

21CT13331AMB

## Arrest Report

J# 052518

#653



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

Report Date / Time 8/12/2021 02:18 AM	Report Number FHP99ARR838937	Case Number/Cad Number FHPL21OFF052663 / LWRC21CAD146338	Reporting Officer Name IV, ANDREW L
Originating Agency ORI	Occur Date Time Range 08/11/2021 22:49:21 - 08/12/2021 02:19:00	Jurisdiction	Clearance

## Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description INTERSTATE 95 NORTHBOUND EXIT RAMP TO DONALD ROSS ROAD
Street Number	Street N INTERSTATE 95 EXIT RAMP	Apt/Lot/Bldg
	PALM BEACH GARDENS	State FL
		Zip Code 33418

## Defendant

First Name SHAUN	Middle Name MICHAEL	Last Name LOBECK	Suffix	Race WHITE	Sex MALE	Height 602	Weight 250	Hair BLK	Eyes BRO
MNI #	SSN [REDACTED]	Date of Birth 08/11/1978	Age 42	ID Type E	Drivers License or other ID L120793783110	State FL	OCA / Agency ID		
Place of Birth:	WEST PALM BEACH FL UNITED STATES								
Address * RESIDENCE / 6141 POMPA ST, JUPITER, FL 33458 / 561-312-6216									

## Arrest

Arrest Date/Time 8/11/2021 11:58:00 PM	Arrest Location Type PUBLIC PLACE	Arrest Location Description DONALD ROSS ROAD WESTBOUND AND I-95
Street Number	Street W DONALD ROSS ROAD	Apt/Lot/Bldg
	PALM BEACH	City JUPITER
		State FL
		Zip Code 33418

## Charge : S

Counts 1	Charge 316.193.3c1	Bond Amount \$0.00	<input type="checkbox"/> No Bond
Charge Degree F	Charge Level MISDEMEANOR	General Offense Code DUI-UNLAW BLD ALCH	
Charge Description DUI A' & DAMAGE PROPERTY			
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
Bond Type(s)	

## Probable Cause

On 8/11/2021 at approximately 10:54PM I responded to the scene of a reported

Arrest Report

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SCANNED

AUG 12 2021

AUG 12 AM 5:06

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vehicle collision in the area of the Interstate 95 northbound exit ramp to Donald Ross Road. I observed that a crosswalk signal and a traffic signal had been knocked down on the pedestrian island of the exit ramp. There was a blue Mercedes passenger vehicle (attached Florida tag: LURZ44) with heavy damage to the front at a complete stop facing east on the north sidewalk of Donald Ross Road. The damage to the front of the Mercedes was consistent with a collision with the crosswalk signal and traffic signal. There was also a black BMW passenger vehicle (attached Florida tag: IC89HF) at a complete stop in the right travel lane of westbound Donald Ross Road just west of the blue Mercedes. There was damage on the left side of the black BMW consistent with a collision with a piece of debris that was ejected as a result of the traffic signal being knocked down. I spoke to a witness at the scene who was identified by his Florida drivers license as Axel Moradel (FL DL: M634019003280). Mr. Moradel stated that he was at a complete stop facing west on Donald Ross Road for a solid red traffic signal when he observed the blue Mercedes lose control at the exit ramp and head towards him. He was able to avoid the vehicle. He observed the driver of the blue Mercedes exit the vehicle and state "It's okay, I live near" and walk away from the scene. I also spoke to the driver of the black BMW who was identified by his Florida drivers license as Johnson Lincoln Louissaint (FL DL: L253432002080). He stated that his vehicle was struck by debris that originated from the collision with the blue Mercedes and the traffic signal. Mr. Louissaint also observed the driver of the blue Mercedes try to drive away but his car was disabled from the collision. He saw the driver of the blue Mercedes walk away and suspected that he was intoxicated.

