

JA 0524849

21CT12323

J#1916

ARREST / NOTICE TO APPEAR
Juvenile Referral Report1. Arrest
2. N.T.A.
3. Request for Warrant
4. Request for Capias

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) 06-21-089480	
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 NONE		Multiple Clearance Indicator 01			
Location of Arrest (Including Name of Business) 4th Ave N and N Federal HWY, Lake Worth Beach, FL 33460				Location of Offense (Business Name, Address) 4th Ave N and N Federal HWY Lake Worth Beach, FL 33460			
Date of Arrest 07/26/2021	Time of Arrest 0925	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle	
Name (Last, First, Middle) Burg Eric Sean		Alias (Name, DOB, Soc. Sec. #, Etc.)					
Race W - White / A - American Indian / B - Black / O - Oriental/Asian W	Sex M	Date of Birth 08/02/1995	Height 5-10	Weight 150	Eye Color blue	Hair Color brown	Complexion light
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)				Marital Status Single	Religion CHRISTIAN	Indication of Alcohol Influence Y <input type="checkbox"/> N <input type="checkbox"/> Unk <input type="checkbox"/>	
Local Address (Street, Apt. Number) 1234 LEXINGTON ROAD APT#102		(City) LOUISVILLE, KY	(State) 40204	(Zip)	Phone (502) 408-2291	Residence Type: 1. City 2. County 3. Florida 4. Out of State	
Permanent Address (Street, Apt. Number)		(City)	(State)	(Zip)	Phone	Address Source Def	
Business Address (Name, Street)		(City)	(State)	(Zip)	Phone	Occupation	
O/L Number, State B04119980, KY		INS Number		Place of Birth (City, State) louisville, Kentucky		Citizenship US	
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"/> 1. Arrested <input type="checkbox"/> 2. At Large <input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile		
<input type="checkbox"/> Parent <input type="checkbox"/> Legal Custodian <input type="checkbox"/> Other:		Residence Phone					
Address (Street, Apt. Number)		(City)	(State)	(Zip)	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
Charge Description DRIVING UNDER THE INFLUENCE		Counts 1	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number 316.193(1)(A)		Violation of ORD #	
Drug Activity N	Drug Type N	Amount / Unit	Offense # 21-089480	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 N	Drug Type N	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 N	Drug Type N	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 N	Drug Type N	Amount / Unit	Offense #	Warrant / Capias Number		Bond	
Location (Court Room Number, Address) CRIMINAL JUSTICE COMPLEX / 3228 GUN CLUB ROAD, WPB, FL 33406							
Court Date and Time Month August Day 26th Year 2021 Time 8:30 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 07/26/2021			
HOLD for other Agency		Signature of Arresting Officer B. Roberts 37545		Name Verification (Printed by Arrestee) SCANNED JUL 28 PM 12:22			
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:		Name of Arresting Officer (Print) D/S B. Roberts #37545		I.D. # 37545		JUL 27 2021 Witness here if subject signed with an "X"	
Intake Request		ID #		Agency PBSO		1 OF 1 FILED	

SUBJECT Burg

Eric

CASE NUMBER 21-089480

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:

WALK & TURN:

Not observed

ONE LEG STAND:

Not observed

FINGER TO NOSE:

Not observed

ROMBERG ALPHABET:

Not observed

BREATH TEST RESULTS:

1)	2)	3)	4)
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STATE OF FLORIDA
COUNTY OF PALM BEACH

D/S B. Roberts #37545

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 26th day of July 2021 by D/S B. Roberts #37545

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

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



SCANNED
JUL 27 2021

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 26th DAY OF July 2021 AT 0734 ✓ AM PM

SUBJECT: Burg Eric Sean CASE NUMBER: 21-089480

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: D/S B. Roberts #37545

PERSONAL CONTACT

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

D/S Lasso and CSA Brown informed me that witness Greco, identified the defendant, to me, as the driver of the vehicle at the time of the crash. Greco completed a written sworn statement as to the events which transpired surrounding the crash. Greco stated the following in a summary: That Burg's vehicle was southbound on North Federal Highway and made a right turn onto 4th Avenue North, at that point he jumped over the curb and collided into a tree. Greco positively identified the male detained as the driver of the crashed vehicle.

Lawrence Feldman stated he was present and assisted at the crash scene to detain Burg and checked the vehicle.

See LT. Lavigna's supplemental Probable Cause.

OBSERVATION OF DRIVER:

Upon making contact with the driver who was identified by their Kentucky Driver License as Eric Burg. Eric had glassy, glazed, and blood shot eyes. Eric's speech was slurred, confused and at times difficult to understand. Eric's movements were slow and deliberate or jittery and quick. Eric was uncooperative while walking to my patrol vehicle and had difficulty following directions given to him. Eric was wearing a red t-shirt, khaki shorts, and black shoes. All the clothing appeared as if it had been worn from the night before.

