

COMPLAINT/ARREST AFFIDAVIT – CIRCUIT/COUNTY COURT – PINELLAS COUNTY, FLORIDA

OBTS #	REPORT # SO19-408009		DOCKET # 1825098	
Person ID 2143640	SSN# [REDACTED]			
Charge Description ☐ Felony ☒ Misdemeanor ☐ Warrant ☐ Traffic ☐ Ordinance	Traffic Citation # (if any)		Court Case #	
Charge DRIVING UNDER THE INFLUENCE	AD0ARGE		AD0ARGE-1	
Defendant's Name (Last, First, Middle) FUSSELL JR, HUBERT DONALD	DOB 10/28/1979	Sex M	Race W	Ht 600
			Wt 200	Hair BRO
			Eyes	Skin LGT
Alias	DL # F240-324-79-388-0	State FL	Scars/Marks/Tattoos/Physical Features	
Local Address (Street, City, State, Zip Code) 4455 38TH TERR UNIT B16 SAINT PETERSBURG FL 33714		Telephone 727-318-0796	Place of Birth FL	Citizenship USA
Permanent Address (Street, City, State, Zip Code) 4455 38TH TERR UNIT B16 SAINT PETERSBURG FL 33714		Telephone 727-318-0796	Employed by / School FIS	
Weapon Seized Type ☐ Yes ☒ No	Indication of Drug Influence Y ☐ N ☐ UNK ☒	Indication of Mental Health Issues Y ☐ N ☒ UNK ☐	Indication of Alcohol Influence Y ☐ N ☐ UNK ☒	
Co-Defendant's Name (Last, First, Middle)	DOB	Sex	Race	In Custody ☐ Yes ☐ No ☐ Felony ☐ Misdemeanor
Co-Defendant's Name (Last, First, Middle)	DOB	Sex	Race	In Custody ☐ Yes ☐ No ☐ Felony ☐ Misdemeanor

The undersigned swears that he/she has reasonable grounds to believe that the above named defendant on the 21 day of DECEMBER, 2019,

at approximately 1:11 AM, at 34TH ST N / 17TH AVE N, in Pinellas County did:

THEN AND THERE UNLAWFULLY DRIVE AND/OR BE IN ACTUAL PHYSICAL CONTROL OF A MOTOR VEHICLE WITHIN PINELLAS COUNTY, FLORIDA WHILE UNDER THE INFLUENCE OF AN ALCOHOLIC BEVERAGE, A CONTROLLED SUBSTANCE AND/OR ANY CHEMICAL SUBSTANCE TO THE EXTENT THAT HIS NORMAL FACULTIES WERE IMPAIRED.

REASON FOR STOP: I STOPPED THE DEFENDANT AFTER OBSERVING HIM DRIFTING BACK AND FORTH WITHIN HIS LANE. THE DEFENDANT QUICKLY ACCELERATED AFTER STOPPING AT A TRAFFIC SIGNAL, CAUSING HIS TIRES TO SQUEAL. DUE TO MY OBSERVATIONS, I STOPPED THE DEFENDANT TO ENSURE HE WAS NOT SICK, INJURED, OR IMPAIRED.

UPON STOPPING THE DEFENDANT, I OBSERVED HIM TO SHOW SIGNS OF IMPAIRMENT PROMPTING ME TO INITIATE A DUI INVESTIGATION. THE DEFENDANT CONSENTED TO PERFORM STANDARDIZED FIELD SOBRIETY EXERCISES AND HE CONTINUED TO SHOW SIGNS OF IMPAIRMENT.

BRAC: .226/.226 BREATH: DISTINCT ODOR OF AN ALCOHOLIC BEVERAGE.
BALANCE: SWAYED & UNSTEADY. EYES: BLOODSHOT & WATERY.
PRIOR CONVICTIONS: 12/03/2002.

COURT INFORMATION: CRIMINAL JUSTICE COMPLEX ON 1/15/20 AT 1330 HOURS.
CITATION #: AD0ARGE

(ENTER SUFFICIENT FACTS/DATA FOR THE COURT TO ESTABLISH PROBABLE CAUSE DETERMINATION)

Contrary to Florida Statute/Ordinance 316.193.1

ARREST DATE: 12/21/2019 Time 1:49 AM . Aggravating/Mitigating Factors CB

Booking Officer: HIGGINS, H 59255 Amount of Bond 500*** Bond Out Date 12/21/19 Time 1:49 a.m. ☐ p.m.

Victim Notified of Advisory? ☐ Yes ☐ No Injuries to Victim? ☐ Yes ☐ No Medical Treatment to Victim? ☐ Yes ☐ No

The Court reviewed this complaint and finds there: ☐ is probable cause ☐ is not probable cause to detain defendant ☐ Bond Action, if any:

The probable cause determination is passed for: ☐ 24 Hrs ☐ 24 Hrs on showing of extraordinary circumstances Received by Booking: 12/21/2019 6:46:50 AM

Pursuant to F.S. 92.525 and under penalty of perjury, I declare that I have read the foregoing document and that the facts in it are true.

[Signature]
PINELLAS COUNTY SHERIFF
Declarant Signature Agency
DEPUTY JOSHUA RICOTTILLI 58439 03268534
Printed Name Declarant ID#

REQUEST FOR INVESTIGATIVE COSTS, F.S. 938.27(1)
DATE 12/21/2019 OFFICER J. RICOTTILLI HOURS 2 PAY RATE 25.00 OR COST \$50.00
2019 DEC 22 AM 6:52
CONVICTION ASSISTANCE
OTHER – Describe FILED
Continuation sheet ☐ Yes ☐ No TOTAL \$ \$50.00

Defendant FUSSELL JR, HUBERT DONALD **Court Case No:** AD0ARGE-1

ADVISORY AND SOLVENCY HEARING

The above named Defendant came before me for Advisory and Solvency hearing and was advised by me of the charge(s) against him; his right to remain silent; that any statements by him may be used against him; his right to counsel, and, if he is financially unable to afford counsel, that counsel forthwith will be appointed; of his right to communicate with his counsel, family or friends, and that reasonable implementation will be afforded him to contact the foregoing.

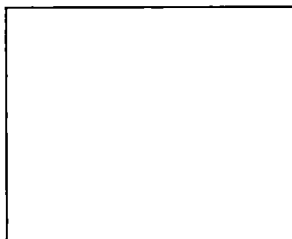
I FURTHER CERTIFY THAT:

- ☐ A. Defendant has advised the Court that he has retained counsel or will retain counsel.
- ☐ B. The Court investigated Defendant's solvency and found the Defendant financially able to secure counsel.
- ☐ C. The Court investigated Defendant's solvency and provisionally appointed the Public Defender.
- ☐ D. The Defendant waived the right to counsel at the first appearance only.

DATE AND TIME

JUDGE

- ☐ I hereby waive the right to counsel at the first appearance only.
- ☐ I, having been found solvent and financially able to secure counsel, hereby waive counsel until my attorney files an appearance in this case or until I file a written request for a review of my solvency and ability to secure counsel.



Thumb Print

DEFENDANT'S SIGNATURE

I HEREBY acknowledge receipt of a copy of the foregoing Complaint and Advisory.

DEFENDANT'S SIGNATURE

DEFENDANT'S ATTORNEY'S SIGNATURE

DATE