J# 0526224 21CT16294ANB

٦	OBTS Number	ARREST / NOTICE TO Juvenile Referral R	<del></del>	1. Arrest 3. Request for Warrar 2. N.T.A. 4. Request for Capias	
اِ	Agency ORI Number Agency Nan FLO 5 0 2 6 0 0 PALM BE	ACH GARDENS POLICE DEPA	ARTMENT 78	ncy Report Number 8 - 21004246	
STRAT	ChargeType:	3. Misdemeanor 5. Ord 4. Traffic Misdemeanor 6. Oth	linance ner	Weapon Seized / Type 1. Yes 2 2. No	Multiple Clearance Indicator
S D MEN	Location of Arrest (Including Name of Business) PGA Blvd./ Prosperity	/ Farms Rd.	Location of Offense (B PG	lusiness Name, Address) GA Blvd./ Prosperity Fa	ırms Rd.
`	Date of Arrest 09/26/2021 Time of Arrest 22:49		ail Date Jail T	ime Location of Vehicle 4701 East Ave, WP	B, FL
	Name (Last, First, Middle) Burke, Kerry,	С	Alia	as (Name, DOB, Soc. Sec. #, Etc.)	
ı	Race W - White I - American Indian B - Black 0- Oriental/Asian W F	of Birth Height 5':	Weight 160	Eye Color Hair Color Brown Brown	Complexion Build Light Medium
İ	Scars, Marks, Taloos, Unique Physical Features (Location, Tattoo: Cat, Neck		Marital Sing	Status Religion Indication	n of: Y N Unk.
DANT	Local Address (Street, Apt. Number)	h Palm Beach FL		hone (561) 801-2723 Residence 1. City 2. County	e Type: 3. Florida
EFEN	Permanent Address (Street, Apt. Number) 1841 Highland Dr Apt. B Nortl	(City) (State)  n Palm Beach FL	33408	hone Address 5	FCIC/NCIC
	Business Address (Name, Street)	(City) (State)	(Zip) P	hone Occupation	<b>9</b> 1
	D/L Number, State 4096399 D.C. Soc	. Sec. Number	INS Number	Place of Birth (City, S	
ËF	Co-Defendant Name (Last, First, Middle)		Race Sex	Date of Birth 1. Arrested 2. At Large	3. Felony 4. Misdemeanor
CO-DE	Co-Defendant Name (Last, First, Middle)		Race Sex	Date of Birth . 1. Arrested . 2. At Large	5. Juvenile 3. Felony 4. Misdemeanor 5. Juvenile
Н	Parent Name (Last) Legal Custodian	(FifSt)	(Middle		Residence Phone
	Other: Address (Street, Apt. Number)	(City)	(State	(Zip)	Business Phone
<u>س</u>	Notified by: (Name)	The state of the s	Time		THRS/DYS
JVENIL	Released To: (Name)	Relationship			arcerated Time
	The above address provided by Udefendant and / or to keep the Juvenile Court Clerk (Phone 355-2526) info	defendant's parents The child and / commed of any change of address.	or parent was told	School Attended	Grade
	Yes, by: (Name)  Property Crime?  Description of Property  Yes No	☐ No: (Reason)	<i>*</i>	Value of Property	
CODE	Drug Activity S. Sell R. Smuggle K. Dis N. N/A B. Buy D. Deliver Dis	pense/ M. Manufacture/ Z. Other tribute Produce/	N. N/A	B. Barbiturate H. Haltucinogen C. Cocaine M. Marijuana E. Heroin O. Opium/Deriv.	P. Paraphernalia/ U. Unknown Equipment Z. Other S. Synthetics
<u>ت</u> پو	P. Possess T. Traffic E. Use  Charge Description  DUI - Normal Faculties Impaired	Cuttivate  Counts Domestic Violence	A. Amphetamine Statute Violation Num 316.193(1)(A)		Violation of ORD #
CHAR	Drug Activity Drug Type Amount / Unit N/A	Offense #	Warrant I Capias Num	nber	Bond
_	Charge Description	Counts Domestic Violence	Statute Violation Num	ber	Violation of ORD #
CHARGE	Drug Activity Drug Type Amount / Unit	Offense #	Warrant / Capias Num	nber	Bond
H	Charge Description	Counts Domestic Violence	Statute Violation Num	nber	Violation of ORD #
CHARGE	Drug Activity Drug Type Amount I Unit	Offense #	Warrant / Caplas Num	nber	Bond
36	Charge Description	Counts Domestic Violence	Statute Violation Num	ber	Violation of ORD #
CHARGE	Drug Activity Drug Type Amount / Unit	Offense #	Warrant / Capias Nun	mber	Bond
R	NORTH COUNTY COURTHOUSE,	3188 PGA BOULEVARD.	PALM BEACH	H GARDENS, FL 33410 - P	H: (561) 662-6700
APPEA	Court Date and Time	2021	10.		PM
25	I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATION OF THE COURT AS REQUIRED IN THE COURT AS REQ	NATED TO ANSWER THE OFFENSE O	HARGED OR TO PAY	THE FINE SUBSCRIBED. I UNDERSTA	AND THAT SHOULD I WILLFULLY
NOT	Signature of Defendant (or Juvenile and Pare	ent /Custodian)		09/26/2021  Date Signed	
H	HOLD for other Agency Name:	Signature of Arresting Officer	2	Name Verification (Printed by Arrestee)	
ADMIN	☐ Dangerous ☐ Resisted Arrest	Name of Arresting Officer (Print)  James Lovett	1.D. # <b>523</b>	(PRINT)	SEP 27 AM 1:08
F	Suicidal Other:	Transporting Officer ID # James Lovett 523	Agency PBGPD	Wilness hape if subject signed with an	<u> </u>
ـــا	DISTRIBUTION: WHITE - COURT COPY		LLOW-AGILCY		DANT (N.T.A.'s ONLY)

