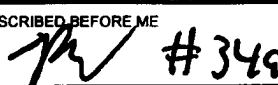
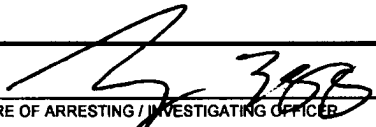


PROBABLE CAUSE AFFIDAVIT

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

1 JUVENILE

A D M I N I S T R A T I V E	OBTs Number		Agency ORI Number FL 0501700		Agency Name JUPITER POLICE DEPARTMENT		Agency Report Number 5 4 21-000155	
	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:		Name (Last, First, Middle) RETZLER, JAMES MICHAEL		Race W	Sex M
C H A R G E S	Charge Description 316.193(1)(A) DUI - DRIVING UNDER THE INFLUENCE/NORMAL		Charge Description		Charge Description		Charge Description	
	Victim's Name (Last, First, Middle) State Of Florida		Race	Sex	Date of Birth			
V I C T I M	Local Address (Street, Apt. Number) (City) (State) (Zip)		Phone		Address Source			
	Business Address (Name, Street) (City) (State) (Zip)		Phone		Occupation			
P R O B A B L E C A U S E	<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 checked="" 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>15</u> day of <u>January</u>, <u>2021</u> at <u>00:18</u> (Specifically include facts constituting cause for arrest.)</p>							
	<p>On 1/15/2021 at approximately 0018 hrs, I was on patrol east bound on Town Center Drive approaching Edna Hibel Drive. Traveling in front of me was a white Jeep bearing FL tag DVR-B67. I observed as the Jeep disregarded the east facing stop sign by slowing down but failing to come to a complete stop at the stop sign. The vehicle then made a right turn (southbound) from the intersection. I conducted a traffic stop on the vehicle and made contact with the driver and sole occupant, James Retzler (DEFENDANT).</p> <p>I informed Retzler of the reason for the stop and asked for his driver's license. As I interacted with him I detected a strong odor of unknown alcoholic beverage emitting from the interior of the vehicle, which intensified as he spoke. Retzler had red glassy bloodshot eyes and spoke with slurred speech. After conducting a records check on Retzler I returned to the vehicle and asked him about the odor coming out of his car. He advised me that he is a brewer and makes beer for a living. I advised Retzler that I wanted him to participate in field sobriety exercises. I had him exit the vehicle at this point and the exercises were conducted. Let it be noted that while getting him in the starting position for the walk and turn he advised me that he had an injured right leg, therefore the seated battery exercises were utilized from this point forward.</p> <p>HORIZONTAL GAZE NYSTAGMUS</p> <ul style="list-style-type: none"> -No resting nystagmus in either eye -Equal tracking and equal pupil size -Lack of smooth pursuit in both eyes -Distinct and sustained nystagmus at maximum deviation in both eyes -Onset of nystagmus prior to forty-five degrees in both eyes. I estimated the angle of onset to be thirty degrees. -Vertical nystagmus present in both eyes -6 of 6 clues observed plus VGN -Swayed throughout exercise 							
S W O R N	SWORN AND SUBSCRIBED BEFORE ME		SIGNATURE OF ARRESTING / INVESTIGATING OFFICER		NAME OF OFFICER (PLEASE PRINT)		DATE	
	<p><i>[Signature]</i> # 349 NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)</p> <p>01/15/2021 DATE</p>		<p>SCANNED JAN 15 2021</p> <p>MCGILICUDDY, STEVEN (1216) NAME OF OFFICER (PLEASE PRINT)</p> <p>01/15/2021 DATE</p>		<p>PAGE 1 OF 2</p>			

