

21CT11095NB

Arrest Report

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

J# 05-24381

PH 761

Report Date / Time 7/4/2021 02:32 AM	Report Number FHP99ARR815999	Case Number/Cad Number FHPL21OFF043254 / LWRC21CAD121221	Reporting Officer Name A. FERNANDEZ
Originating Agency ORI	Occur Date Time Range 07/04/2021 01:54:09 -	Jurisdiction	Clearance

Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description I-95 SB SOUTH OF ATLANTIC BLVD
Street Number I-95	Street SB	Apt/Lot/Bldg LAKE WORTH
City LAKE WORTH	State FL	Zip Code 33462

Defendant

First Name TYLER	Middle Name DOUGLAS	Last Name MERCIER	Suffix	Race WHITE	Sex MALE	Height 510	Weight 190	Hair BRO	Eyes BRO
MNI #	SSN	Date of Birth 09/17/1999	Age 21	ID Type E	Drivers License or other ID M626804993370	State FL	OCA / Agency ID		
Place of Birth: BRACUT MA US									
Address * / 3100 NE 48TH ST APT 808 , FT. LAUDERDALE, FL 33308 / 603-508-7575									

Arrest

Arrest Date/Time 7/4/2021 2:25:45 AM	Arrest Location Type PUBLIC PLACE	Arrest Location Description I-95 SOUTHBOUND RIGHT SHOULDER
Street Number I-95	Street SB	Apt/Lot/Bldg PALM BEACH
County PALM BEACH	City LAKE WORTH	State FL
Zip Code 33462		

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			

Charge : S

Counts 1	Charge 320.261	Bond Amount \$0.00	<input type="checkbox"/> No Bond
Charge Degree S	Charge Level MISDEMEANOR	General Offense Code NONMOVING TRAFFIC VIOL	
Charge Description ATTACH REGISTRATION LICENSE PLATE NOT ASSIGNED			
Is Arrestee Juvenile?		No	
Type of Arrest		On-View Arrest (apprehension without a warrant or previous incident report)	

Arrest Report

CPI NEAL 7200

SCANNED
JUL 06 2021

Page 1 of 5

Report Date / Time 7/4/2021 02:32 AM	Report Number FHP99ARR815999	Case Number/Cad Number FHPL21OFF043254 / LWRC21CAD121221	Reporting Officer Name A. FERNANDEZ
Originating Agency ORI	Occur Date Time Range 07/04/2021 01:54:09 -	Jurisdiction	Clearance

Bond Set by Court

<input type="checkbox"/> Bond Amount <input type="checkbox"/> No Bond
Bond Type(s)

Probable Cause

On Sunday July 4th, 2021 at approximately 1:54 AM I was advised via radio by the LWRCC (Lake Worth Regional Communication Center) about a white SUV traveling the wrong way on I-95. The vehicle was allegedly traveling southbound in the northbound lanes. A short time later we received an update stating that the vehicle turned around and was now traveling in the correct direction, north in the northbound lanes. The vehicle then exited at Hypoluxo RD and re-enter I-95 this time traveling south.

As we received updates from the communications center, I was able to locate the vehicle traveling in the HOV lane southbound just north of Atlantic BLVD. I positioned my patrol car directly behind a white SUV bearing FL tag QPEA68. I advised my dispatcher of the vehicle's tag. The tag was not assigned to that vehicle and per FCIC/NCIC

(VOIDED/INVALID TAG. THE LAST RECORDED ISSUING ENTITY WAS:

DEALER: JOEY ACCARDI CHRYSLER DODGE JEEP RAM
ADDRESS: 909 S FEDERAL HWY, POMPANO BCH, FL, 33062).

I then activated my in-car dash camera in order to capture the vehicle's driving pattern. While behind the vehicle, still in the HOV

SCANNED
JUL 06 2021

Report Date / Time 7/4/2021 02:32 AM	Report Number FHP99ARR815999	Case Number/Cad Number FHPL21OFF043254 / LWRC21CAD121221	Reporting Officer Name A. FERNANDEZ
Originating Agency ORI	Occur Date Time Range 07/04/2021 01:54:09 -	Jurisdiction	Clearance

lane, it began straddling the HOV lane and number 2 lane, the vehicle then entered the HOV lane again before changing all the way to the center lane without using a signal. At this time, I activated my emergency blue lights and conducted a traffic stop on a white Range Rover SUV for failure to maintain a single lane. The vehicle pulled over onto the right shoulder.