DRIVER'S STATEMENTS:

"I have been drinking too much to drive", "I'm a little drunk and I crashed into a tree", "Drinking because I broke up with my girlfriend", "I'm too intoxicated to talk about allergies"

ODORS:

not observed.

GENERAL OBSERVATIONS

SPEECH: loud and yelling.

ATTITUDE: Changing from laughing to angry, upset and crying to calm.

CLOTHING: Neat as if from the night before.

MEDICAL/OTHER: See BAT report

STATE OF FLORIDA
COUNTY OF PALM BEACH

D/S B. Roberts #37545 B. Roberts 37545

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 26th day of July 2021 by D/S B. Roberts #37545

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

PERSONALLY KNOWN LEO

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



SCANNED

JUL 27 2021

OBTS Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1	Juvenile	N	
ADMIN	Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06- 21-089480						
	Charge Type: Check as many as apply. <input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input checked="" type="checkbox"/> 3. Misdemeanor <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other				Special Notes:						
DEF	Name (Last, First, Middle) Burg, Eric, Sean				Race W		Sex M		Date of Birth 08/02/1987		
	Charge Description DRIVING UNDER THE INFLUENCE				316.193(1)(A)		Charge Description				
CHARGES	Charge Description						Charge Description				
	Charge Description						Charge Description				
VICTIM	Victim's Name (Last, First, Middle) STATE OF FLORIDA,				Race		Sex		Date of Birth		
	Local Address (Street, Apt. Number) (City) (State) (zip) Phone ()				Address Source						
	Business Address (Name, Street) (City) (State) (zip) Phone ()				Occupation GOVERNMENT						
<p>The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe that the above named Defendant committed the following violation of law. The Person taken into custody</p> <p><input type="checkbox"/> committed the below acts in my presence, <input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts. <input type="checkbox"/> confessed to _____ admitting to the below facts. <input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.</p> <p>On the <u>26th</u> day of <u>July</u> 20<u>21</u> at <u>0734</u> <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M. (Specifically include facts constituting cause for arrest.)</p> <p>On 07/26/2021 at approximately 07:34hrs, I was dispatched to the scene of a motor vehicle crash with injuries at the intersection of 4th Ave N and N Federal Hwy, which is located in the City of Lake Worth Beach located in Palm Beach County, Florida. LT. Lavigna radioed on PBSO main radio communications, a single vehicle crash with a possible DUI, LT. Lavigna provided a supplemental probable cause affidavit. CSA Brown conducted the crash investigation 21-089454.</p> <p>Upon my arrival, I took custody of Eric burg who was already placed into handcuffs due to being noncompliant with orders. Palm Beach County Fire Rescue 91 treated and transported to JFK Medical Center. PBCFR Lieutenant who was on scene said Burg stated the following, "I'm drinking because I broke up with my girlfriend". While Burg was getting medically cleared, he said the following quotes verbatim in front of deputies: "I have been drinking too much to drive", "I'm a little drunk and I crashed into a tree", "I'm too intoxicated to talk about allergies".</p> <p>D/S Lasso and CSA Brown informed me that witness Greco, identified the defendant, to me, as the driver of the vehicle at the time of the crash. Greco completed a written sworn statement as to the events which transpired surrounding the crash. Greco stated the following in a summary: That Burg's vehicle was southbound on North Federal Highway and made a right turn onto 4th Avenue North, at that point he jumped over the curb and collided into a tree. Greco positively identified the male detained as the driver of the crashed vehicle. Lawrence Feldman stated he was present and assisted at the crash scene to detain Burg and checked the vehicle.</p> <p>Upon making contact with the driver who was identified by their Kentucky Driver License as Eric Burg. Eric had glassy, glazed, and blood shot eyes. Eric's speech was slurred, confused and at times difficult to understand. Eric's movements were slow and deliberate or jittery and quick. Eric was uncooperative while walking to my patrol vehicle and had difficulty following directions given to him. Eric was wearing a red t-shirt, khaki shorts, and black shoes. All the clothing appeared as if it had been worn from the night before.</p> <p>Upon arrival to the PBSO breath testing facility, a 20-minute observation period was completed. Burg was taken into breath testing room with video recording activated. Burg was provided with two chances to submit to a breath sample, which he refused. Burg was provided with a refusal to submit notice in reference to his driver's license being suspended. I read the statement twice due to Burg's lack of cooperation. I then read Burg his Miranda Rights two times, after Burg claimed he did not understand. Burg then stated he will not give a statement, no further questions were asked and the interview was concluded.</p> <p>After independent crash investigation, based on physical evidence, and witness statements, CSA Brown determined that, at approximately 0734hrs, the defendant, did indeed jump over a curb and collide into a tree (See PBSO crash case #21-089454). Due to my investigation, the crash investigation, witness statements and Burg's spontaneous statements. I find Probable Cause to charge Eric Burg with Driving Under the Influence that he did drive or was in actual physical control of a vehicle, while under the influence of alcoholic beverages or chemical substances as set forth in Florida Statute 877.111, or a controlled substance as set forth in Chapter 893 or any combination thereof, and was affected to the extent that his or her normal faculties were impaired; or while having a blood alcohol level of .08 or more grams of alcohol per 100 milliliters of blood or breath alcohol level of .08 or more grams of alcohol per 210 liters of breath, contrary to Florida Statute 316.193(1).</p>											
ADMINISTRATIVE	STATE OF FLORIDA COUNTY OF PALM BEACH				D/S B. Roberts #37545						
	(Signature of Arresting/Investigative Officer) <i>[Signature]</i> 37545										
	The foregoing instrument was sworn to or affirmed and subscribed before me this <u>26th</u> day of <u>July</u> 20 <u>21</u> by <u>D/S B. Roberts</u>										
(Print name of Arresting/Investigative Officer) who is personally known to me and/or produced identification. Type of identification produced				PERSONAL KNOWLEDGE							
Notary Public, Clerk of Court, Officer (F.S.S. 117.10)				JUL 27 2021							

