officer Agency Org/Unit FLORIDA HIGHWAY PATROL FHPL1LWRCC\PALM BEACH\SR702 TO MARTIN LN
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The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the probable cause associated with this report:

**Reporting Officer**

Officer Name IV, ANDREW L	Office Rank TPR	Officer ID No 3651	Sworn and subscribed before me, the undersigned authority This the <u>19<sup>th</sup></u> day of <u>January</u> , <u>2021</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT
Officer Agency FLORIDA HIGHWAY PATROL	Officer Signature <i>Andrew L</i>		
			Notary Public State of Florida Thomas H Leahy My Commission GG 347108 Expires 08/20/2023

No Bill / Petition    
 Issue Warrant    
 Prosecution Approved

Signature of Assistant State Attorney \_\_\_\_\_ Date \_\_\_\_\_

NOT A CERTIFIED

SUBJECT: Maryland 4-4-14 CASE NUMBER: FHPLZ10FF 003727

# 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? \_\_\_\_\_

WHERE WERE YOU GOING? \_\_\_\_\_

WHAT STREET OR HIGHWAY WERE YOU ON? \_\_\_\_\_

DIRECTION OF TRAVEL? \_\_\_\_\_ WHERE DID YOU START? \_\_\_\_\_

WHAT TIME DID YOU START? \_\_\_\_\_ WHAT TIME IS IT NOW? \_\_\_\_\_

WHAT IS TODAY'S DATE? \_\_\_\_\_ WHAT DAY OF THE WEEK IS IT? \_\_\_\_\_

WHAT COUNTY AND CITY ARE YOU IN NOW? \_\_\_\_\_

WHEN DID YOU LAST EAT? \_\_\_\_\_ WHAT DID YOU EAT? \_\_\_\_\_

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? \_\_\_\_\_

HOW MUCH DO YOU WEIGH? \_\_\_\_\_ HAVE YOU BEEN DRINKING? \_\_\_\_\_ WHAT? \_\_\_\_\_

HOW MUCH? \_\_\_\_\_ WHERE? \_\_\_\_\_ WITH WHOM? \_\_\_\_\_

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? \_\_\_\_\_ ARE YOU UNDER THE INFLUENCE? \_\_\_\_\_

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? \_\_\_\_\_ HOW MUCH? \_\_\_\_\_

WHAT? \_\_\_\_\_ WHERE? \_\_\_\_\_ WHEN? \_\_\_\_\_

WHAT LINE OF WORK ARE YOU IN? \_\_\_\_\_ WHEN DID YOU LAST WORK? \_\_\_\_\_

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? \_\_\_\_\_ WHAT? \_\_\_\_\_

ARE YOU SICK OR INJURED? \_\_\_\_\_ WHAT'S WRONG? \_\_\_\_\_

DO YOU LIMP? \_\_\_\_\_ DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? \_\_\_\_\_

WERE YOU IN AN ACCIDENT TODAY? \_\_\_\_\_

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? \_\_\_\_\_ WHEN? \_\_\_\_\_

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? \_\_\_\_\_ WHO? \_\_\_\_\_ WHY? \_\_\_\_\_

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? \_\_\_\_\_ WHAT? \_\_\_\_\_ WHEN? \_\_\_\_\_

DO YOU HAVE:

- EPILEPSY? \_\_\_\_\_
- GLASS EYE? \_\_\_\_\_
- FALSE TEETH? \_\_\_\_\_
- EAR INFECTION? \_\_\_\_\_
- INNER EAR TROUBLE? \_\_\_\_\_
- DIABETES? \_\_\_\_\_

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? \_\_\_\_\_

DO YOU TAKE INSULIN? \_\_\_\_\_ IF SO, WHEN WAS YOUR LAST INJECTION? \_\_\_\_\_

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? \_\_\_\_\_ WHERE? \_\_\_\_\_

