


0242618

50-2021-CT-00178 AMB

781

ARREST / NOTICE TO APPEAR Juvenile Referral Report		1. Arrest 2. N.T.A.	3. Request for Warrant 4. Request for Capias	1	Juvenile N
OBTS Number					
Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number (N.T.A.'s only) 06-21077615	
Charge Type: Check as many as apply. <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		Weapon Seized / Type 2. 1. Yes 2. No N/A		Multiple Clearance Indicator 01	
Location of Arrest (Including Name of Business) 12TH AVE S / S DIXIE HIGHWAY LAKE WORTH FL, 33460		Location of Offense (Business Name, Address) 12TH AVE S / S DIXIE HIGHWAY, LAKE WORTH FL, 33460			
Date of Arrest 06/19/2021	Time of Arrest 1747	Booking Date	Booking Time	Jail Date	Jail Time
Name (Last, First, Middle) CURLEY, ROBERT, DALE		Alias (Name, DOB, Soc. Sec. #, Etc.)			
Race W - White I - American Indian B - Black O - Oriental/Asian W	Sex M	Date of Birth 10/20/1979	Height 5'10	Weight 175	Eye Color BROWN
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)		Marital Status SINGLE	Religion CATHOLIC	Indication of: Alcohol Influence Drug Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Unk.	Build SMALL
Local Address (Street, Apt. Number) 906 BLOXHAM ST, LANTANA FL, 33462		Phone (561) 5671008	Residence Type: 1. City 2. County 3. Florida 4. Out of State 2		
Permanent Address (Street, Apt. Number)		Phone	Address Source FL DL		
Business Address (Name, Street)		Phone	Occupation CONSTRUCTION WORKER		
D/L Number, State C640764793800, FL		Soc. Sec. Number	INS Number	Place of Birth (City, State) FORT LAUDERDALE, FL	Citizenship US
Co-Defendant Name (Last, First, Middle)		Race	Sex	Date of Birth	<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large <input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile
Co-Defendant Name (Last, First, Middle)		Race	Sex	Date of Birth	<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large <input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile
Parent Legal Custodian Other: Name (Last) (First) (Middle)		Residence Phone			
Address (Street, Apt. Number) (City) (State) (Zip)		Business Phone			
Notified by: (Name)		Date	Time	Juvenile Disposition 1. Handled/processed within Dept. and Released. 2. TOT HRS / DYS 3. Incarcerated	
Released To: (Name)		Relationship		Date	Time
The above address provided by <input type="checkbox"/> defendant and / or <input type="checkbox"/> defendant's parents. The child and / or parent was told to keep the Juvenile Court Clerk (Phone 355-2526) informed of any change of address. <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No: (Reason)		School Attended		Grade	
Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No		Description of Property		Value of Property	
Drug Activity N. N/A P. Possess S. Sell B. Buy T. Traffic R. Smuggle D. Deliver E. Use K. Dispense/ Distribute M. Manufacture/ Produce/ Cultivate Z. Other		Drug Type N. N/A A. Amphetamine B. Barbiturate C. Cocaine H. Heroin H. Hallucinogen M. Marijuana O. Opium/Deriv. P. Paraphernalia/ Equipment S. Synthetics U. Unknown Z. Other			
Charge Description DUI		Counts 1	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number 316.193(1)(A)	
Drug Activity N		Drug Type N	Amount / Unit N/A	Offense # 21077615	Warrant / Capias Number
Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number	
Drug Activity N		Drug Type N	Amount / Unit N/A	Offense #	Warrant / Capias Number
Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number	
Drug Activity N		Drug Type N	Amount / Unit N/A	Offense #	Warrant / Capias Number
Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number	
Drug Activity N		Drug Type N	Amount / Unit N/A	Offense #	Warrant / Capias Number
Location (Court, Room Number, Address) PALM BEACH COUNTY CRIMINAL JUSTICE COMPLEX, 3228 GUN CLUB RD WEST PALM BEACH FL 33406					
Court Date and Time Month JULY Day 15TH Year 2021 Time 0830 AM <input checked="" type="checkbox"/> PM					
I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED. 06/19/2021					
Signature of Defendant (or Juvenile and Parent / Custodian)				Date Signed	
HOLD for other Agency Name:		Signature of Arresting Officer X		Name Verification (Printed by Arresting Officer) (PRINT)	
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:		Name of Arresting Officer (Print) INV. A. TEJEDA		I.D. # 31814	
Take Deputy IRON		Transporting Officer INV. A. TEJEDA		ID # 31814	
Agency PSO		Witness here if subject signed with an "X"		PAGE 1 OF 1	

