

0519 824
Arrest Report

NR

DOCT 15354

1140

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

Report Date / Time 11/27/2020 07:51 PM	Report Number FHP99ARR829402	Case Number/Cad Number FHPK20OFF055556 / LWRC20CAD182663	Reporting Officer Name LAMPIASI, JAKE
Originating Agency ORI	Occur Date Time Range 11/27/2020 18:33:17 -	Jurisdiction	Clearance

Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description			
Street Number	Street SR-91 FLORIDA'S TPKE SB MP 92	Apt/Lot/Bldg	City LAKE WORTH	State FL	Zip Code 33467

Defendant

First Name SEBASTIAN	Middle Name	Last Name YEPES TAMAYO	Suffix	Race WHITE	Sex MALE	Height 510	Weight 200	Hair BLK	Eyes BRO
MNI #	SSN	Date of Birth 11/02/1995	Age 25	ID Type O	Drivers License or other ID 135976610	State TN	OCA / Agency ID		
Place of Birth:		FL LAUDERDAL FL USA							
Address * RESIDENCE / 6752 DESERT STORM AVE , FORT CAMPBELL, TN 42223 /									

Arrest

Arrest Date/Time 11/27/2020 7:08:20 PM	Arrest Location Type PUBLIC PLACE	Arrest Location Description				
Street Number	Street SR-91 FLORIDA'S TPKE SB MP 92	Apt/Lot/Bldg	County PALM BEACH	City LAKE WORTH	State FL	Zip Code 33467

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	NOV 27 PM 10:29
Bond Type(s)		

Probable Cause

On the above date and time, Trooper Dorival ID 1900 and I Trooper Lampiasi ID 1716, responded to a reckless vehicle BOLO (Be on the lookout), that was traveling southbound around mile post 92 on SR-91, Florida's Turnpike, in Palm

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Beach County, Florida. Tpr. Yepez ID 1687, observed the vehicle driving southbound and conducted a traffic stop on the vehicle, bearing Louisiana Tag AN1776 (See his supplemental report in completed incident report at a late date). Dispatch previously stated the vehicle was all over the roadway, swerving between lanes, traveling on the shoulder, varying speed, and almost striking objects/vehicles. A caller, who provided a written statement on scene, remained on the phone with dispatch while following behind the vehicle as they were tremendously concerned for the safety of the driver and other motorists.

I approached the driver, identified via his Tennessee DL as Sebastian Yepes-Tamayo, who at the time was standing behind his vehicle speaking to Tpr. Yepez. Mr. Tamayo appeared to have a dazed/confused facial expression. Mr. Tamayo appeared to lose balance while standing still and needed to lean on objects for balance at certain times. Mr. Tamayo had an unknown yellow substance above his upper lip and on/within his nostrils. Mr. Tamayo could not identify what that substance was. Mr. Tamayo's eye lids were half closed while speaking to me at times with his eyes rolling back. Mr. Tamayo's speech was slurred while speaking to me. Mr. Tamayo stated he was traveling from Louisiana to Miami to see family.

At that time, due to Mr. Tamayo's driving behavior and personal interaction, I requested that he participate in Standardized Field Sobriety Tasks (SFST's). Mr. Tamayo performed poorly on all SFST's (see completed incident report packet and dashcam video when available). Due to Mr. Tamayo's driving behavior, personal interaction, and SFST performance, I concluded that Mr. Tamayo's normal faculties were impaired at the time that he operated his motor vehicle. Mr. Tamayo was arrested for Driving Under the Influence at 1908 hrs. Mr. Tamayo was handcuffed (double locked) and search incident to arrest with negative findings. Mr. Tamayo was placed in the rear of my patrol vehicle with his seatbelt on. Mr. Tamayo was transported to the Palm Beach County Jail.

While at the jail, I observed Mr. Tamayo for a period of at least twenty (20) minutes, beginning at 1945. During that time, I constantly visually observed Mr. Tamayo. Mr. Tamayo did not regurgitate or ingest object or substance during the period of observation. Mr. Tamayo agreed to provide a sample of his breath. Mr.

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Tamayo's breath results were as follows: 0.000/0.000. I requested that Mr. Tamayo provide a sample of his urine at 2021 hours and was read implied consent in the event that he failed to provide a urine sample. Mr. Tamayo urinated upon arrival the jail, prior to the 20 minute observation as he "couldn't hold it". Mr. Tamayo was also read Miranda rights at 2022 hours and agreed to answer the interview questions. Mr. Tamayo failed to provide a sample of his urine as he stated "Sir, I honestly cannot piss right now sorry". I advised him that I understand however, this would count as a refusal to submit to a urine sample. I concluded this as a refusal at 2042 hours. Mr. Tamayo was transferred into the custody of the Palm Beach County Sheriff's Office for booking.