INTERVIEWER: \_\_\_\_\_

**SCANNED**  
JAN 20 2021

SUBJECT: Misc 101 0/2/2020 L CASE NUMBER: FHPL210FF003727

## 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) Red [unclear] **SCANNED**

**JAN 20 2021**



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

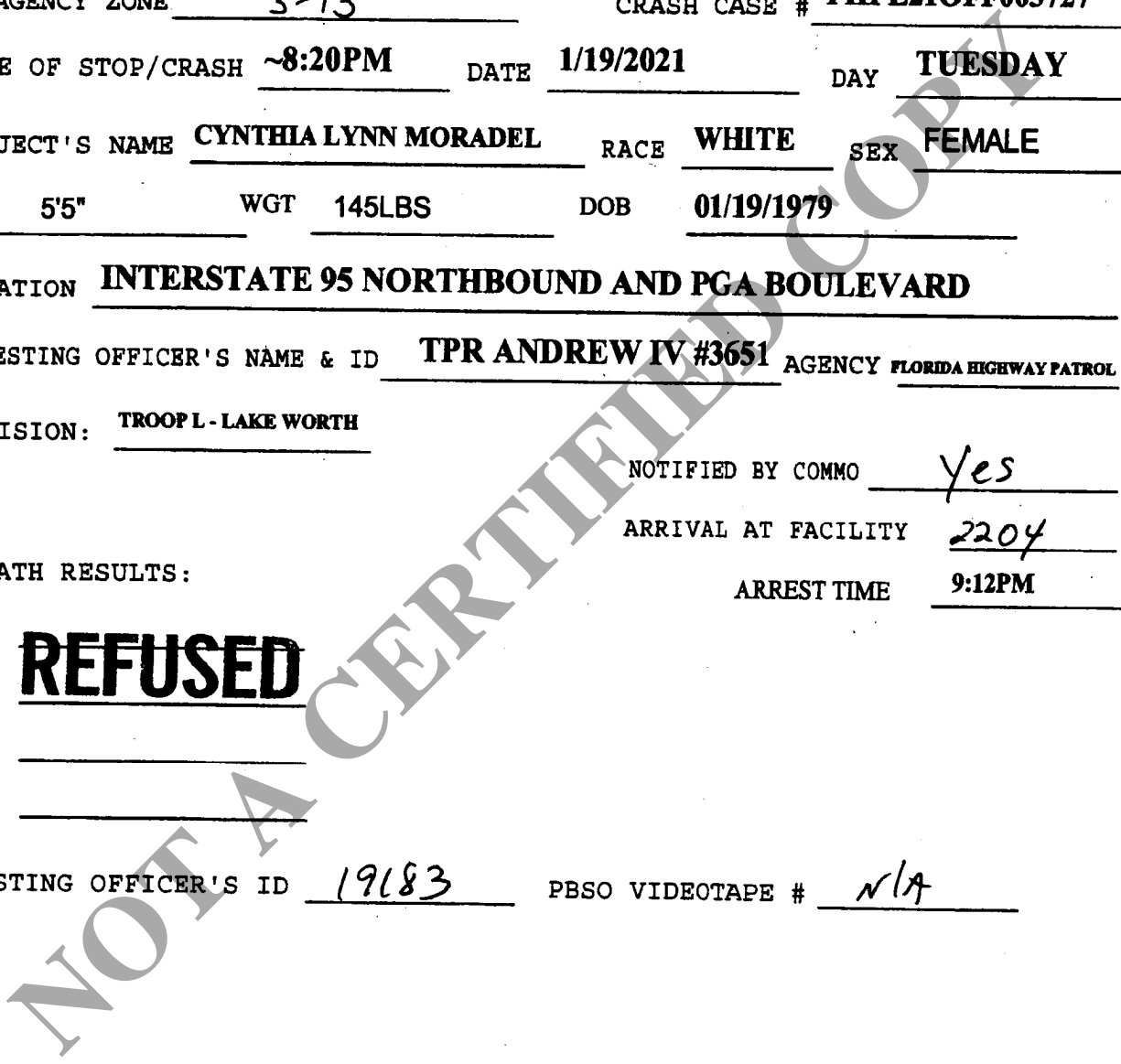
PBSO CASE # 21-027164 AGENCY CASE# FHPL21OFF003727  
 AGENCY ZONE 3-13 CRASH CASE # FHPL21OFF003727  
 TIME OF STOP/CRASH ~8:20PM DATE 1/19/2021 DAY TUESDAY  
 SUBJECT'S NAME CYNTHIA LYNN MORADEL RACE WHITE SEX FEMALE  
 HGT 5'5" WGT 145LBS DOB 01/19/1979