The driver of the blue Mercedes was later stopped by officers from the Jupiter police department a few hundred feet east of the incident location and was waiting at the scene upon my arrival. The driver of the blue Mercedes was identified by his Florida drivers license as Shaun Michael Lobeck (FL DL: L120793783110). Mr. Lobeck was confirmed to be the driver of the blue Mercedes by Mr. Moradel and Mr. Louissaint. Mr. Lobeck had the keys to the blue Mercedes in the left pocket of his shorts. As I spoke to Mr. Lobeck I smelled the strong odor of an unknown alcoholic beverage coming from his breath as he spoke. His eyes were also red and glassy and he seemed to be lethargic. After completion of my crash investigation I informed Mr. Lobeck that the crash investigation had ended and

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advised him that I was beginning a criminal investigation for driving under the influence (DUI). I read him his Miranda Rights from a Florida Highway Patrol Miranda Warning printout. He stated that he understood his rights and agreed to speak with me. I asked where he was coming from and he stated downtown West Palm Beach. He admitted to being the driver of the blue Mercedes and losing control of the vehicle. As I spoke to him I continued to smell the strong odor of an unknown alcoholic beverage coming from his breath as he spoke. I asked if he had anything to drink and he stated that he had 2 and a half shots at the Rachel's night club about 1 to 1 and a half hours ago. I asked on a scale of 1 to 10 with 1 being completely sober and 10 falling over drunk where he would rate himself and he stated a 3 out of 10. I asked if he was under the influence and he stated a little. I asked if he was willing to perform standardized field sobriety exercises and he agreed to perform them. Prior to administration of the exercises I asked if he had any medical conditions and he stated that he had spine surgery, a lower back fusion, and a neck fusion. I asked if he was injured and he stated no. I asked if he took any medications and he stated Lunesta at night and Sunosi for sleep apnea. I asked if he agreed that the surface upon which the exercises would be performed was flat and he agreed. (Note: The summary below is not intended to be a verbatim account of all the events that took place during the administration of the standardized field sobriety exercises. Video footage and audio of the exercises is available upon request.) Each exercise was explained and demonstrated prior to the subject attempting to perform the exercise.

Horizontal Gaze Nystagmus Exercise (Streamlight red LED pen used as a contrasting stimulus)

- I checked for resting nystagmus which was not observed in either eye
- I checked for equal pupil size and equal tracking; Both pupils were equal in size and both eyes tracked the stimulus equally
- I observed a lack of smooth pursuit in both eyes
- I observed Horizontal gaze nystagmus at maximum deviation in both eyes
- I observed Horizontal gaze nystagmus prior to 45 degrees in both eyes
- No vertical gaze nystagmus was observed in either eye

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Walk and Turn Exercise (A painted white line on the roadway was utilized during the exercise)

- Unable to stay in the starting position
- Used arms to balance
- Started before command to begin
- Did not walk heel to toe on multiple steps

One Leg Stand Exercise

- Placed foot on ground multiple times
- Swayed
- Did not keep arms to his side as instructed, using them to balance

Modified Romberg Balance Exercise

- Approximately 15.81 seconds elapsed during the 30 second time estimation

Finger to Nose Exercise

- Performed exercise as instructed, however he did mistakenly raise the incorrect finger and then corrected himself raising the correct finger.

Based upon the performance of the above exercises and the totality of the circumstances I determined that there was probable cause to believe that Shaun Michael Lobeck committed the offense of driving under the influence by being in actual physical control/operating a motor vehicle while under the influence of alcoholic beverages, any chemical substance per Florida State Statute 877.111, or any controlled substance per Chapter 893, while their normal faculties were impaired and did cause property damage. He was placed under arrest for the above offense and handcuffed behind his back. After being searched he was then transported to the Palm Beach County Breath Alcohol Testing (BAT) facility. At the BAT facility a 20 minute observation period was conducted where he did not ingest

