

# Arrest Report

20 CT-16673

FLORIDA HIGHWAY PATROL  
P.O. BOX 540007, GREENACRES, FL 33454

Report Date / Time 12/21/2020 04:02 AM	Report Number FHP99ARR817546	Case Number/Cad Number FHPL20OFF072926 / LWRC20CAD196524	Reporting Officer Name MASTERSON, MONIQUE
Originating Agency ORI	Occur Date Time Range 12/21/2020 02:57:36 -	Jurisdiction	Clearance

### Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description INTERSTATE 95 (SR9)
Street Number N CR 812 (LANTANA RD)	Street	Apt/Lot/Bldg LAKE WORTH
City LAKE WORTH	State FL	Zip Code 33480

### Defendant

First Name NICOLE	Middle Name MANUELLA	Last Name SAONA	Suffix	Race WHITE	Sex FEMALE	Height 504	Weight 198	Hair BRO	Eyes BRO
MNI #	SSN	Date of Birth 06/31/1999	Age 21	ID Type E	Drivers License or other ID S500633998110	State FL	OCA / Agency ID		
Place of Birth:	QUEENS NY USA								
Address	* RESIDENCE / 135 NW 20TH ST , BOCA RATON, FL 33431 /								

### Arrest

Arrest Date/Time 12/21/2020 3:28:57 AM	Arrest Location Type PUBLIC PLACE	Arrest Location Description INTERSTATE 95 (SR9)
Street Number N CR 812 (LANTANA RD)	Street	Apt/Lot/Bldg LAKE WORTH
County PALM BEACH	City LAKE WORTH	State FL
		Zip Code 33460

### Charge : S

Counts 1	Charge 316.193.1a	Bond Amount \$0.00	<input type="checkbox"/> No Bond
Charge Degree S	Charge Level MISDEMEANOR	General Offense Code DUI-UNLAW BLD ALCH	
Charge Description DUI INFLUENCE OF ALCOHOL OR DRUGS			

### Bond Set by Court

Bond Amount	<input type="checkbox"/> No Bond
Bond Type(s)	

### Probable Cause

On 12/21/20 I Trooper Masterson was in route to a 911 call of a blue sedan stopped northbound on Interstate 95 (State Road 9) north of County Road 812 (Lantana Road) in the outside lane. As I approached 6th Avenue I observed a dark

### Arrest Report

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sedan stopped in the outside lane northbound on Interstate 95. I activated my emergency lights behind the vehicle. The vehicle stayed stopped in the outside lane.

I approached the vehicle on the passenger side. I observed a female in the driver seat with her head slumped forward. The driver was the sole occupant of the vehicle. The keys were in the ignition. The vehicle was on and running. The driver had a seat belt on. I knocked on the window to wake the driver up. The driver did not respond. I walked over to the driver side. I observed the driver's chest rising and falling. The driver was breathing. I knocked on the driver side window with my fist and flash light. The driver did not respond. I requested for EMS. The vehicle's doors were locked. A second unit arrived (Trooper Gonzalez) and placed his FHP patrol vehicle in front of the stopped vehicle to avoid the driver from driving off. The vehicle was still in drive. Once safety precautions were in place I broke the back right window the gain access to the inside of the vehicle. I unlocked the vehicle once the window was broken. I opened the front passenger door for Trooper Gonzalez and EMS who arrived on scene. I entered the vehicle from the rear right door. I placed my hand on the driver's right shoulder and shook her. The driver woke up. I asked the driver if she was okay. The driver stated, "I'm good". I asked the driver if she was on any medications. The driver stated no and that she was good.

