

50-2020-CT-008914. AMB

NH

Arrest Report

0517621

3470

FLORIDA HIGHWAY PATROL
P.O. BOX 16007, LAKE WORTH, FL 33416

Report Date / Time 7/23/2020 03:10 AM	Report Number FHP99ARR823330	Case Number/Cad Number FHPK20OFF031909 / LWRC20CAD107139	Reporting Officer Name LAMPIASI, JAKE
Originating Agency ORI	Occur Date Time Range 07/23/2020 02:03:38 -	Jurisdiction	Clearance

Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description SB IN NB LANES			
Street Number	Street S SR-91 FLORIDAS TURNPIKE MM74NB	Apt/Lot/Bldg	City UNINCORPORATED	State FL	Zip Code 33446

Defendant

First Name MARIO	Middle Name	Last Name MELO	Suffix	Race HISPANI W	Sex MALE	Height 510	Weight 200	Hair BRO	Eyes BRO
MNI #	SSN	Date of Birth 05/09/1959	Age 61	ID Type E	Drivers License or other ID M400540591690	State FL	OCA / Agency ID		
Place of Birth:	HAVANNA CUBA								
Address	* RESIDENCE / 1472 AVON LN APT 11 , NORTH LAUDERDALE, FL 33068 /								

Arrest

Arrest Date/Time. 7/23/2020 2:31:26 AM	Arrest Location Type RESIDENCE	Arrest Location Description				
Street Number	Street S SR-91 FLORIDAS TURNPIKE MM74NB	Apt/Lot/Bldg	County PALM BEACH	City UNINCORPORATED	State FL	Zip Code 33446

Charge : S

Counts 1	Charge 316.193.1 (A)	Bond Amount \$0.00	<input type="checkbox"/> No Bond
Charge Degree N	Charge Level MISDEMEANOR	General Offense Code DUI-UNLAW BLD ALCH	
Charge Description DUI ALCOHOL OR DRUGS			
Is Arrestee Juvenile?		No	
Type of Arrest		On-View Arrest (apprehension without a warrant or previous incident report)	

Bond Set by Court

Bond Amount	<input type="checkbox"/> No Bond	JUL 23 AM 5:05
Bond Type(s)		

DS COLLINS 7622

LAMPIASI, JAKE TPR 4635

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Probable Cause

On the above date and time, I, Trooper J. Lampiasi ID1716, received a call from dispatch regarding a reckless vehicle traveling the wrong way, southbound within the northbound lanes. Dispatch stated that they had had visual of the suspect vehicle, a dark sedan, on camera. The suspect vehicle was traveling southbound within the left shoulder of the northbound side.

I observed the suspect vehicle bearing FL tag JINP58 stopped within the left shoulder of the northbound lanes, facing southbound. I stopped my patrol vehicle within the left shoulder, southbound, adjacent to the vehicle with the concrete traffic barrier separating us. I observed the driver, later identified as Mario Melo via FCIC/NCIC, within the driver seat with the vehicle running. I asked Mr. Melo to step out of the vehicle at that time.

Mr. Melo appeared to have watery/glassy eyes. I smelled the odor of an alcoholic beverage emitting from within the vehicle. As Mr. Melo spoke, I smelled the odor of an alcoholic beverage emitting from his breath. As Mr. Melo exited his vehicle, he appeared to be very uneasy on his feet. Mr. Melo had to use the vehicle as an assist to stand. Mr. Melo appeared to almost fall at times when standing still. I had to assist Mr. Melo in walking at times.

At that time, I requested Mr. Melo to participate in Standardized Field Sobriety Tasks (SFST's). Mr. Melo agreed to participate without any issues. Mr. Melo performed poorly on SFST's (See dash-cam video as well as full incident report at a later date). Mr. Melo was arrested for Driving Under the Influence. Mr. Melo was searched incident to arrest. Mr. Melo was handcuffed (double locked) and placed in the rear of my patrol vehicle. Mr. Melo's vehicle was searched incident to arrest and inventory with negative findings.

Mr. Melo was transported to the Palm Beach County Jail without incident. While at the jail, I requested Mr. Melo to submit to a lawful test of his breath. Mr. Melo refused and was read implied consent at 0344 hours. Mr. Melo refused once again after implied consent was read. After all pertinent forms were completed, I transferred Mr. Melo into the custody of the Palm Beach County Sheriff's Office for

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booking.

Jail Booking Facility

Booking Date/Time 7/23/2020 03:16 AM	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			

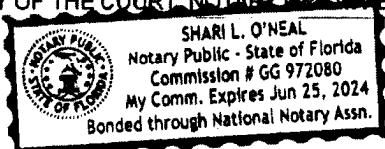

Court

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 08/20/2020 8:30AM	Court Fine
Comments			

Officer Name Rank / ID # LAMPIASI, JAKE TPR	Involvement On Report / Reporting Role REPORTING OFFICER	Officer Agency Org/Unit FLORIDA HIGHWAY PATROL FHPKILWRCCWPBISR91 118-142
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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 LAMPIASI, JAKE	Office Rank TPR	Officer ID No 4635	Sworn and subscribed before me, the undersigned authority This the <u>23</u> day of <u>July</u> , 20 <u>20</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT
Officer Agency FLORIDA HIGHWAY PATROL			
Officer Signature 			

No Bill / Petition
 Issue Warrant
 Prosecution Approved

Signature of Assistant State Attorney _____ Date _____

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

I, LAMPIASI, JAKE, 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 23 day of July, 2020 at 231 P.M. A.M.