I approached the right passenger side of the vehicle and observed a white male shirtless in the driver seat in actual physical control of the vehicle. The white shirtless male/defendant was later ID by his FL DL M626-804-99-337-0. I then advised the defendant the reason for the stop, "failure to maintain a single lane".

I asked him for his driver's license and vehicle's registration. He provided his DL but not a registration. I asked the driver where he was coming from and where he was headed. He stated that he was coming from "Miami" and was headed "home in Ft. Lauderdale". The traffic stop was conducted on I-95 north of Atlantic BLVD. While talking to the defendant I could smell a strong odor of an alcoholic beverage emitting from within the vehicle, his eyelids were droopy, and his speech was slightly slurred. I asked the defendant if he had had anything to drink and he stated "no".

At this time, I decided to have the defendant step out of the vehicle in order to eliminate the odor coming from within the vehicle, he complied and stepped out. I then located another FL tag of QPEA68, in the right passenger door, this tag was the tag assigned to the white Range Rover SUV but not attached to it. I also

Report Date / Time 7/4/2021 02:32 AM	Report Number FHP99ARR815999	Case Number/Cad Number FHPL21OFF043254 / LWRC21CAD121221	Reporting Officer Name A. FERNANDEZ
Originating Agency ORI	Occur Date Time Range 07/04/2021 01:54:09 -	Jurisdiction	Clearance

observed in plain sight one crushed can of Bud light next to a closed can of Bud light. When asked about the two cans, the defendant stated, "they're not mine".

Once out of the vehicle, I could still smell a strong odor of an alcoholic beverage emitting from the defendant's mouth. Once again, I told him the reason for the stop and advised him that based on my observations, I have reason to believe he was operating a motor vehicle while under the influence of an alcoholic beverage. I asked the defendant if he will perform a series of field sobriety exercises. The defendant was cooperative and agreed to perform the exercises. All the exercises were captured in my in-car dash camera and will be detailed in a separate incident report. The defendant did not perform the exercises satisfactorily and was placed under for DUI at 2:25 AM.

Once under arrest the defendant asked to be given a breath test, I advised him that he will be afforded the opportunity to take one once we arrived at the jail. I arrived at the jail and began my 20-minute observation period at 2:59 AM. At 3:22 AM the defendant was asked to submit to the breath test, but refused to provide a breath sample stating, "if I take it and pass it, I can't go so what's the point". He was then advised of the implied consent and still refused to take the breath test. He was advised of his Miranda Rights and stated to refer all questions to his lawyer. He was then booked into the Palm Beach County Jail without incident.

Jail Booking Facility

Booking Date/Time	Booking County PALM BEACH	Booking Facility PALM BEACH COUNTY CORRECTIONS	Booking Facility Phone (561) 688-4400
-------------------	------------------------------	---	--

SCANNED
JUL 06 2021

Report Date / Time 7/4/2021 02:32 AM	Report Number FHP99ARR815999	Case Number/Cad Number FHPL21OFF043254 / LWRC21CAD121221	Reporting Officer Name A. FERNANDEZ
Originating Agency ORI	Occur Date Time Range 07/04/2021 01:54:09 -	Jurisdiction	Clearance

Booking Facility Location 3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406	Booking Number
Booking Comments	

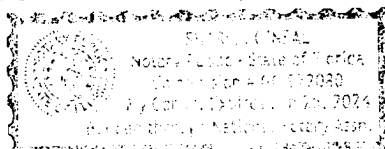

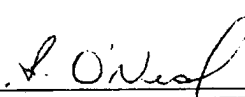
Court

Court County PALM BEACH	Court Location 3188 PGA BLVD. PALM BEACH GARDENS, FL 33410
Court PALM BEACH NORTH COUNTY COURTHOUSE	Court Phone 561-624-6608
Court Appearance Date / Time 08/05/2021 8:30 AM	Court Fine
Comments	