		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1		Juvenile N	
ADMIN	OBTS Number			Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06- 21-077615			
	Charge Type: Check as many as apply	<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		Special Notes:			
DEF	Name (Last, First, Middle) Curley, Robert,		Alias		Race W		Sex M		Date of Birth 10/20/1979		
CHARGES	Charge Description DUI		316.193(1)(A)		Charge Description						
	Charge Description				Charge Description						
VICTIM	Victim's Name (Last, First, Middle) State of Florida , ,				Race		Sex		Date of Birth		
	Local Address (Street, Apt. Number)		(City) (State) (zip)		Phone ()		Address Source Driver's License				
	Business Address (Name, Street)		(City) (State) (zip)		Phone ()		Occupation Golf Course				
<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.</p> <p>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.</p> <p><input type="checkbox"/> confessed to _____ admitting to the below facts. <input type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.</p> <p>On the 19 day of June 20 21 at 4:53 <input type="checkbox"/> A. M. <input checked="" type="checkbox"/> P. M. (Specifically include facts constituting cause for arrest.)</p> <p>On 06/19/2021, at approx. 1653 hours, I was dispatched to the 1200 Blk of South Dixie Hwy, Lake Worth Beach, FL in reference to an unknown male passed out inside a Black Ford F150, bearing FL tag QNST33 at the intersection. Dispatch further advised, the caller stated the vehicle missed several traffic light cycles and was not moving.</p> <p>Upon my arrival, I located the black Ford F150 on 12th Ave South and South Dixie Hwy in the northbound lanes, sitting in the immediate left turn lane of the intersection. I observed a white male, later identified as Robert Curley, sitting in the front driver seat, unconscious but breathing with his foot on the brake. The vehicle was locked with the key in the ignition and the vehicle was not in park. It should be noted, Curley was the sole occupant of the vehicle and the vehicle was not a self-driving vehicle.</p> <p>I then knocked on the driver's side window multiple times in an attempt to wake Curley up but was unsuccessful. Shortly after, Palm Beach County Fire Rescue responded to the scene to assist with opening the vehicle. PBCFR also knocked on the driver side window several times, to which Curley finally woke up.</p> <p>Curley was extremely confused and did not know he fell asleep. I asked Curley to turn the vehicle off, and hand me the keys. I asked Curley if he was ok, to which he stated yes. Upon speaking with Curley, a slight odor of an alcoholic beverage was emanating from his vehicle and I observed glossy, watery eyes. I asked Curley where he was coming from and he stated work. I further asked Curley if he had any alcoholic beverages today to which he stated no. I then asked Curley if he was diabetic or had any medical issues to which he stated no.</p> <p>It should be noted, Curley started to look for his vehicle keys while I was speaking with him and I had to remind him that he gave me his keys. I asked PBCFR to assist with a medical assessment of Curley. Curley was asked to step out of the vehicle and walk over to the Rescue Truck where he stumbled over a curb. Upon completing their medical assessment, PBCFR advised Curley vitals and sugar levels were normal.</p> <p>Investigator Tejeda ID#: 31814 responded and took over the investigation.</p> <p>STATE OF FLORIDA COUNTY OF PALM BEACH</p> <p> D/S C. Wensyel (Signature of Arresting/Investigative Officer)</p> <p>The foregoing instrument was sworn to or affirmed and subscribed before me this 19 day of June 20 21 by D/S C. Wensyel</p> <p>(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced LEO</p> <p>D/S T. Phipps Notary Public, Clerk of Court, Officer (F.S. 117.10)</p> <p>PAGE 1 OF 1</p>											



