

ARREST NOTICE TO APPEAR

ADVISOR ORTS Number Agency ORI Number 0500400 Agency Name Delray Beach Police Department Agency Report Number (N.T.A.'s only) 4 0 21-006803	1. Arrest 3. Request for Warrant 2. N.T.A. 4. Request for Capias <div style="text-align: right;"> 1 JUVENILE </div>
Charge Type: <input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other	If Weapon Seized Enter Type UNARMED Multiple Charge Indicator 1
Location of Arrest (Including Name of Business) SE 1ST ST/SE 7TH AVE DELRAY BEACH, FL Location of Offense (Business Name, Address) 699 SE 1ST ST/SE 7TH AVE, DELRAY BEACH, FL 33483	
Date of Arrest 06/03/2021 Time of Arrest 00:20 Booking Date 06/03/2021 Booking Time 00:30 Jail Date 06/03/2021 Jail Time 03:13 Location of Vehicle 699 SE 1ST ST/SE 7TH AVE	
Name (Last, First, Middle) PANIK, THOMAS JOHN Alias (Name, DOB, Soc. Sec. #, Etc.)	
Race W - White Sex M Date of Birth 08/11/1954 Height 5'09 Weight 175 Eye Color HAZEL Hair Color WHITE Complexion FAIR Build MEDIUM	Religion CATHOLIC Indication of Alcohol Influence Yes <input type="checkbox"/> No <input type="checkbox"/> Unk <input type="checkbox"/>
Local Address (Street, Apt. Number) (City) (State) (Zip) 3606 S OCEAN BLVD 1007, HIGHLAND BEACH, FL 33487 Permanent Address (Street, Apt. Number) (City) (State) (Zip) 3606 S OCEAN BLVD 1007, HIGHLAND BEACH, FL 33487 Business Address (Name, Street) (City) (State) (Zip) FL DL Occupation Retired	
D/L Number, State P520830542910 / FL Soc. Sec. Number [REDACTED] INS Number [REDACTED] Place of Birth (City, State) ALLENTOWN, PA. 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 <input type="checkbox"/> Other: _____ Name (Last, First, Middle) Legal Custodian <input type="checkbox"/> Address (Street, Apt. Number) (City) (State) (Zip) Notified by: (Name) Date Time Released To: (Name) Relationship Date Time The above address was 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's Office (Phone 355-2526) informed of any change of address. <input type="checkbox"/> Yes, by: _____ <input type="checkbox"/> No: _____	
Drug Activity S. Sell R. Smuggle K. Dispose/M. Manufacture/Z. Other N. N/A B. Buy D. Deliver E. Use F. Possess T. Traffic Drug Type B. Barbiturate H. Hallucinogen P. Pseudoephedrine U. Unknown N. N/A A. Amphetamine C. Cocaine M. Marijuana O. Opium/Opiv. S. Synthetic Z. Other	
Charge Description DRIVING WHILE UNDER INFLUENCE Drug Activity Drug Type Amount / Unit Offense # Counts Domestic Violence Warrant / Capias Number N N / 21-006803 1 <input type="checkbox"/> Y <input checked="" type="checkbox"/> N Statute Violation Number 316.193(1)(A) Violation of ORD #	
Charge Description Drug Activity Drug Type Amount / Unit Offense # Counts Domestic Violence Warrant / Capias Number / / / / <input type="checkbox"/> Y <input type="checkbox"/> N Statute Violation Number Violation of ORD #	
Charge Description Drug Activity Drug Type Amount / Unit Offense # Counts Domestic Violence Warrant / Capias Number / / / / <input type="checkbox"/> Y <input type="checkbox"/> N Statute Violation Number Violation of ORD #	
Health / Apparent Physical Condition of Defendant Any knowledge of the following: Explain: Check which applies: <input type="checkbox"/> Released O.R. <input type="checkbox"/> Released to Parent/Guardian <input checked="" type="checkbox"/> T.O.T. County Jail <input type="checkbox"/> Posted Bond <input type="checkbox"/> South County Mental Health Transmitted By Date Transmitted Time Transmitted Other JOSEPH ABRUZZO, CLERK PALM BEACH COUNTY, FL South County 200 W Atlantic Ave Delray Beach, FL 33444 Court Date and Time 06/30/2021 08:30:00	
INSTRUCTION NO. 1 - Mandatory appearance in court <input type="checkbox"/> INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2. 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. Signature of Defendant (or Juvenile and Parent/Custodian) Date Signed [Signature]	
HOLD for Other Agency <input type="checkbox"/> Dangerous <input type="checkbox"/> Related Arrest <input type="checkbox"/> Suicidal <input type="checkbox"/> Other Intake Deputy ID # Pouch # [Signature]	
Signature of Arresting Officer WINDSOR, NICHOLAS Name of Arresting Officer (Print) ID # WINDSOR 1029 Transporting Officer ID # Agency WINDSOR 1029 DBPD Name Verification (Printed by Arrestee) SCANNED PAGE 1 OF 1	