PROBABLE CAUSE AFFIDAVIT

1 Arrest
2 NTA

3 Suspended for Violation
4 Request for Citation

5

6

Case Number

Agency Case Number

Agency Name

PALM BEACH COUNTY SHERIFF'S OFFICE

Agency Record Number

21-089480

Offense Type

1 Felony

2 Misdemeanor

3 Other

Check as many as apply

4 Traffic Felony

5 Traffic Misdemeanor

6 Other

Name (Last, First, Middle)

Eric Sean

Driving Under the Influence

Charge Description

Charge Description

Victim's Name (Last, First, Middle)

State of Florida

Local Address (Street, Apt Number)

(City)

(State)

(Zip)

(Phone)

Address

Address

Business Address (Name, Street)

(City)

(State)

(Zip)

(Phone)

Collection

Collection

The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe that the above named Defendant committed the following violation of law

That Person taken into custody

☒ committed the below acts in my presence.

☐ confessed to

admitting to the below facts.

☐ was observed by _____ who told

☐ that he/she saw the arrested person commit the below acts.

was found to have committed the below acts, resulting from my (doubtless) investigation.

On the 26 day of July 21 at 07:34 A.M. (Specify date, time, and place of arrest)

On July 26, 2021, at approximately 07:34 hours, I was traveling south on Federal Highway in the 400 block when I saw a white pick-up truck make a U-turn in the middle of the road. I rolled down my window and asked the driver what was going on. He replied, "Someone just crashed into a tree." I made a U-turn behind the white pick-up and turned west on 4th Avenue North. After completing the U-turn, I observed a grassy area on the right side of the road where a vehicle had crashed into a tree approximately 10 yards south of the Federal Highway and 4th Avenue North intersection (Northwest corner). As I pulled up to the crash site, I saw a skinny white male, later identified by Kentucky driver's license as Eric Sean, standing a red shirt exit the driver door with the assistance of two good Samaritans (witnesses). I noticed Eric had a bloody mouth. I exited my vehicle and asked Eric if he was alright. Eric looked confused and wandered around. He would not give me direct answers. I asked if there was anyone else inside the vehicle because smoke was coming out of the back of the vehicle. Eric said there was no one else inside. The two witnesses confirmed the inside of the vehicle as I attempted to get him to settle down. Eric continued to act in an unusual manner. He was very jittery and wasn't making sense. It appeared to me that Eric was under the influence of drugs and/or alcohol. Eric put his phone to his ear and acted like he was talking to his dad. He would remove the phone from his ear and I could see there wasn't an active call. After several minutes of Eric wandering around and not listening to me to stay in one place, I got the sense he was going to leave the scene. He started walking west on 4th Avenue North so I grabbed Eric by the left arm and walked him over to the sidewalk. I told Eric to sit down and gently helped him to a seated position. Eric made several attempts to stand up as I awaited the arrival of back-up units and fire rescue. I continued to place my hand on Eric's chest to keep him in a seated position as I believed he was going to flee the scene because Eric was getting more and more impatient and aggravated. After about the fifth time Eric tried to stand up, I called him over to my car and handcuffed his hands behind his back with the assistance of the two witnesses. At this time, Palm Beach County Fire Rescue and Palm Beach County Sheriff's Office arrived and took over the scene. While deputies were walking Eric to the stretcher, I heard Eric make a loud sports car noise. I was so much that I can't even describe. Eric was then loaded onto the stretcher and taken to the hospital for medical evaluation.