Jail Booking Facility

Booking Date/Time 11/27/2020 07:40 PM	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

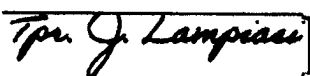

Court County PALM BEACH	Court Location 2950 STATE ROAD 15, ROOM S-100 BELLE GLADE, FL 33430		
Court PALM BEACH WEST COUNTY COURTHOUSE	Court Phone 561-996-4843	Court Appearance Date / Time	Court Fine
Comments			

Officer Name Rank / ID #	Involvement On Report / Reporting Role	Officer Agency Org/Unit
LAMPIASI, JAKE TPR 4635	REPORTING OFFICER	FLORIDA HIGHWAY PATROL FHPKLRCC\WPB\SR91 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>27</u> day of <u>November</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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NOT A CERTIFIED COPY

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**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 27 day of Nov, 2020 at 708 P.M. A.M.

DRIVER SEBASTIAN YEPES TAMAYO
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# 135976610, state of TN, 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 # A76ZC4E

That on or about the 27 day of Nov, 20 20, at 821 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.

Tpr. J. Lampiasi

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:

[Signature]
Signature of Attesting Officer

Title Tpr

Date 11-27-20

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before
me this _____ day of _____, 20 _____,

by _____,

who is personally known to me or who has produced
_____ as identification.

Notary Public _____

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 # 20-131126 PBSO ZONE 1-24

AGENCY CASE # FHP K240 PFD 55554 CRASH CASE # _____

TIME OF STOP/CRASH 1450 DATE 11/27/2020 DAY Friday

SUBJECT'S NAME Sebastian Yepes-Tirado RACE W SEX M

HGT 5-10 WGT 200 DOB 11/02/95

LOCATION SR-91 FLTPK, Mile Post 92 south, Lakeworth, FL 33466

ARRESTING OFFICER'S NAME & ID TPR. Jake Lampasi 1716 AGENCY FHP

DIVISION: _____

NOTIFIED BY COMMO Yes

ARRIVAL AT FACILITY 1945

Arrest Time 1908

BREATH RESULTS:

1. .000
2. .000
3. N/A
4. URINE

REFUSED

TESTING OFFICER'S ID 2909

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TESTING FACILITY TASK REPORT

AGENCY: FHP-K
SUBJECT: Yepes Tamayo, Sebastian.
DATE: 11/27/2020
CASE NUMBER: 20-131126
VIDEO DVD NUMBER: N/A
BEGINNING TIME: 2009
ENDING TIME: 2025

BREATH TESTS RESULTS: 1) .000 TIME 2014 A.M. P.M. 2) .000 TIME 2017 A.M. P.M.
3) N/A TIME _____ A.M. P.M. 4) N/A TIME _____ A.M. P.M.

BREATH OPERATOR: G. Parent #7909

MAINTENANCE TECHNICIAN: J. Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: Rapid, pronounced, deliberate.

ATTITUDE: Upset polite, repetitive, dozing off, co operative.

CLOTHING: Black pants, black t-shirt, gray sneakers.

MEDICAL CONDITIONS: None.

MEDICATIONS: None.

OTHER:

Eyes glassy.

COMMENTS:

Arrived at Center A/O began the 20 minute observation at 1945 hrs..

Subject stated absolutely to taking test.

Tech. read breath test results, subject stated he understood test results.

A/O requested a urine sample. Subject agreed to provide a urine sample at 2019 hrs..

A/O read I/C and explained.

Subject stated he understood I/C and again agreed to provide a urine sample at 2021 hrs..

A/O read rights.

Subject stated he understood rights.

A/O conducted Q&A.

Subject answered Questions.

At 2042 hrs. subject stated he couldn't provide a urine sample.

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REFUSED

SUBJECT: YEPEZ TAMAYO, SEBASTIAN 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? Yes

WHERE WERE YOU GOING? Miami

WHAT STREET OR HIGHWAY WERE YOU ON? I don't know

DIRECTION OF TRAVEL? don't know WHERE DID YOU START? Louisiana

WHAT TIME DID YOU START? 9PM last night WHAT TIME IS IT NOW? 7pm

WHAT IS TODAY'S DATE? 11/26 WHAT DAY OF THE WEEK IS IT? Thursday

WHAT COUNTY AND CITY ARE YOU IN NOW? Florida

WHEN DID YOU LAST EAT? Morning WHAT DID YOU EAT? 4 boiled eggs

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

HOW MUCH DO YOU WEIGH? 200 HAVE YOU BEEN DRINKING? NO 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? NO

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? NO HOW MUCH? —

WHAT? — WHERE? — WHEN? —

WHAT LINE OF WORK ARE YOU IN? Military WHEN DID YOU LAST WORK? 14

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?	<u>NO</u>
GLASS EYE?	<u>NO</u>
FALSE TEETH?	<u>NO</u>
EAR INFECTION?	<u>NO</u>
INNER EAR TROUBLE?	<u>NO</u>
DIABETES?	<u>NO</u>

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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: Lampiasi

SUBJECT: YEPES TAMAYO, SEBASTIAN 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

2022 hrs

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.

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SUSPECT'S SIGNATURE: (X) Read on Camera



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: 2020027837	Date: 11/28/2020
	Specialist Name/ID: T Howard/7185

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