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 2ND DAY OF JUNE 20 21 AT 2336 PM
SUBJECT: PANIK, THOMAS JOHN CASE NUMBER: 21-006803
AGENCY: DELRAY BEACH PD ARRESTING OFFICER: WINDSOR #1029

PERSONAL CONTACT

DRIVING PATTERN: ACTUAL PHYSICAL CONTROL (PHYSICAL EVIDENCE OR STATEMENTS PUTTING DEF. BEHIND WHEEL OF VEHICLE)

The following occurred in the City of Delray Beach, County of Palm Beach, FL.

On 06/02/21 at 2336hrs Ofc. Woods #1071 DBPD observed a black 2009 Mercedes SL (FL Tag #Z31JQA) turn right (south) onto SE 6th Ave. from E. Atlantic Ave. SE 6th Ave. Eastbound motor vehicle traffic in the 500 block of E. Atlantic Ave. has two lanes. One lane marked for left turn only and one lane for straight travel only. Eastbound motor vehicle traffic also has a prohibited right turn sign mounted near the traffic signal and an one way arrow facing northbound on the southeast corner of the intersection. Ofc. Woods conducted a traffic stop by activating his emergency lights on his marked Delray Beach Police Dept. patrol vehicle. The Mercedes stopped at the intersection of SE 1st St. and SE 7th Ave. Ofc. Woods made contact with the white male driver and identified him by his FL DL as Thomas John Panik. Panik was the only person inside the Mercedes and was sitting in the driver seat. The Mercedes' engine was running and the vehicle key was in the ignition. When I arrived on scene, I identified Panik by his FL DL.

OBSERVATION OF DRIVER:

Panik was standing outside the Mercedes when I met him. I smelled an odor of an unknown alcoholic beverage coming from Panik. Panik's eyes were red and had a glassy appearance. Panik's speech was slurred while he was speaking. Panik swayed in a circular motion while standing still. Panik's pupils were dilated and slow to react to changes in light. Panik stumbled and had difficulty maintaining his balance while walking. After arrest, Panik had mood swings from laughing to being angry.

DRIVER'S STATEMENTS:

Panik stated he was at City Oyster (213 E. Atlantic Ave., Delray Beach, FL. 33444) prior to driving. Panik stated he consumed three "John Daly" cocktails. Panik stated a "John Daly" cocktail contained ice tea, lemonade and vodka. Panik stated he finished his last cocktail 45 minutes prior to the traffic stop. Panik stated he was traveling to the 600 block of SE 1st St. to meet a female acquaintance. Panik stated nobody was inside the Mercedes when he was stopped by the police. Panik stated Uber has been getting expensive lately and he tries to not drive when he drinks alcohol. Panik initially did not consent to performing roadsides but after I informed Panik of Taylor Waring, he agreed to perform roadsides. Panik requested several times to park the Mercedes and give us the vehicle key.

ODORS:

I smelled an odor of an unknown alcoholic beverage coming from Panik.

GENERAL OBSERVATIONS

SPEECH: Slurred

ATTITUDE: Polite and Respectful. After Arrest Became Uncooperative.

CLOTHING: Blue Shirt, Blue Jeans with White Shoes.

MEDICAL/OTHER: None Stated

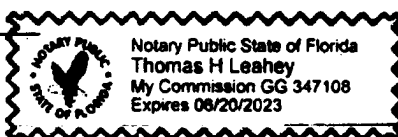
STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 3rd day of June 20 21 by Ofc. Windsor #1029

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced by

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



SCANNED
JUN 03 2021

SUBJECT: PANIK, THOMAS JOHN

CASE NUMBER DBPD #21-006803

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

☒ LT EYE-LACK OF SMOOTH PURSUIT

☒ RT EYE-LACK OF SMOOTH PURSUIT

☒ LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION

☒ RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION

☒ LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

☒ RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

Other Observations:

Panik had to be instructed several times to keep his head still and only move his eyes. Panik had sustained VGN present.