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

PBSO CASE # 21077615 PBSO ZONE 14-12
AGENCY CASE # _____ CRASH CASE # _____
TIME OF STOP/CRASH 1656 DATE 06/19/2021 DAY Saturday
SUBJECT'S NAME CURLEY, ROBERT, DALE RACE W SEX M
HGT 5'10 WGT 175 DOB 10/20/1979
LOCATION 12TH AVE S/ S DIXIE HIGHWAY LAKE WORTH FL, 33460
ARRESTING OFFICER'S NAME & ID INV. A. TEJEDA (31814) AGENCY PALM BEACH COUNTY SHERIFF'S OFFICE
DIVISION: VCD/DUI
NOTIFIED BY COMMO NO
ARRIVAL AT FACILITY 1810
ARREST TIME 1747

BREATH RESULTS:

1)
2)
3)

TESTING OFFICER'S ID 6212 PBSO VIDEOTAPE # _____

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 19TH DAY OF JUNE 2021 AT 1656 AM ☒ PM

SUBJECT: CURLEY, ROBERT, DALE CASE NUMBER: 21077615

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: INV. A. TEJEDA

PERSONAL CONTACT

DRIVING PATTERN: Actual physical control (physical evidence or statements putting def. behind wheel of vehicle)

On 06/19/2021, at approx. 1653 hours, I was dispatched to the 1200 Blk of South Dixie Hwy, Lake Worth Beach, FL in reference to an unknown male passed out inside a Black Ford F150, bearing FL tag QNST33 at the intersection. Dispatch further advised, the caller stated the vehicle missed several traffic light cycles and was not moving.

Upon my arrival, I located the black Ford F150 on 12th Ave South and South Dixie Hwy in the northbound lanes, sitting in the immediate left turn lane of the intersection. I observed a white male, later identified as Robert Curley, sitting in the front driver seat, unconscious but breathing with his foot on the brake. The vehicle was locked with the key in the ignition and the vehicle was not in park. It should be noted, Curley was the sole occupant of the vehicle and the vehicle was not a self-driving vehicle.

I then knocked on the driver's side window multiple times in an attempt to wake Curley up but was unsuccessful. Shortly after, Palm Beach County Fire Rescue responded to the scene to assist with opening the vehicle. PBCFR also knocked on the driver side window several times, to which Curley finally woke up.

Curley was extremely confused and did not know he fell asleep. I asked Curley to turn the vehicle off, and hand me the keys. I asked Curley if he was ok, to which he stated yes. Upon speaking with Curley, a slight odor of an alcoholic beverage was emanating from his vehicle and I observed glossy, watery eyes. I asked Curley where he was coming from and he stated work. I further asked Curley if he had any alcoholic beverages today to which he stated no. I then asked Curley if he was diabetic or had any medical issues to which he stated no.

It should be noted, Curley started to look for his vehicle keys while I was speaking with him and I had to remind him that he gave me his keys. I asked PBCFR to assist with a medical assessment of Curley. Curley was asked to step out of the vehicle and walk over to the Rescue Truck where he stumbled over a curb. Upon completing their medical assessment, PBCFR advised Curley vitals and sugar levels were normal.

OBSERVATION OF DRIVER:

Upon making contact with the defendant I observed him to had glossy and bloodshot eyes. I observed the defendant to have a slow and slurred speech. I also smelled an odor of an unknown alcoholic beverage coming from his breath. I asked the defendant to step in front of my car to speak with me, as he walked I observed him to have a sway in the way he walked. He also immediately separated his feet to assist him with steadying his balance.

DRIVER'S STATEMENTS:

The defendant stated that he was on his way to get his tires changes. He stated he was coming from his girlfriends house from eating. He stated he has no medical conditions. He is not taking any medications. He has no physical defects or injuries. He then stated he takes Methadone one daily, and he has already taken his Methadone today at 0530 hours. He was asked if he knew where he was and he stated either Federal Highway or Dixie Highway. He was actually on Dixie Highway. He stated he was going Northbound, which he was. He however did not know the intersection of where he was he stated possibly 3rd Ave, and then stated before 6th Ave S, he was actually at 12th Ave S and S Dixie Highway. He stated he was a contractor and worked a lot and then stated he has worked over 100 hours this week. I asked him approximately what time it was and he stated 130/2, it was actually around 5:20PM. He then stated he had one glass of wine last night at approximately 9pm. He stated "I failed it so you guys do what you want" and "I couldn't walk this line in my best moments" while doing road side tasks.