EMS began to check her to see if she had any immediate medical issues. EMS told me she was fine. The driver was ID by her Florida license as "NICOLE, MANUELLA, SAONA" (S-500-633-99-811-0). I asked Ms. Saona if she had been in an accident. Ms. Saona stated no. I asked Ms. Saona why she was stopped in the middle of the road. Ms. Saona stated she did not know. I asked Ms. Saona if it was unusual for her to be stopped in the middle of the road. Ms. Saona stated she did not know. As I spoke with Ms. Saona I could smell a distinct odor of an alcoholic beverage omitting from her breath. I asked Ms. Saona to exit her vehicle. I had Ms. Saona stand in front of my patrol vehicle. I asked Ms. Saona where she was coming from. Ms. Saona stated she was coming from Ft Lauderdale. I asked Ms. Saona where she was going to. Ms. Saona stated she was going to Boca Raton to where she was currently living. Ms. Saona was approximately three cities north of the city of Boca Raton. Ms. Saona's gps on her phone was even directing her to make a U turn. I observed Ms. Saona to have red

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eyes and an uneasy balance as she stood. Ms. Saona spoke with a thick tongue and slurred speech.

I informed Ms. Saona I was conducting a DUI investigation due to the signs of impairment I observed during the traffic stop. Ms. Saona stated she understood. I asked Ms. Saona a series of medically related questions. I asked Ms. Saona if she recently was in a crash. Ms. Saona stated no. I asked Ms. Saona if she suffered from and head, neck, spine, back, hip, leg, foot, knee injures or pain. Ms. Saona stated no. I asked Ms. Saona if she suffered from strokes, seizures, or diabetes. Ms. Saona stated no. I asked Ms. Saona if she was in any pain. Ms. Saona stated no. I asked Ms. Saona if she wanted to participate in voluntary Field Sobriety Exercise (SFST). Ms. Saona agreed to them.

The first exercise was the Horizontal Gaze Nystagmus. Ms. Saona was placed in the starting position of standing up straight with feet together and arms by her side. I instructed Ms. Saona to keep her head and body still during the entirety of the first exercise. I explained to Ms. Saona that I would move my pen from side to side and for her to move her eyes only. I asked Ms. Saona if she understood the instructions. Ms. Saona stated that she understood. Ms. Saona had a lack of smooth pursuit in both eyes, distinct and sustained Nystagmus at maximum deviation in both eyes, and onset of Nystagmus prior to 45 degrees in both eyes. Vertical Gaze Nystagmus was tested. Ms. Saona did have Vertical Nystagmus present in both eyes. Ms. Saona moved her head during the of the exercise multiple times.

The second exercise was the Walk and Turn. I instructed and demonstrated Ms. Saona to place her left foot on the parking line followed by her right foot in front of her left foot touching heel to toe. I explained and demonstrated to Ms. Saona that her arms are to stay by her side and not to raise at any point during this exercise. I instructed and demonstrated Ms. Saona to stay in that position (the starting position) while I give the rest of the instruction to the test. I specifically instructed Ms. Saona to not begin the exercise until told to do so. I explained and demonstrated to Ms. Saona, when I tell her to begin that her first step will be with her left foot. I instructed and demonstrated to Ms. Saona that she will take nine heels to toe steps and to count out loud what number step she was on while looking at her step. I instructed and demonstrated the turn portion of the exercise

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that comes after the ninth step. I explained to Ms. Saona the turn will consist of her keeping her lead foot on the ground and pivoting off it with a series of small steps using her other foot. I asked Ms. Saona if she understood the instructions throughout giving the instructions. Ms. Saona stated she did understand the instructions. Ms. Saona failed to stay in the ready position during the period of instruction. Ms. Saona had a hard time getting into the starting position. Ms. Saona could not keep balance while in the starting position. Ms. Saona started the exercise before told to begin. Ms. Saona performed an improper turn. Ms. Saona used his arms for balance. Ms. Saona did not walk heel to toe. Ms. Saona walked 9 steps up the line but never took any steps back down the line. Ms. Saona stepped off the line. Ms. Saona stopped during the exercise to regain balance.