LOCATION INTERSTATE 95 NORTHBOUND AND PGA BOULEVARD  
 ARRESTING OFFICER'S NAME & ID TPR ANDREW IV #3651 AGENCY FLORIDA HIGHWAY PATROL

DIVISION: TROOP L - LAKE WORTH  
 NOTIFIED BY COMMO Yes  
 ARRIVAL AT FACILITY 2204  
 BREATH RESULTS: ARREST TIME 9:12PM

1. **REFUSED**
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

TESTING OFFICER'S ID 19183 PBSO VIDEOTAPE # N/A



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 JAN 20 2021

# TESTING FACILITY TASK REPORT

AGENCY: FHP-L  
SUBJECT: Moradel, Cynthia L  
CASE NUMBER: 21-027164  
DATE: Jan 19, 2021  
VIDEO DVD NUMBER: N/A  
BEGINNING TIME: 2227  
ENDING TIME: 2229

BREATH TESTS RESULTS: 1) R TIME 2228 A.M.  P.M.  2) n/a TIME 0506 A.M.  P.M.   
3) n/a TIME 0 A.M.  P.M.  4) n/a TIME 0 A.M.  P.M.

BREATH OPERATOR: Thomas H Leahy #19183

MAINTENANCE TECHNICIAN: Jason Karlecke #6467

### TESTING OFFICER'S OBSERVATIONS

SPEECH: thick

ATTITUDE: calm, cooperative

CLOTHING: blue jeans, white shirt, white sweater, maroon boots

MEDICAL CONDITIONS: none

MEDICATIONS: none

### OTHER:

eyes are glassy and bloodshot  
odor of unknown alcoholic beverage on breath

**REFUSED**

### COMMENTS:

arrived at center A/O conducted 20 minute observation period 2204 hrs  
subject refused to perform breath test  
A/O read I/C & subject understood I/C  
subject refused to perform breath test  
A/O read rights & subject understood results  
A/O attempted Q&A  
subject declined to answer questions

**REFUSED**

**SCANNED**  
JAN 20 2021

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

I, IV, ANDREW L, a duly certified Law Enforcement Officer or Correctional Officer,  
(Name of Officer reading Implied Consent Warning)

am a member of FLORIDA HIGHWAY PATROL, and I do swear  
(Name of law enforcement agency)

or affirm that on or about the 19th day of January, 2021, at 9:12  P.M.  A.M.

DRIVER CYNTHIA LYNN MORADEL  
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# M634112795190, state of FL, was placed under lawful arrest for

316.193(3)(c)1  
the offense of D.U.I - PROPERTY DAMAGE/PERSONAL INJUR... by IV, ANDREW L and  
(Name of Arresting Officer)  
issued Citation # A770QZE

That on or about the 19th day of January, 20 21, at 10:28  P.M.  A.M.  
in Palm Beach County,

I requested that the driver submit to a  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.

*Andrew L*

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:

The foregoing instrument was sworn and subscribed before  
me this 19th day of January, 20 21,

by Trp. A IV #3651,

who is personally known to me or who has produced  
known as identification.

Notary Public T Leahy

HSMV-BAR1001 (REV. 10/2016)

Signature of Attesting Officer

Title \_\_\_\_\_

Date \_\_\_\_\_

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.

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JAN 20 2021



**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: 2021001583	Date: 1/20/2021
	Specialist Name/ID: J. Beck/9007

**SCANNED**  
**JAN 20 2021**