#### **D.U.I. PROBABLE CAUSE AFFIDAVIT**

On the _	26	day of	Septembe	e <b>r</b> 2	021	_ at	22:30	AM PM	
Subject:	Burke,	Kerry, C				Case	Number:	2100424	6
Agency:	PALM BEA	CH GARDENS PO	LICE DEPARTMI	ENT Arrest	ing O	fficer: <u>·</u>	James Lo	vett	523
			PERSOI	NAL CONT	ACT				
DRIVING	PATTERN:	(Actual Physical Co	ntrol; Physical Evi	dence or State	ements I	Putting D	efendant Beh	ind Wheel of	Vehicle)
traffic sunset sole o	stop with necupant	26th, 2021, on a white o taillight of the veh license.	Jeep beari s activate	ng FL ta d. I mad	ig QR le co	AJ53 : ntact	for oper with th	rating a ne drive	fter r and
7	TION OF D							_	
		tact with B half full w					,	o, and	
DRIVER S	TATEMEN	TS:			·		···		
cockta glass	il and when I	she was com another win returned to license.	e drink. A	lso, she	att	emote	d to con	ceal th	e wine
ODORS:	The odor of	an unknown alcoh	olic beverage em	itting from he	er breat	th at a co	nversational	distance.	
		nt, argumentative,		L OBSERV	'ATIO	NS			
MEDICAL	/OTHER: I	Broken left foot in 1	the past			· · · · · · · · · · · · · · · · · · ·			
TATE OF FL	PALM BEA		_		U		IRE OF ATTESTI		21
Jame	s Jovett	vas sworn to or affir 523 urt, Officer (FSS 117	who is person Note Pari		me or [		y of Sept	STAMP	20_21_by
<u> </u>	`				~~~	~~			

#### **D.U.I. PROBABLE CAUSE AFFIDAVIT Cont.**

Subject: Burke, Kerry, C	Case Number: 21004246
ROADSIDE TASKS	
HORIZONTAL GAZE NYSTAGMUS:	
LEFT EYE	RIGHT EYE
Lack of Smooth Pursuit	Lack of Smooth Pursuit
Distinct & Sust. Nystag. at Max. Deviation	Distinct & Sust. Nystag. at Max. Deviation
Onset of Nystagmus Prior to 45 Degrees	Onset of Nystagmus Prior to 45 Degrees
Other Observations:	
Burke stated she understood all instructions sway during the task. She also moved her head	
Walk and Turn	
argumentative. Burke did not hold the instruction possible started too soon. During her first sequence of stheel to toe on steps 1, 6, 14, and 15. She stepped of not make a turn and stated she forgot second sequence uttered "I do this in yoga sober when I wake up and it	eps, she took 15 steps. She missed f the line on step 13. She then did of steps. She also spontaneously
Walk and Turn Cont.  On her second sequence steps, she took 15 steps.	
One Leg Stand  Burke stated she understood all the instruct	ions She raised her left foot
due to breaking it in the past. During the t balance and swayed. She also did not count or legs straight.	ask, Burke used her arms for
BREATH RESULTS: 1) Refused @ 2) Refused @ 3	<u> </u>
STATE OF FLORIDA	
COUNTY OF PALM BEACH	SIGNATURE OF ATTESTING OFFICER
The forgoing instrument was sworp to or affirmed and subscribed before me thi  James Loyett 523 who is personally known to me	or produced
Notary Public, Clerk of Court, Officer (FSS 117.10)  Notary Public State Paris Pound My Commission GG Expires 03/25/2022	200028 STAMP