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anything by mouth or regurgitate (mouth was confirmed to be empty prior to beginning of the observation period). He was then asked to provide a breath test sample to test for the alcoholic content of his breath. He agreed to provide the breath test samples and provided a first sample of 0.061 and a second sample of 0.057. He was then asked to provide a urine sample to test for the presence of chemical or controlled substances and he agreed to provide the urine sample. The Constitutional Warning document was read to Mr. Lobeck and he stated that he understood his rights and agreed to answer my questions. During the question and answer session he admitted to taking the medication Suboxone along with a muscle relaxer. See BAT video footage for a complete account of the question and answer segment. He was able to provide the urine sample at approximately 1:46 AM. The urine sample was labeled, sealed and later transported to the Florida Highway Patrol Lantana substation to be submitted into evidence for urine toxicology testing. Mr. Lobeck was issued a uniform traffic citation for DUI resulting in property damage along with a uniform traffic citation for careless driving. After being medically cleared from JFK North Medical Center he was transported back to the Palm Beach County Jail and booked without incident. All of the above events occurred in Palm Beach County, FL.

Note: My patrol vehicle is equipped with in car video and audio that is available

#### Jail Booking Facility

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

#### Court

Court County <b>PALM BEACH</b>	Court Location <b>3228 GUN CLUB ROAD WEST PALM BEACH, FL 33406</b>		
Court <b>CRIMINAL JUSTICE COMPLEX</b>	Court Phone <b>561-355-2994</b>	Court Appearance Date / Time <b>09/09/2021 8:30AM</b>	Court Fine
Comments			

Officer Name  
Rank / ID #

Involvement On Report /  
Reporting Role

Officer Agency  
Org/Unit

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IV, ANDREW L TPR	3651	PRIMARY / REPORTING OFFICER	FLORIDA HIGHWAY PATROL FHPLILWRCCIPALM BEACHSR702 TO MARTIN LN
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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 IV, ANDREW L	Office Rank TPR	Officer ID No 3651	Sworn and subscribed before me, the undersigned authority This the <u>12</u> day of <u>Aug</u> , <u>2021</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT <i>D/S [Signature] 7047 11350</i>
Officer Agency FLORIDA HIGHWAY PATROL	Officer Signature <i>Andrew L</i>		

<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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SUBJECT: Chawn Michael L. Luch CASE NUMBER: FILE 211CE 052663

## 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.

*Read on camera*

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

*Read on camera*

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: Chuan Michael Luback CASE NUMBER: FHFL21LFF052663

## 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? getting out of double car pool, home

WHAT STREET OR HIGHWAY WERE YOU ON? Donald Co road and I 95

DIRECTION OF TRAVEL? North WHERE DID YOU START? North I 95

WHAT TIME DID YOU START? ? WHAT TIME IS IT NOW? 7:10 PM

WHAT IS TODAY'S DATE? 9th WHAT DAY OF THE WEEK IS IT? Wednesday

WHAT COUNTY AND CITY ARE YOU IN NOW? Wash Pin Beach

WHEN DID YOU LAST EAT? 4-5 hrs ago WHAT DID YOU EAT? steak

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? accident, waiting with me

HOW MUCH DO YOU WEIGH? 250 lb HAVE YOU BEEN DRINKING? yes WHAT? tequila

HOW MUCH? 3 drinks WHERE? Richard WITH WHOM? friends

WHEN DID YOU HAVE YOUR FIRST DRINK? 6-7 hrs ago AND YOUR LAST DRINK? 2-3 hrs ago

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? on a table

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? lightly ARE YOU UNDER THE INFLUENCE? NO

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? NO HOW MUCH? N/A

WHAT? N/A WHERE? N/A WHEN? N/A

WHAT LINE OF WORK ARE YOU IN? computer network WHEN DID YOU LAST WORK? Monday

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? y WHAT? just a few scratches

ARE YOU SICK OR INJURED? No WHAT'S WRONG? N/A

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

WERE YOU IN AN ACCIDENT TODAY? Yes

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? NO WHEN? N/A

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? No WHO? N/A WHY? N/A

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? Yes WHAT? ibuprofen WHEN? every day

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? nothing

DO YOU TAKE INSULIN? NO IF SO, WHEN WAS YOUR LAST INJECTION? N/A

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

INTERVIEWER: TPK Andrew Iv



# TESTING FACILITY TASK REPORT

AGENCY: FHP TRP. IV #3651

SUBJECT: LOBECK, SHAUN M.