STATE OF FLORIDA
COUNTY OF PALM BEACH

26

July

21

The foregoing information was sworn to before me and subscribed before me this _____ day of _____, 2021.

Known to me

SCANNED
JUL 27 2021

PAGE 1

WITNESS LIST

CASE NUMBER: 21-089480

ARRESTING OFFICER: D/S B. Roberts #37545

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

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

CAN TESTIFY TO: SEE DUI PROBABLE CAUSE AFFIDAVIT, OFFENSE REPORT

NAME: L.J. Lavigna #6232

ADDRESS: 3228 Gun Club Rd, West Palm Beach, FL 33406

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

CAN TESTIFY TO: See supplemental Probable Cause

NAME: Lawrence Feldman

ADDRESS 518 N Federal HWY, Lake Worth Beach, FL 33460

PHONE NUMBERS (HOME) 561-752-6944 (WORK) _____

CAN TESTIFY TO: crash scene and suspect interaction

NAME: Nicholas Greco

ADDRESS 409 4th Ave N, Lake Worth, FL 33460

PHONE NUMBERS (HOME) 0 (WORK) 0

CAN TESTIFY TO: crash scene and suspect interaction

NAME: D/S K. Fisher #8996

ADDRESS 3228 Gun Club RD, West Palm Beach, FL 33406

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

CAN TESTIFY TO: Present with D/S Roberts

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

SCANNED

JUL 27 2021

TESTING FACILITY TASK REPORT

SUBJECT: Burg, Eric S. AGENCY: PBSO
DATE: Aug 3, 2021 CASE NUMBER: 21-089480
BEGINNING TIME: 10:08 VIDEO DVD NUMBER: N/A
ENDING TIME: 10:14

BREATH TESTS RESULTS: 1) Refusal TIME 10:12 A.M. ☒ P.M. ☐ 2) N/A TIME ----- A.M. ☐ P.M. ☐
3) N/A TIME ----- A.M. ☐ P.M. ☐ 4) N/A TIME ----- A.M. ☐ P.M. ☐

BREATH OPERATOR: R. Ragin #16877

MAINTENANCE TECHNICIAN: Jason Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: Slurred

ATTITUDE: Fidgety, agitated, uncooperative, repetitive

CLOTHING: Brown shorts, red t-shirt, black sneakers

MEDICAL CONDITIONS: None

MEDICATIONS: None

OTHER:

Eyes are glassy & bloodshot
Odor of unknown alcoholic beverage on breath

REFUSED

COMMENTS:

Arrived at center A/O started 20 minute observation period at 09:45 hrs.

Subject refused to answer if he would take a breath test and being argumentative.

A/O read I/C 2X.

Subject refused to answer if he would take a breath test and being argumentative.

A/O called refusal.

A/O read rights 2X.

Subject refused to answer if he understood his rights and being argumentative.

Subject stated he refused to answer.

NO Q&A conducted.

REFUSED

SCANNED

JUL 27 2021

SUBJECT: Burg, Eric

CASE NUMBER: 21-039410

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.

SCANNED

JUL 27 2021

SUSPECT'S SIGNATURE: (X) _____

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL

SUBJECT: Burg, Eric S. CASE NUMBER: 21-089420

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: _____

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL

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

I, D/S B. Roberts #37545, a duly certified Law Enforcement Officer or Correctional Officer,
 (Name of Officer reading Implied Consent Warning)

am a member of PBSO, and I do swear
 (Name of law enforcement agency)

or affirm that on or about the 26th day of July, 20 21, at 1012 ☐ P.M. ☒ A.M.

DRIVER Eric Sean Burg
 (Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# B04119980, KY, state of FLORIDA was placed under lawful arrest for

the offense of DRIVING UNDER THE INFLUENCE by D/S B. Roberts #37545 and
 (Name of Arresting Officer)

issued Citation # AE77MHE

That on or about the _____ day of _____, 20 _____, at _____ ☐ 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.

B. Roberts 37545
 Signature of Law Enforcement Officer or
 Correctional Officer



(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before

me this 26th day of July, 20 21,

by D/S B. Roberts #37545,

who is personally known to me or who has produced

PERSONALLY KNOWN LEO as identification

Notary Public [Signature]

HSMV-BAR1001 (REV. 10/2016)

The foregoing instrument was sworn and subscribed before me:

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.

SCANNED

JUL 27 2021



**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"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
Other	<input type="checkbox"/>		Other:	
	<input type="checkbox"/>		Other:	

REVIEW COMPLETED BY

Booking Number: 2021018494	Date: 6/27/2021
	Specialist Name/ID: T Howard/7185

SCANNED
JUL 27 2021