ODORS:

An obvious odor of an unknown alcoholic beverage coming from his breath which intensified as he spoke with me.

GENERAL OBSERVATIONS

SPEECH: Slow and slurred speech

ATTITUDE: Calm and cooperative initially then argumentative and very talkative

CLOTHING: Gray jacket, blue jeans, and brown boots

MEDICAL/OTHER: No medical conditions
All roadsides captured on in car camera

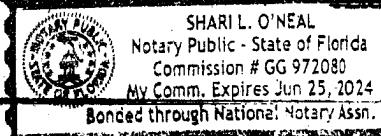
STATE OF FLORIDA
COUNTY OF PALM BEACH

INV. A. TEJEDA
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 19th day of June 2021 by INV. A. TEJEDA

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. I am personally known to INV. A. TEJEDA

Notary Public, Clerk of Court, Officer (F.S.S. 117.10)



SUBJECT: CURLEY, ROBERT, DALECASE NUMBER 21077615**ROADSIDE TASKS****HORIZONTAL GAZE NYSTAGMUS:**

- | | |
|---|---|
| <input checked="" type="checkbox"/> LT EYE-LACK OF SMOOTH PURSUIT | <input checked="" type="checkbox"/> RT EYE-LACK OF SMOOTH PURSUIT |
| <input checked="" type="checkbox"/> LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION | <input checked="" type="checkbox"/> RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION |
| <input checked="" type="checkbox"/> LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES | <input checked="" type="checkbox"/> RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES |

Other Observations:

The defendant was placed into the instructional stance for the Horizontal Gaze nystagmus. He failed to maintain the instructional stance by separating his feet to help him balance himself. He verbally identified the blue stimulus that I was holding up. He was told to follow the stimulus with his eyes only and not move his head. He was reminded several times no to move his head and follow with his eyes only. I checked the defendants eyes for equal tracking, equal pupil size, and resting nystagmus in both eyes. I did observe vertical nystagmus in both eyes.

WALK & TURN:

I explained and demonstrated the instructions for the "Walk & Turn" to him. He stated he understood and had no questions for me. He failed to maintain the instructional stance by stepping off to the side and separating his feet. The task needed to be explained to him two times. He did not count as instructed. He took slow steps to assist him with steadying himself. He took the incorrect number of steps down the line. He stepped off of the line. he did not walk heel to toe as instructed. He took the incorrect number of steps on the way back. He then stated "I failed it so you guys do what you want" and "I couldn't walk this line in my best moments".

ONE LEG STAND:

I explained and demonstrated the instructions for the "One Leg Stand" to him. He stated he understood and had no questions for me. He raised his right leg. He did not lift his foot approximately 6 inches as instructed. He put his foot down several times prior to the 30 seconds elapsing. He did not look at his elevated foot as instructed. He swayed slightly from side to side.

FINGER TO NOSE:

I explained and demonstrated the instructions for the "Finger to Nose" task to him. He stated he understood and had no questions for me. He did not use the tip of his finger to touch the tip of his nose on each attempt as instructed. He did not return his hands to his side after each attempt as instructed. He did not keep his eyes closed for the entire task as instructed.

RHOMBERG ALPHABET:

I explained and demonstrated the instructions for the "Rhombert Alphabet" task to him. He stated he understood and had no questions for me. He stated his highest level of education was 7th grade. He stated he did not know the entire alphabet and then stated he did know it. He then stated he could only count to 10. He then requested water and was given the opportunity to drink water because he felt as if he might pass out. I asked the defendant if he wanted me to call Fire Rescue but he refused. After drinking water he stated he was good and felt better. I then explained the task to him again. He failed to maintain the instructional stance by stepping off to the side and separating his feet. He did not keep his eyes closed the entire time as instructed. He recited the English Alphabet from the letter A to the letter N he then laughed and opened his eyes again.