# PALM BEACH GARDENS POLICE DEPARTMENT DUI TESTING FACILITY INFORMATION SHEET



PBSO Case #: 21 - 110 9 6 8	PBSO Zone: 3-15						
Agency Case #: 21004246							
Incident Informat	tion:						
Time of Stop/Crash: 22:30 Date of Incident:	09/26/2021 Day: Sunda	<u>y</u>					
Location of Incident: PGA Blvd./ P	rosperity Farms Rd.						
Arrest Information:							
Time of Arrest: 22:49 Date of Arrest: 0	9/26/2021 Day: Sunday						
Location of Arrest: PGA Blvd./ Pr	osperity Farms Rd.	<del></del> -					
Subject's Name: Burke Kerry	C DOB: 01/04/1988						
	5'5" Weight: 160	_					
Arresting Officer's Name: James Lovett	ID#: <b>523</b>						
Agency: PBGPD Division: Road Patr							
	BAT Use						
BAT Notified: YES							
Breath Results	Arrival Time at BAT: 23:14	<u> </u>					
1)athrs.	Subject Arrest Time: 22:49	<u> </u>					
2) hrs.							
4) athrs.							

Breath Test Operator: 24639

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

ĭ, James Lovett	, a duly certified Law Enforcement Officer or Correctional Officer,
(Name of Officer reading Implied Consent Warning)	
	DENS POLICE DEPARTMENT , and I do swear
·	aw enforcement agency)
or affirm that on or about the 26 day of Spetemb	per , 20 21 , at 22:49 ☑ P.M ☐ A.M.
DRIVER Kerry	C Burke ,
,	OR MAIDEN NAME LAST NAME
DL# 4096399 , state of	f D.C. , was placed under lawful arrest for
the offense of DUI - Normal Faculties Impaired	
issued Citation # AECPNSE	(Name of Arresting Officer)
That on or about the 26 day of Septemb	per , 20 21 , at 23:39 P.M A.M.
in PALM BEACH County,	
I requested that the driver submit to a X breath a	nd/or rine test to determine his or her blood alcohol leve
	tances. I informed the driver that the refusal to submit to sucriving privilege for a period of one (1) year for a first refusal, or
	driving privilege had been previously suspended for refusing
	ed the driver that he or she commits a misdemeanor by refusir
	is or her driving privilege has been previously suspended for
	th, urine, or blood. Additionally, I informed the driver that if h
or she holds a CDL, or was operating a CMV, refus	sal will result in the disqualification of the Commercial Driver
License/driving privilege for a period of one (1) ye	ear in the case of a first refusal or permanently if he or she ha
	sal to submit to any such lawful test. Monetheless, the drive
refused to submit to the test(s) requested.	
	St. / St. /F. S OSS
	Signature of Law Enforcement Officer or Correctional Officer
	dorrectional Officer
THE AFFIDAVIT MUST BE N	NOTARIZED OR ATTESTED TO (F.S. 117.10)
Notary Public State of Florida Paris Pound	The foregoing instrument was sworn and subscribed before me:
My Commission GG 200028 Expires 03/25/2022	Signature of Attesting Officer
CANCELLA BUNDANCE	Signature of Attesting Officer
The foregoing instrument was sworn and subscribed before	Title
me this 26 day of September, 20 21,	Date
by James Lovett ,	Note: Mail or hand deliver to the designated
	Bureau of Administrative Reviews office,
who is personally known to me or who has produced	Department of Highway Safety and Motor
as identification	Vehicles, with the driver's license, the
Notary Public	appropriate copy of the UTC, and the probable cause affidavit.
HSMV-BAR 1001 (REV. 10/2016)	
<b>\</b>	

#### **DUI WITNESS LIST**

Arresting Officer: James Lovett	523 Email:	JLovett@	)PBGFL.	com
Agency Address: 10500 N. Military Trl. PBG, FL 3.	3410	Phone: <u>(5</u>	61) 799-44	45
Can Testify To: Facts of Case				
Backup Officers: Ofc. Jason Hennessy #409				
Agency Address: 10500 N. Military Trl. PBG, FL 33	3410	Phone: (5	61) 799-44	45
Can Testify To: Investigation				
Crash Investigator		Fmail:		
Crash Investigator:		— Phone:		
Breathalyzer Technician: Pound	ID: <u>24</u>	037	_ Agency: <u> </u>	BSU
DRE:	ID#	Agency (	Case #:	<del></del>
Agency Address:	Phone:		Email:	
Name:				
Address:				
Can Testify To:				☐ Wheel Witness
Name:				
Address:	,			
Can Testify To:				☐ Wheel Witness
Nema				
Name:				
Address:Can Testify To:				☐ Wheel Witness
can restily ro.				wheel withess
Name:		Involve	ment:	
Address:				
Can Testify To:				☐ Wheel Witness
	· · · · · · · · · · · · · · · · · · ·			— Wilcer Withess
Name:		Involve	ment:	
Address:				
Can Testify To:				
Name:		Involve	ment:	
Address:				
Can Testify To:				