WALK & TURN:

Panik was unable to maintain his balance after being placed in the instructional phase position. Panik kept placing the wrong foot in the front after being instructed to place his right foot in the front. Panik did not count each step as instructed. Panik did not touch heel to toe on either step. Panik did not turn around as instructed. Panik restarted the roadside several times and each time he stopped, he requested to have a few minutes. Panik had his arms more than two inches of his body to aid him with balance. Panik stepped off the line several times. I stopped this roadside due to safety concerns for Panik.

ONE LEG STAND:

Panik used his arms for balance. Panik hopped up and down during the roadside. Panik put his foot down on the ground several times. Panik stated he wanted to complete this roadside because he didn't want a DUI.

FINGER TO NOSE:

Panik did not keep his head tilted back for the entire roadside. Panik missed the tip of his nose on one attempt. Panik swayed in a circular motion while standing still.

ROMBERG ALPHABET:

Panik swayed in a circular motion while standing still. Panik did not keep his head tilted back for the entire roadside. Panik stated "I Love You" while reciting the alphabet.

BREATH TEST RESULTS: (1) Refused (2) (3) (4)

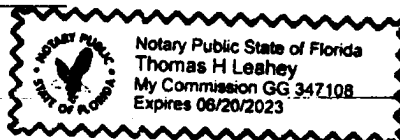
STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 3rd day of June 2021 by Ofc. Windsor #1029

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced

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



SCANNED

JUN 03 2021



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

PBSO CASE # 21-072023 PBSO ZONE 4-11
AGENCY CASE # 21-006803 CRASH CASE # N/A
TIME OF STOP/CRASH 2336 DATE 06/02/21 DAY WEDNESDAY
SUBJECT'S NAME PANIK, THOMAS JOHN RACE W SEX M
HGT 5'09" WGT 175 DOB 08/11/54
LOCATION 600 BLOCK SE 1ST ST, DELRAY BEACH, FL
ARRESTING OFFICER'S NAME & ID WINDSOR #1029 AGENCY DELRAY BEACH PD
DIVISION: CRD
NOTIFIED BY COMMO YES
ARRIVAL AT FACILITY 0046
BREATH RESULTS: ARREST TIME 0020
1) _____
2) **REFUSED**
3) _____
4) _____
TESTING OFFICER'S ID 16877 PBSO VIDEOTAPE # N/A

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JUN 03 2021

JUN 03 2021

TESTING FACILITY TASK REPORT

AGENCY: DBPD

SUBJECT: Panik, Thomas J.

CASE NUMBER: 21-072023

DATE: Jun 3, 2021

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 01:10

ENDING TIME: 01:16

BREATH TESTS RESULTS: 1) Refusal TIME 01:15 A.M. ☒ P.M. ☐ 2) N/A TIME A.M. ☐ P.M. ☐
3) N/A TIME A.M. ☐ P.M. ☐ 4) N/A TIME A.M. ☐ P.M. ☐

BREATH OPERATOR: R. Ragin #16877

MAINTENANCE TECHNICAN: Jason Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: Slurred

ATTITUDE: Talkative, agitated, uncooperative, moodswings

CLOTHING: Blue jeans, light blue shirt, white sneakers

MEDICAL CONDITIONS: Psoriasis

MEDICATIONS: Otezla

OTHER:

Eyes are red
odor of unknown alcoholic beverage on breath

REFUSED

COMMENTS:

Arrived at center A/O started 20 minute observation period at 00:46 hrs.

Subject refused to perform breath test.

A/O read I/C and explained I/C.

Subject refused to take test.

A/O read rights.

Subject stated he understood rights.

NO Q&A conducted subject invoked the right to counsel.

REFUSED

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JUN 03 2021

WITNESS LIST

CASE NUMBER: DBPD #21-006803

ARRESTING OFFICER: OFC. WINDSOR #1029 DBPD

ADDRESS: 300 W ATLANTIC AVE DELRAY BEACH, FL 33444

PHONE NUMBERS (HOME): _____ (WORK) 561-243-7800

CAN TESTIFY TO: DUI PC

NAME: OFC. WOODS #1071 DBPD

ADDRESS: 300 W ATLANTIC AVE DELRAY BEACH, FL 33444

PHONE NUMBERS (HOME): _____ (WORK) 561-243-7800

CAN TESTIFY TO: TRAFFIC VIOLATION

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: _____

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CAN TESTIFY TO: _____

NAME: _____

ADDRESS: _____

PHONE NUMBERS (HOME): _____ (WORK) _____

CAN TESTIFY TO: _____

SCANNED
JUN 03 2021



**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)
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: 2021013475	Date: 6/3/2021
	Specialist Name/ID: M. Took #8557

SCANNED
JUN 03 2021