BREATH TEST RESULTS:

1) REFUSAL	2) REFUSAL	3)	4)
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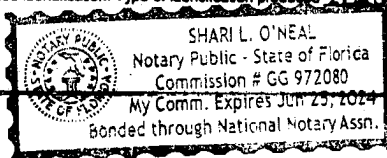
STATE OF FLORIDA
COUNTY OF PALM BEACH

INV. A. TEJEDA

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 19th day of June, 2021 by INV. A. TEJEDA(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced PERSONALLY KNOWN LEO

Notary Public, Clerk of Court, Officer (F.S.S. 117.10)



WITNESS LIST

CASE NUMBER: 21077615

ARRESTING OFFICER: INV. A. TEJEDA

ADDRESS: 3228 GUN CLUB ROAD WEST PALM BEACH FL 33406

PHONE NUMBERS (HOME): _____ (WORK) 561 688 3400

CAN TESTIFY TO: FACTS OF CASE AND DUI INVESTIGATION

NAME: D/S C. WENSYEL

ADDRESS: 3228 GUN CLUB ROAD WEST PALM BEACH FL 33406

PHONE NUMBERS (HOME) _____ (WORK) 561 688 3400

CAN TESTIFY TO: PLACING DEFENDANT BEHIND THE WHEEL AND DEFENDANTS ACTIONS ON SCENE

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) 0

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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ADDRESS _____

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ADDRESS _____

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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: _____

TESTING FACILITY TASK REPORT

AGENCY: PBSO INV. TEJEDA #31814

SUBJECT: CURLEY, ROBERT D.

CASE NUMBER: 21-077615

DATE: 06-19-21

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 18:30 HRS

ENDING TIME: 18:33 HRS

BREATH TESTS REQUESTED BY:

TIME: 18:32

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 TECHNICIAN: J. KARLECKE #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH:

ATTITUDE: CALM, COOPERATIVE

CLOTHING: JACKET- GRAY & BLACK SHIRTS- BOTH WHITE PANTS- BLUE JEANS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES: RED, GLASSY

COMMENTS:

20 MIN. OBSERVATION DONE BY A/O TEJEDA #31814

A/O REQUESTED THE BREATH TEST.

D REFUSED THE BREATH REQUEST.

A/O READ THE IMPLIED CONSENT ON CAMERA.

D STILL REFUSED TE BREATH REQUEST AFTER THE I/C WAS READ.

C/W READ ON CAMERA, D REFUSED Q&A REQUESTED HIS ATTORNEY.

SUBJECT: _____ CASE NUMBER: _____

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) _____

SUBJECT: _____ CASE NUMBER: _____

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? _____

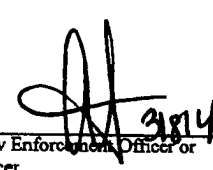
INTERVIEWER: _____

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

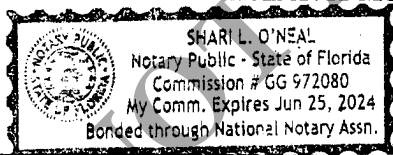
I, Investigator LE ANTHONY TEJEDA, a duly certified Law Enforcement Officer or Correctional Officer,
(Person reading Implied Consent Warning)
am a member of Palm Beach County Sheriffs Office, and I do swear
(Name of enforcement agency)
or affirm that on or about the NINETEENTH day of June, 2021, at 5:47 PM
DRIVER ROBERT DALE CURLEY
(Type or Print) FIRST MIDDLE OR MAIDEN LAST
DL # C640764793800, state of FL, was placed under lawful arrest for
the offense of DUI by Investigator LE ANTHONY TEJEDA and
(Name of Arresting Officer)
issued Citation # AEA7JME

That on or about the NINETEENTH day of June, 2021, at 6:32 PM
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 (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)



The foregoing instrument was sworn and subscribed before me:

The foregoing instrument was sworn and subscribed before
me this 19 day of June, 2021
by _____

Signature of Attesting Officer

who is personally known to me or who has produced

Notary Public _____

as identification.

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**
Florida State Statute Exemption Sheet

Palm Beach County Sheriff's Office – Arrests Only

	X	Florida State Statute	Description	Page Number(s)
I/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: 2021014978

Date: 6/20/2021

Specialist Name/ID: M. Took #8557