#### **TESTING FACILITY TASK REPORT**

	AGENCY: PBG						
SUBJECT: BURKE, KERRY C	CASE NUMBER: 21-110908						
DATE: Sep 26, 2021	VIDEO DVD NUMBER: N/A						
BEGINNING TIME: 23:37	ENDING TIME: 23:42						
BREATH TESTS RESULTS: 1) R TIME 23:39 A.M. F	P.M.⊠ 2) N/A TIME N/A A.M.⊠ P.M.□						
3) N/A TIME N/A A.M.	P.M 4) N/A TIME N/A A.M P.M						
BREATH OPERATOR: P.POUND #24639							
MAINTENANCE TECHNICAN: J. KARLECKE# 6467							
TESTING OFFICER'S OBSERVATIONS	REFUSED						
SPEECH: SLURRED							
ATTITUDE: TALKATIVE, LOUD, PROFANITY							
CLOTHING: BLUE / WHITE DRESS , NO SHOES							
MEDICAL CONDITIONS: NONE							
MEDICATIONS: NONE							
OTHER:							
COMMENTS:  ARRIVED AT CENTER A/O BEGAN THE 20 MINUTE OB							
	SERVATION PERIOD AT 23:14 HRS.						
SUBJECT: REFUSED TO TAKE TEST  A/O: READ I/C							
SUBJECT: STATED SHE UNDERSTOOD I/C AND	REFUSED TO TAKE TEST						
A/O: READ RIGHTS							
SUBJECT: STATED SHE UNDERSTOOD RIGHTS							
A/O: ATTEMPTED Q&A	REFUSED						

SUBJECT: INVOKED HER RIGHTS TO COUNSEL

SUBJECT:	Purchase t.	18 V1	ر نے	CASE NUMBER:	٠.
CODJECT.		<del></del>	<del>/</del>	ONOD NOMBER.	

#### **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? \_\_\_\_\_\_\_ ARE YOU UNDER THE INFLUENCE? \_\_\_\_\_\_ HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? \_\_\_\_\_ HOW MUCH? \_\_\_\_\_ WHEN? WHERE? WHEN DID YOU LAST WORK? \_\_\_\_\_ WHAT LINE OF WORK ARE YOU IN? 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?

SURIFCT	Burke	Kenne	$\mathcal{C}$	CASE NUMBER:	*	<i>.</i>	
OUDJECT.							

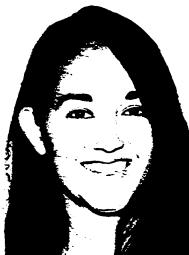
## IMPLIED CONSENT FOR DUI IN A MOTOR VEHICLE

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					
contentOR-					
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)					

WHITE - STATE ATTY. YELLOW - DHSMV PINK - CENTRAL RECORDS GOLD - JAIL

### **WASHINGTON, DC**

**DRIVER LICENSE** 



Luf Bule

4d.DLN 4096399

1.FAMILY NAME

4b.EXP

01/04/2025



USA

BURKE 2.GIVEN NAMES KERRY CLAIRE

8.ADDRESS

2112 8TH ST NW APT#332 WASHINGTON, DC 20001-8204

15.SEX 16.HGT 17.WGT 18.EYES **F 5'-05" 135 BRO** 

9.CLASS

D

9a.ENDORSEMENTS

0

12.RESTRICTIONS

0

3.DOB 01/04/1988

4a.ISS

07/08/2017

**DONOR** 

5.DD: 21735315



#### Palm Beach County Sheriff's Office - Arrests Only

	х	Florida State Statute	Description	Page Number(s)
		119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
tions		943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
L/E Exemptions		119.071(4)(c)	Undercover personnel.	
I/E E		119.071(2)(f)	Confidential informants (Cls).	
		119.071(2)(e)	Confession.	
suc		985.04(1)	Juvenile offender records.	
mptic		119.071(h)(i)	Assets of a crime victim.	
Public Info. Exemptions		395.3025(7)(a), 456.057(7)(a)	Medical information.	
blic In		394.4615(7)	Mental health information.	
Pu		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.	
	×	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers	2
		(viii) 394.4615(7)	Clinical records under the Baker Act.	
of 23)		(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
Rule		(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
ation 2.420				
Florida Rules of Judicial Administration 2.420 (Rule of 23)				
es of Judicia				
Florida Rul				
		<b>40</b>		
Jer			Other:	
Other		<b>Y</b>	Other:	

#### **REVIEW COMPLETED BY**

Booking Number: 2021024134	Date: 9/27/2021
500kiig (Valide): 2021024134	Specialist Name/ID: M.Meek/33849