DRIVER MARIO MELO
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# M400540591690, state of FL, was placed under lawful arrest for

the offense of 316.193(1)
D.U.I. - ALCOHOL OR DRUGS (MISDEMEANOR) by LAMPIASI, JAKE and
(Name of Arresting Officer)

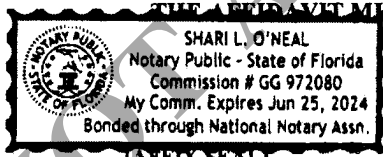
issued Citation # A76YFOE

That on or about the 23 day of July, 20 20, at 0344 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.

Signature of Law Enforcement Officer or
Correctional Officer

THE AFFIDAVIT MUST BE NOTARIZED OR ATTESTED TO (F.S. 117.10)



(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before
me this 23 day of July, 20 20.

by _____,

who is personally known to me or who has produced

_____ as identification.

Notary Public Shari O'Neal

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.



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

PBSO CASE # 20-090101 PBSO ZONE 7-33

AGENCY CASE # FHPK200FF031909 CRASH CASE # _____

TIME OF STOP/CRASH 0212 DATE 07/23/2020 DAY Thursday

SUBJECT'S NAME Mario Melo RACE W SEX M

HGT 5-10 WGT 200 DOB 05/09/59

LOCATION SR-91 MM 74 NB, Palm Beach County, FL 33433

ARRESTING OFFICER'S NAME & ID J. Lampiasi 1716 AGENCY FHP/K

DIVISION: _____

NOTIFIED BY COMMO Yes

ARRIVAL AT FACILITY 0320hrs

BREATH RESULTS: Arrest Time 0231

- 1. _____
- 2. _____
- 3. _____
- 4. _____

TESTING OFFICER'S ID 6212

NOT A CERTIFICATE

TESTING FACILITY TASK REPORT

AGENCY: FHP TRP. LAMPIASI #1716

SUBJECT: MELO, MARIO

CASE NUMBER: 20-090101

DATE: 07-23-2020

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 0342 HRS

ENDING TIME: 0350 HRS

BREATH TESTS RESULTS: 1) R TIME 0344 A.M. P.M. 2) TIME A.M. P.M.
3) TIME A.M. P.M. 4) TIME A.M. P.M.

BREATH OPERATOR: S.O'NEAL #6212

MAINTENANCE TECHNICAN: J. KARLECKE #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLUR, PRONOUNCED

ATTITUDE: CALM, COOPERATIVE, COMPLAINING ABOUT THE HANDCUFFS

CLOTHING: SHIRT- TURQOISE PANTS-BLACK JEANS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES: VERY RED, GLASSY

COMMENTS:

20 MIN. OBSERVATION DONE BY A/O LAMPIASI #1716
A/O REQUESTED THE BREATH TEST.
D REFUSED THE REQUEST.
A/O READ THE IMPLIED CONSENT ON CAMERA.
D UNDERSTOOD THE I/C.
D STILL REFUSED THE BREATH REQUEST AFTER THE I/C WAS READ.
C/W READ ON CAMERA.
Q&A CONDUCTED.

SUBJECT: Mario Molo CASE NUMBER: FHPK 200 FF 031909

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? NO

WHERE WERE YOU GOING? Home

WHAT STREET OR HIGHWAY WERE YOU ON? Dont know

DIRECTION OF TRAVEL? E WHERE DID YOU START? West

WHAT TIME DID YOU START? 9:30pm WHAT TIME IS IT NOW? Dont know

WHAT IS TODAY'S DATE? 07/23/2020 WHAT DAY OF THE WEEK IS IT? Thursday

WHAT COUNTY AND CITY ARE YOU IN NOW? Broward County, Miramar

WHEN DID YOU LAST EAT? 07:00pm WHAT DID YOU EAT? Sandwich/Subway

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? Working

HOW MUCH DO YOU WEIGH? 225 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? Manufacturer Windows WHEN DID YOU LAST WORK? yesterday

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? NO WHAT? -

ARE YOU SICK OR INJURED? NO WHAT'S WRONG? -

DO YOU LIMP? NO DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? NO

WERE YOU IN AN ACCIDENT TODAY? NO

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? NO WHEN? -

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? NO WHO? - WHY? -

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? NO WHAT? - WHEN? -

- DO YOU HAVE: EPILEPSY? NO
- GLASS EYE? NO
- FALSE TEETH? NO
- EAR INFECTION? NO
- INNER EAR TROUBLE? NO
- DIABETES? NO

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? NO

DO YOU TAKE INSULIN? NO IF SO, WHEN WAS YOUR LAST INJECTION? -

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? NO WHERE? -

INTERVIEWER: J. Campani

SUBJECT: Mario Melo CASE NUMBER: FHPK24001031909

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) _____



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

REVIEW COMPLETED BY

Booking Number: 2020017590	Date: 7/23/2020
	Specialist Name/ID: B Evans / 23649