Officer Name Rank / ID #	Involvement On Report / Reporting Role	Officer Agency Org/Unit
A. FERNANDEZ TPR 2932	REPORTING OFFICER	FLORIDA HIGHWAY PATROL FHPL\LRCC\PALM BEACH\SR702 TO MARTIN LN

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 A. FERNANDEZ	Office Rank TPR	Officer ID No 2932	Sworn and subscribed before me, the undersigned authority This the <u>4TH</u> day of <u>JULY</u> , <u>2021</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
--	-------------------------------------	--	---------------------------------------	------

SCANNED
JUL 06 2021



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

PBSO CASE # 21-082310 PBSO ZONE 4-12

AGENCY CASE # FHPL21OFF043254 CRASH CASE # _____

TIME OF STOP/CRASH 2:07 AM DATE 7-4-21 DAY SUNDAY

SUBJECT'S NAME TYLER D MERCIER RACE W SEX M

HGT 5'10 WGT 190 DOB 9-17-99

LOCATION I-95 SB NORTH OF UNION

ARRESTING OFFICER'S NAME & ID ALAIN FERNANDEZ 908 AGENCY FHP

DIVISION: _____

NOTIFIED BY COMMO ✓

ARRIVAL AT FACILITY 0259 HRS

BREATH RESULTS:

Arrest Time 2:25 AM

1. _____
2. **REFUSED**
3. _____
4. _____

TESTING OFFICER'S ID 6212

SCANNED
JUL 06 2021

TESTING FACILITY TASK REPORT

AGENCY: FHP TRP. FERNANDEZ #908

SUBJECT: MERCIER, TYLER D.

CASE NUMBER: 21-082310

DATE: 07-04-21

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 03:20 HRS

ENDING TIME: 03:23 HRS

BREATH TESTS REQUESTED:

REFUSE

1) TIME 03:22

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: RAPID

ATTITUDE: CALM, COOPERATIVE

CLOTHING: SHIRT- NONE SHORTS-BLUE/MULTI./PRINT NO SHOES

MEDICAL CONDITIONS: N/A

MEDICATIONS: N/A

OTHER:

EYES: RED, GLASSY

COMMENTS:

20 MIN. OBSERVATION DONE BY FERNANDEZ #908

A/O REQUESTED THE BREATH TEST.

D REFUSED THE REQUEST.

A/O READ THE IMPLIED CONSENT ON CAMERA.

D UNDERSTOOD THE I/C AS READ.

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

C/W READ ON CAMERA.

NO Q&A CONDUCTED.

SCANNED
JUL 06 2021

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) _____ **REFUSED**

SCANNED
JUL 06 2021

SUBJECT: TYLER DOUGLAS MERCIER CASE NUMBER: FHPL21OFF043254

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: _____

WHITE - STATE ATTY. YELLOW - DHSMV PINK - CENTRAL RECORDS GOLD - JAIL

SCANNED
JUL 06 2021

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

I, A. FERNANDEZ, 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 4th day of JULY, 2021, at 2:25 ☐ P.M. ☒ A.M.

DRIVER TYLER DOUGLAS MERCIER
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME
DL# M626804993370, state of FL, was placed under lawful arrest for

the offense of 316.193(1)
D.U.I. - ALCOHOL OR DRUGS (MISDEMEANOR) by A. FERNANDEZ and
(Name of Arresting Officer)
issued Citation # A7714BE

That on or about the 4th day of JULY, 20 21, at 3:22 ☐ 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.

[Signature]
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 of Attesting Officer

Title

Date

The foregoing instrument was sworn and subscribed before
me this 04 day of July, 20 21,
by _____,

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

Notary Public [Signature]

HSMV-BAR1001 (REV. 10/2016)

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.

SCANNED
JUL 06 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"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
Other	<input type="checkbox"/>		Other:	
	<input type="checkbox"/>		Other:	

REVIEW COMPLETED BY

Booking Number: 2021016369	Date: 7/5/21
	Specialist Name/ID: A. Pinkney/7796