A D M I N I S T R A T I V E	OBTS Number Agency ORI Number FL 0501700 Agency Name JUPITER POLICE DEPARTMENT Charge Type: <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	PROBABLE CAUSE AFFIDAVIT SUPPLEMENT	1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias 1 JUVENILE
	Agency Report Number 5 4 21-000155		Special Notes:
D E F	Name (Last, First, Middle) RETZLER, JAMES MICHAEL	Alias	Race W Sex M Date of Birth 02/24/1987
P R O B A B L E C A U S E S T A T E M E N T	<p>HAND COORDINATION</p> <p>Task 1 - Improper touch - Improper count</p> <p>Task 3 - Improper touch - Improper count</p> <p>Task 4 - Did not perform -5 clues (3 minimum)</p> <p>PALM PAT</p> <p>-Double pat -Chopped pad -Rolled pat -Did not increase speed -4 clues (2 minimum)</p> <p>FINGER TO NOSE</p> <p>The sequence given was L, R, L, R, R, L. He performed all touches by touching the pad of his finger to the tip of his nose, against instruction. During the RRL changeup he used his left finger instead of his right.</p> <p>RHOMBERG ALPHABET</p> <p>He began this exercise and then told me he could not perform it because he forgets the alphabet in certain situations.</p> <p>MODIFIED RHOMBERG</p> <p>-I had to stop Retzler at 60 seconds because he appeared to have fallen asleep. He was told to alert me when he had counted to sixty in in head.</p> <p>Based on my observations and investigation I had probable cause to believe that James Retzler had been in actual physical control of a vehicle while under the influence of an alcoholic beverage, chemical or controlled substance to the point that his normal faculties were impaired. I placed him under arrest at 0037 hrs. I requested that Retzler submit to an approved test of his breath for the purpose of determining the alcohol content. He refused. I read him implied consent from a prepared card and he advised that he understood it. He again refused to submit to a breath test, with a marked refusal time of 0039 hrs. I transported him to JPD for paperwork and then booked him into the county jail. He was given a court date of 2/17/2021 at 0830 hrs. VEHICLE-1 was properly parked so it was secured and left on scene. He was given an additional citation for running the stop sign. BWC.</p>		
	SWORN AND SUBSCRIBED BEFORE ME <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">  #349 NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) 01/15/2021 DATE </div> <div style="text-align: center;"> SCANNED JAN 15 2021 </div> <div style="text-align: center;">  SIGNATURE OF ARRESTING / INVESTIGATING OFFICER MCGILLICUDDY, STEVEN (1216) NAME OF OFFICER (PLEASE PRINT) 01/15/2021 DATE </div> </div>		
			PAGE 2 OF 2

WITNESS LIST

CASE NUMBER: 21-000155

ARRESTING OFFICER: S. MCGILlicuddy

ADDRESS: 196 Military Trl. Jupiter, FL 33458

PHONE NUMBERS (HOME): _____ (WORK) (561) 746-6201

CAN TESTIFY TO: PC

NAME: OFC. BIGTREE

ADDRESS: 196 Military Trl. Jupiter, FL 33458

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: BACKUP ON STOP

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: _____

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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: _____

NOT A CERTIFIED COPY

SCANNED
JAN 15 2021

SUBJECT: **RETZLER, JAMES MICHAEL**

CASE NUMBER: 21-000155

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 o chemical or controlled substances.

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

I am Officer S. MCGILLICUDDY of the Jupiter Police Department

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: Read on Camera **RETZLER, JAMES MICHAEL**

CONSTITUTIONAL WARNINGS

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

You have the right to remain silent and not answer any questions.

Any statement must be freely and voluntarily given.

You have the right to the presence of a lawyer of your choice before you make any statement and during any questioning.

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.

If at any time during the interview you do not wish to answer any questions, you are privileged to remain silent.

I can make no threats or promises to induce you to make a statement. This must be of your own free will.

Any statement can and will be used against you in a court of law.

SCANNED

JAN 15 2021

SUSPECT'S SIGNATURE: N/A **RETZLER, JAMES MICHAEL**

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

I, Officer S. MCGILLICUDDY, a duly certified Law Enforcement Officer or Correctional Officer,
(Name of Officer reading Implied Consent Warning)

am a member of Jupiter Police Department, and I do swear
(Name of law enforcement agency)

or affirm that on or about the 15TH day of JANUARY, 20 21, at 0037 P.M. A.M.

DRIVER JAMES MICHAEL RETZLER
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# R-324-453-87-064-0, state of FLORIDA, was placed under lawful arrest for

the offense of DUI by Officer S. MCGILLICUDDY and
(Name of Arresting Officer)

issued Citation # ADB9BLE

That on or about the 15TH day of JANUARY, 20 21, at 0039 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]
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:

Signature of Attesting Officer

Title

Date

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before

me this day of , 20 20 ,

by Officer S. MCGILLICUDDY ,

who is personally known to me or who has produced

Personally Known as identification

Notary Public

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

JAN 15 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: 2021001184	Date: 01/15/2021
	Specialist Name/ID: C. Denzel/8691

SCANNED
 JAN 15 2021