



Arrest Report

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
1300 MARCINSKI ROAD
JUPITER, FL. 33477

22 mm 3282 m 657

Report Date / Time 4/24/2022 04:39 PM	Report Number C-9492AA	Case Number/Cad Number FWC22ON0033554 / FWCS22IN0016049	Reporting Officer Name CERNUTO, ELISHA D
Originating Agency ORI FL0508000	Occur Date Time Range 04/24/2022 16:05:42 -	Jurisdiction	
OBTS Number	Other Number	Clearance	

Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description LAKE BOCA RATON			
Street Number	Street LAKE BOCA	Apt/Lot/Bldg FWC	City BOCA RATON	State FL	Zip Code 33432

Defendant

First Name VINICUS	Middle Name FERNANDES	Last Name ROSADO	Suffix	Race WHITE	Sex MALE	Height 702	Weight 513	Hair Brown	Eyes Brown
MNI #	SSN	Date of Birth 02/21/1986	Age 36	ID Type	Drivers License or other ID	State	OCA / Agency ID		
Place of Birth: MA BRAZIL									
Address * / 130 SE 13TH ST , POMPAÑO BEACH, FL 33060 / 508-215-9488									

Arrest

Arrest Date/Time 4/24/2022 4:31:00 PM	Arrest Location Type PUBLIC PLACE	Arrest Location Description SILVER PALMS BOAT RAMP - LAKE BOCA				
Street Number	Street LAKE BOCA	Apt/Lot/Bldg FWC	County PALM BEACH	City BOCA RATON	State FL	Zip Code 33432

Charge : STATE STATUTE

Counts 1	Charge 327.35(1)(a)	Bond Amount \$0.00	☐ No Bond
Charge Degree SECOND DEGREE		Charge Level MISDEMEANOR	
General Offense Code		Arrest Offense Code DUI-UNLAW BLD ALCH	
Charge Description OPERATING A VESSEL WHILE NORMAL FACULTIES IMPAIRED			

Bond Set by Officer

Bond Amount	☐ No Bond
Bond Type(s)	

Probable Cause

On Sunday, April 24, 2022, I, Officer E. Cernuto, of the Florida Fish and Wildlife Conservation Commission,

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(FWC), responded to Silver Palms Boat Ramp, Boca Raton, to conduct a BUI (Boating Under the Influence) investigation.

Initial contact with the operator was made by Lt. Colonel A. Esconio and Officer Z. Dudas, due to the operator having his PFD improperly worn (open) while operating a Personal Watercraft (PWC). (See incident report for further).

Upon conducting my investigation on-scene, I observed the following:

Upon standing a conversational distance from the arrestee, I noted a moderate odor, consistent with that of an alcoholic beverage, emanating from his person. Upon asking him to remove his sunglasses, I noted his eyes were bloodshot and glassy.

Upon asking him to complete Seated Field Sobriety Tasks (SSFT's), I observed the following indicators:

Horizontal Gaze Nystagmus:

Lack of Smooth Pursuit (Right and Left Eye)
Distinct and Sustained Nystagmus at Max Deviation (Right and Left Eye)
Onset of Nystagmus Prior to 45 Degrees (Right and Left Eye)

Hand Coordination

During the Instruction Phase, subject initially started with right hand to chest and had to be corrected

Task 2:
Subject Counted Improper Number of Times

Task 3:
Improper Count
Did not return left fist to chest

Task 4:
Did not perform

Finger to Nose

Performance Stage:
- Subject did not close eyes and had to be reminded to close them.
- Subject did not tilt head and had to be reminded to do so.
- Subject opened eyes repeatedly during the task

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- Subject moved head more than 1"+
- Subject failed to use his fingertip during completion of all tasks (six clues)
- Subject hesitated during completion of the first right
- Subject missed the tip of his nose during the first left and first right
- Subject failed to bring his hand down during his first left

Palm Pat

- Subject chop patted throughout
- Subject rotated hands
- Subject kept stopping in the middle of the tasks
- Subject failed to increase speed

Based on the clues observed during completion of the SSFT's, as well as other physical clues and indicators, the subject was placed under arrest, reference Boating Under the Influence, at which time he was transported to the mobile BAT at Silver Palms Park, Boca Raton. Upon arrival, the subject was read implied consent, at which time he refused to provide a lawful sample of his breath. The subject was read a Miranda Warning, prior to completion of the Operator Appraisal and Interview form, at which time he declined to answer my questions.

End Report

Jail Booking Facility

Booking Date/Time	Booking County	Booking Facility	Booking Facility Phone
Booking Facility Location			Booking Number
Booking Comments			

Court

Court County	Court Location		
Court	Court Phone	Court Appearance Date / Time	Court Fine
Comments			

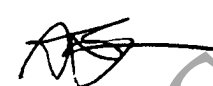
Officer Name Rank / ID #	Involvement On Report / Reporting Role	Officer Agency Org/Unit
CERNUTO, ELISHA D OFFICER SP WN887	REPORTING OFFICER	FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FWCSISO REGION AIMARTIN

Arrest Report

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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 CERNUTO, ELISHA D	Office Rank OFFICER SP	Officer ID No WN887	Sworn and subscribed before me, the undersigned authority This the <u>24th</u> day of <u>APRIL</u> , <u>2022</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT
Officer Agency FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION			
Officer Signature 			 P400

☐ No Bill / Petition	☐ Issue Warrant	☐ Prosecution Approved	Signature of Assistant State Attorney	Date
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V677203