The third exercise was the One Leg Stand. I instructed and demonstrated Ms. Saona to stand with her feet together and arms by her side; the same as the first exercise. I specifically informed Ms. Saona to not begin the exercise until told to do so. I explained and demonstrated to Ms. Saona that she will pick up any leg of choice and raise it above the ground approximately six inches and to look at her foot until told to place her foot back on the ground. I instructed Ms. Saona to count out loud the seconds that pass by while her foot is raised above the ground. I informed Ms. Saona to not place her foot on the ground unless she felt they were going to fall. I asked Ms. Saona if she understood the instructions throughout giving the instructions. Ms. Saona stated she understood. Ms. Saona put her foot down. Ms. Saona used her arms for balance. Ms. Saona hopped. Ms. Saona swayed when she was not hopping or putting her foot down.

#### Horizontal Gaze Nystagmus

- Lack of smooth pursuit in both eyes
- Distinct and sustained Nystagmus at maximum deviation in both eyes
- Onset of Nystagmus prior to 45 degrees in both eyes.

#### Walk and Turn

- Started too soon
- Could not keep balance while in the starting position
- Did not walk back down the line

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- Raised arms
- Stepped off line numerous times
- Failed to walk heel to toe
- Improper turn
- Stopped during the exercise

**One Leg Stand**

- Swayed
- Used arms for balance
- Hopped
- Put foot down

Based on the initial indicators that I observed during the traffic stop and the clues that I observed during the SFST exercises, I placed Ms. Saona under arrest for DUI (Florida Statute 316.193.1A) at 3:28 AM on 12/21/2020. Ms. Saona was cited for improper stop/standing in the middle of the interstate (316.194.1).

I conducted a thorough search of Ms. Saona and placed her in my patrol vehicle. Once Ms. Saona was placed in the back right seat of my patrol vehicle I could smell an obvious odor of an unknown alcoholic beverage filling up my patrol that was not present prior to Ms. Saona being in my vehicle. Ms. Saona cried the entire time while in the patrol vehicle. I transported Ms. Saona to the Breath and Alcoholic Testing Facility (BAT). At the BAT Ms. Saona underwent a 20 minute observation. Ms. Saona agreed to give samples of her breath on camera. Ms. Saona gave two samples of her breath. Ms. Saona blew a .167 and .168. Ms. Saona Miranda rights were read on camera. Ms. Saona chose to not answer a series of questions.

Ms. Saona was walked over to the Palm Beach County jail. PBSO jail took custody of Ms. Saona. There were no further incidents with Ms. Saona. All above events occurred in Palm Beach County. All events were captured on FHP 1388.

**Jail Booking Facility**

Booking Date/Time	Booking County PALM BEACH	Booking Facility PALM BEACH COUNTY CORRECTIONS	Booking Facility Phone (561) 688-4400
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Booking Facility Location 3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406	Booking Number
Booking Comments	


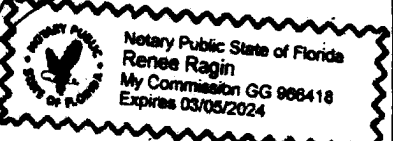
**Court**

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 01/14/2021 8:30AM	Court Fine
Comments			

Officer Name Rank / ID # MASTERSON, MONIQUE TPR	Involvement On Report / Reporting Role REPORTING OFFICER	Officer Agency Org/Unit FLORIDA HIGHWAY PATROL FHPLILWRCC\PALM BEACH\SR804 JSOF SR702
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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 MASTERSON, MONIQUE	Office Rank TPR	Officer ID No 4467	Sworn and subscribed before me, the undersigned authority This the <u>21</u> day of <u>Dec</u> , <u>2020</u> DEPUTY OF THE COURT / NOTARY OR LAW ENFORCEMENT
Officer Agency FLORIDA HIGHWAY PATROL	 		
Officer Signature			

<input type="radio"/> No Bill / Petition <input type="radio"/> Issue Warrant <input type="radio"/> Prosecution Approved	Signature of Assistant State Attorney	Date
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FLORIDA DEPARTMENT OF LAW ENFORCEMENT  
ALCOHOL TESTING PROGRAM  
BREATH ALCOHOL TEST AFFIDAVIT

