

UCN: N/A

FL0520000

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

OBTS #		REPORT # SO20-33221		DOCKET # 1829085	
Person ID 310925644			SSN# 000-00-0000		
Charge Description ☐ Felony ☒ Misdemeanor ☐ Warrant ☐ Traffic ☐ Ordinance		Traffic Citation # (if any)		Court Case #	
Charge DRIVING UNDER THE INFLUENCE		AD0AUYE		AD0AUYE-1	
Defendant's Name (Last, First, Middle) MCENANY III, PHILLIP CARLTON		DOB 01/10/1984	Sex M	Race W	Ht 510
		Wt 160	Hair GRY	Eyes BRO	Skin LGT
Alias	DL # M255-663-84-010-0	State FL	Scars/Marks/Tattoos/Physical Features		
Local Address (Street, City, State, Zip Code) 240 11TH AVE S SAFETY HARBOR FL 34695		Telephone 6786023490	Place of Birth TN		Citizenship USA
Permanent Address (Street, City, State, Zip Code) 240 11TH AVE S SAFETY HARBOR FL 34695		Telephone 6786023490	Employed by / School		
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 31 day of JANUARY, 2020

at approximately 12:38 AM, at DELAWARE ST / LEGION DR, in Pinellas County did:

REASON FOR STOP: THE DEFENDANT TURNED HIS GOLF CART IN FRONT OF A MARKED POLICE CAR CUTTING HIM OFF AND DID NOT USE A TURN SIGNAL OR HAND SIGNAL. THIS VIOLATION WAS WITNESSED BY DEPUTY PETERSON.

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.

BRAC: .192/.193 BREATH: DISTINCT
BALANCE: OFF CENTER / STAGGERING EYES: BLOODSHOT/WATERY/GLASSY/DILATED
PRIOR CONVICTIONS: N/A.

DEFENDANT PERFORMED POORLY ON FIELD SOBRIETY TESTS.

COURT INFORMATION: NORTH COUNTY TRAFFIC COURT 2/24/20 @ 9AM CITATION #: AD0AUYE

THE DEFENDANT HAD A STRONG ODOR OF AN ALCOHOLIC BEVERAGE EMITTING FROM HIS BREATH WITH SLURRED SPEECH. THE DEFENDANT ADMITTED TO CONSUMING ALCOHOL AND WAS STAGGERING AS HE WAS WALKING. THE DEFENDANT STATED HE HAD BAD KNEES AND HE SMOKES MARIJUANA FOR THEM. THE DEFENDANT DISPLAYED 6 CLUES OF HGN AND DISPLAYED LACK OF CONVERGENCE. THE DEFENDANT REFUSED TO PERFORM THE WALK AND TURN AND ONE LEG STAND. THE DEFENDANT DISPLAYED NUMEROUS INDICATORS OF IMPAIRMENT ON THE ROMBERG MODIFIED AND FINGER TO NOSE TESTS. THE DEFENDANT DISPLAYED NUMEROUS CLUES OF IMPAIRMENT ON THE PALM PAT AND HAND COORDINATION TESTS.

Contrary to Florida Statute/Ordinance 316.193.1

ARREST DATE: 1/31/2020 Time 1:15 AM . Aggravating/Mitigating Factors U/BOR

Booking Officer: FALLAHEE, GEORGE 55259 Amount of Bond 500*** Bond Out Date 01/31/20 Time N/A 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: 1/31/2020 2:37:24 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.  Declarant Signature DEPUTY LEVI BLAKE 59881 Printed Name		REQUEST FOR INVESTIGATIVE COSTS, F.S. 938.27(1)	
		DATE 01/31/2020 OFFICER L. BLAKE HOURS X PAY-RATE 3 25.00 COST \$75.00	
PINELLAS COUNTY SHERIFF Agency 311142959 Declarant ID#		OTHER – Describe Continuation sheet ☐ Yes ☐ No TOTAL \$ 75.00	

Defendant MCENANY III, PHILLIP CARLTON

Court Case No: AD0AUYE-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