COMPLAINT

UNIFORM BOATING CITATION

COUNTY OF **PALM BEACH (50)** AGENCY **FLORIDA FISH AND WILDLIFE**
CITY OF (IF APPLICABLE) **BOCA RATON (32)** **CONSERVATION COMMISSION**

IN THE COURT DESIGNATED BELOW THE UNDERSIGNED AFFIRMS THAT HE/SHE HAS JUST AND REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT ON

DAY OF WEEK MONTH DAY YEAR TIME OF DAY
SUNDAY APRIL 24 2022 17:47 PM

VIOLATOR : DEFENDANT

NAME (FIRST MIDDLE LAST)
VINICIUS FERNANDES ROSADO

STREET
130 SE 13TH ST

CITY STATE ZIP CODE DIFFERENT THAN REGISTRATION ☐
POMPAÑO BEACH FL 33060

TELEPHONE NUMBER DATE OF BIRTH & AGE RACE SEX HEIGHT
508-215-9488 2/21/1986 36 W M

DRIVER LICENSE NUMBER
994718234

OR OTHER I.D. STATE TYPE OF I.D. EXPIRES ON
MA

VESSEL

VESSEL REGNO ST EXPIRES ON HIN YEAR COLOR
FL5160PP FL 5/2/2023 YDV25253L213 2013 BLACK

MAKE TYPE
BOMBARDIER RECREATIONAL PIPERSONAL WATERCRAFT
PROPULSION HP FUEL LENGTH
Water Jet GAS 11 FEET

LOCATION

UPON THE WATERS OF THE STATE OF FLORIDA, OR OTHER LOCATION,
NAMESLY **N 26 22.7898 W 80 4.1930**

LAKE BOCA - BOCA

VIOLATION

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE

IN VIOLATION OF A VIOLATION B.A.L. %

STATE STATUTE **327.35215(1)**

INFRACTION COURT NOT REQUIRED

VIOLATION DESCRIPTION

REFUSAL TO SUBMIT TO BLOOD/BREATH/URINE TO PURSUANT TO FS327.352

CODE VIOLATION (IF APPLICABLE)

CODE VIOLATION DESCRIPTION

DESCRIPTION OF VIOLATIONS OR COMMENTS PERTAINING TO OFFENSE

ACCIDENT	CAUSED	PROPERTY	AMOUNT	INJURIES	FATALITIES
CASE N	ACCIDENT N	DAMAGE N		N	N

MAIL IN FINE OR COURT APPEARANCE

I AGREE AND PROMISE TO COMPLY AND ANSWER TO THE CHARGES AND INSTRUCTIONS SPECIFIED IN THIS CITATION. WILLFUL REFUSAL TO POST BOND OR ACCEPT AND SIGN THIS CITATION MAY RESULT IN ARREST. FAILURE TO APPEAR OR PROPERLY RESPOND TO THIS CITATION IS A SEPARATE AND ADDITIONAL CRIME.

MAIL IN FINE
\$500.00

X SIGNATURE OF DEFENDANT
OFFICER INSTRUCTIONS TO DEFENDANT / NOTES
COURT DATE TO BE SET

MAIL FINE TO COURT
PALM BEACH COUNTY COURT AT GUN CLUB
3228 GUN CLUB ROAD
WEST PALM BEACH, FL 33406

PAYABLE BEFORE
COURT TELEPHONE

ARREST DELIVERED TO ☐ DATE OF ARREST

RANK / SIGNATURE AND IDENTITY OF OFFICER
OFFICER SP CERNUTO, ELISHA D
ORG / UNIT I.D. NUMBER
FWCSISO REGION AIM WN887

FWC 190 (05/2002)

COURT COPY (COMPLAINT)

CASE NO. _____ DOCKET NO. _____ PAGE NO. _____

COURT ACTION AND OTHER ORDERS

BAIL FIXED AT \$ _____ OR CASH DEPOSIT OF \$ _____

SIGNATURE OF PERSON GIVING BOND

SIGNATURE OF PERSON TAKING BOND

FINE IN THE AMOUNT OF \$ _____ RECEIVED AS
REQUIRED BY COURT SCHEDULE.

Administrative Code Violation (If Applicable):

SIGNATURE OF CLERK

CONTINUANCE TO _____ REASON _____

CONTINUANCE TO _____ REASON _____

BOND ENTREATED _____

WARRANT ISSUED _____

DEFENDANT FAILED TO APPEAR _____

DEFENDANT ARRAIGNED ON _____ (DATE)

PLEA _____

SENTENCE FINE _____ COST _____

JAILED _____ DAYS _____

PROBATION _____ DAYS _____

BOATER IMPROVEMENT SCHOOL REQUIRED [] YES [] NO

SUBSTANCE ABUSE SCHOOL [] YES [] NO

OTHER _____

SIGNATURE OF JUDGE

TESTIMONY - JUDGES NOTES (OR OTHER COURT ORDERS)



**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	☐	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	☐	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	☐	119.071(4)(c)	Undercover personnel.	
	☐	119.071(2)(f)	Confidential informants (CIs).	
	☐	119.071(2)(e)	Confession.	
Public Info. Exemptions	☐	985.04(1)	Juvenile offender records.	
	☐	119.071(h)(i)	Assets of a crime victim.	
	☐	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	☐	394.4615(7)	Mental health information.	
	☐	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)	☒	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	☐	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	☐	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	☐	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	☐			
	☐			
	☐			
	☐			
	☐			
Other	☐		Other:	
	☐		Other:	

REVIEW COMPLETED BY

Booking Number: 2022010763	Date: 4/25/2022
	Specialist Name/ID: M. Took #8557