CASE NUMBER: 21-095156

DATE: 08-12-21

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 01:19 HRS

ENDING TIME: 01:40 HRS

BREATH TESTS RESULTS: 1) .061 TIME 01:24 A.M. ☒ P.M. ☐ 2) .057 TIME 01:27 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: SCRATCHY, HEAVY

ATTITUDE: CALM, COOPERATIVE

CLOTHING: SHIRT- GRAY/ SWEATY SHORTS- ARMY FATIGUE

MEDICAL CONDITIONS: SEVERAL BACK AND NECK SURGERIES NO ALLERGIES

MEDICATIONS: NONE/ SEVERAL MEDS. ON CAMERA.

## OTHER:

EYES: VERY RED, GLASSY, SLEEPY

## COMMENTS:

20 MIN. OBSERVATION CONDUCTED BY A/O IV #3651  
A/O REQUESTED THE BREATH TEST ON CAMERA.  
D SUBMITTED TO THE BREATH REQUEST.  
D COMPLETED THE TEST CORRECTLY.  
EXPALINED THE BREATH RESULTS TO THE D.  
A/O REQUESTED THE URINE TEST ON CAMERA.  
D SUBMITTED TO URINE ON CAMERA.  
C/W READ ON CAMERA.  
Q&A CONDUCTED.

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: 80-006239 Software: 8100.27  
Date of Test: 08/12/2021

Date of Last Agency Inspection: 07/16/2021  
Observation Period Began: 00:55  
Subject's Name: SHAUN M LOBECK

DOB: 08/31/1978 Sex: M

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	01:22
Air Blank	0.000	01:23
Control Test	0.080	01:23
Air Blank	0.000	01:23
Subject Sample #1	0.061	01:24
Air Blank	0.000	01:24
Air Blank	0.000	01:26
Subject Sample #2	0.057	01:27
Air Blank	0.000	01:27
Control Test	0.079	01:28
Air Blank	0.000	01:28
Diagnostics Check	OK	01:28

Cylinder Lot: 02021080A1  
Exp: 03/05/2023

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 SHARI L O'NEAL, 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: S. O'Neal Date: 08-12-21  
Signature

Sworn to (or affirmed) before me this 12 day of August, 2021

TPR Anderson JR Signature of Notary Public-State of Florida  
TPR IV #3651 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.



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

PBSO CASE # 21-095156

AGENCY CASE# FHPL21OFF052663

AGENCY ZONE \_\_\_\_\_

CRASH CASE # FHPL21OFF052663

TIME OF STOP/CRASH ~10:47PM

DATE 8/11/2021

DAY WEDNESDAY

SUBJECT'S NAME SHAUN, MICHAEL, LOBECK

RACE WHITE

SEX MALE

HGT 6'2"

WGT 250LBS

DOB 08/31/1978

LOCATION INTERSTATE 95 NORTHBOUND EXIT RAMP TO DONALD ROSS ROAD

ARRESTING OFFICER'S NAME & ID TPR ANDREW IV #3651

AGENCY FLORIDA HIGHWAY PATROL

DIVISION: TROOP L - LAKE WORTH

NOTIFIED BY COMMO \_\_\_\_\_

ARRIVAL AT FACILITY

0055 HRS

ARREST TIME

11:58PM

BREATH RESULTS:

1. .061
2. .057
3. Urine Pending
4. \_\_\_\_\_

TESTING OFFICER'S ID

6212

PBSO VIDEOTAPE #

1



**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)
<b>L/E Exemptions</b>	<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.	
<b>Public Info. Exemptions</b>	<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.	
<b>Florida Rules of Judicial Administration 2.420 (Rule of 23)</b>	<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"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
<b>Other</b>	<input type="checkbox"/>		Other:	
	<input type="checkbox"/>		Other:	

**REVIEW COMPLETED BY**

**Booking Number:** 2021019965

**Date:** 8/12/2021

**Specialist Name/ID:** M. Tooks #8557