Instrument Type: Intoxilyzer 8000  
Instrument Registered To: PALM BEACH CO SO  
Instrument Serial Number: 80-006240 Software: 8100.27  
Date of Test: 12/21/2020

Date of Last Agency Inspection: 12/11/2020

Observation Period Began: 03:59

Subject's Name: NICOLE M SAONA

DOB: 08/31/1999 Sex: F

The subject was observed for at least twenty-minutes prior to the administration of the breath test to ensure that the subject did not take anything orally and did not regurgitate.

Results:	Test	g/210L	Time
	Diagnostics Check	OK	04:25
	Air Blank	0.000	04:25
	Control Test	0.081	04:25
	Air Blank	0.000	04:26
	Subject Sample #1	0.168	04:26
	Air Blank	0.000	04:27
	Air Blank	0.000	04:29
	Subject Sample #2	0.167	04:29
	Air Blank	0.000	04:30
	Control Test	0.080	04:30
	Air Blank	0.000	04:31
	Diagnostics Check	OK	04:31

Cylinder Lot: 14020080A1  
Exp: 07/05/2022

State of Florida, County of PALM BEACH

Personally appeared before me the undersigned authority, who () is personally known to me or () produced \_\_\_\_\_ as identification, and who after being placed under oath, states:

I PARIS D POUND, hold a valid Breath Test Operator permit issued by the Florida Department of Law Enforcement, I administered the above breath test to the subject named above in accordance with Chapter 11D-8, Florida Administrative Code, and this form is a true and accurate report of that breath test.

Breath Test Operator: \_\_\_\_\_

Signature

Date: 12/21/20

Sworn to (or affirmed) before me this 21<sup>st</sup> day of December, 2020

Signature of Notary Public-State of Florida

TRP. M. MASTERSON  
Printed Name of Notary Public-State of Florida

Note: Pursuant to section 117.10, Florida Statutes, law enforcement officers, correctional officers, traffic accident investigation officers and traffic infraction enforcement officers are notaries public when engaged in the performance of official duties. In accordance with section 316.1934(5), F.S., this completed form is admissible without further authentication and is presumptive proof of the results herein. To be used in accordance with Section 316.1934(5), F.S., and in administrative proceedings pursuant to 322.2615, F.S.

# TESTING FACILITY TASK REPORT

AGENCY: FHP-L

SUBJECT: SAONA, NICOLE M

DATE: Dec 21, 2020

BEGINNING TIME: 04:22

CASE NUMBER: 20-138870

VIDEO DVD NUMBER: N/A

ENDING TIME: 04:33

BREATH TESTS RESULTS: 1) .168 TIME 04:26 A.M.  P.M.  2) .167 TIME 04:29 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

SPEECH: LOW

ATTITUDE: CRYING, UPSET

CLOTHING: BLACK/WHITE PANTS, BLACK SHIRT, BLACK SNEAKERS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

## OTHER:

EYES: GLASSY AND BLOODSHOT

## COMMENTS:

ARRIVED AT CENTER A/O BEGAN THE 20 MINUTE OBSERVATION PERIOD AT 03:59 HRS.

SUBJECT: AGREED TO TAKE TEST

A/O: READ RIGHTS

SUBJECT: STATED SHE UNDERSTOOD RIGHTS

TECH: READ TEST RESULTS

SUBJECT: STATED SHE UNDERSTOOD TEST RESULTS

A/O: ATTEMPTED Q&A

SUBJECT: REFUSED QUESTIONS

SUBJECT: Saona, Nicole M. CASE NUMBER: FHFL20 OFF 07 2926

**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) Read on Camera

SUBJECT: Saona, Nicole M. CASE NUMBER: FHPCL7C0FF677926

### 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: \_\_\_\_\_



**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: 2020029841	Date: 12/21/20
	Specialist Name/ID: J. Beck/9007