



05/8/166

# Arrest Report

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

20CT10280 NB

3196

Report Date / Time 8/22/2020 11:34 PM	Report Number FHP99ARR802129	Case Number/Cad Number FHPL20OFF046416 / LWRC20CAD124457	Reporting Officer Name A. FERNANDEZ
Originating Agency ORI	Occur Date Time Range 08/22/2020 22:59:37 -	Jurisdiction	Clearance

### Location of Occurrence

County PALM BEACH	Location Type PUBLIC PLACE	Location Description EXT RAMP
Street Number 95	Street NB I-95 NB	Apt/Lot/Bldg LAKE WORTH
City LAKE WORTH	State FL	Zip Code 33460

### Defendant

First Name WAMILTON	Middle Name LIBRELATO	Last Name TEIXEIRA	Suffix	Race WHITE	Sex MALE	Height 505	Weight 130	Hair GRY	Eyes HAZ
MNI #	SSN	Date of Birth 07/24/1964	Age 56	ID Type E	Drivers License or other ID T260892642640	State FL	OCA / Agency ID		
Place of Birth:	LAGUNA BRAZIL								
Address	* RESIDENCE / 416 E ILEX DR , LAKE PARK, FL 33403 / 561-906-5932								

### Arrest

Arrest Date/Time 8/22/2020 11:24:30 PM	Arrest Location Type PUBLIC PLACE	Arrest Location Description I-95 NB RIGHT SHOULDER
Street Number 95	Street NB I-95 NB	Apt/Lot/Bldg
County PALM BEACH	City LAKE WORTH	State FL
Zip Code 33460		

### Charge : S

Counts 1	Charge 316.193.1A	Bond Amount \$0.00	<input checked="" type="checkbox"/> No Bond
Charge Degree N	Charge Level MISDEMEANOR	General Offense Code DUI-UNLAW BLD ALCH	
Charge Description DUI ALCOHOL OR DRUGS			
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 Saturday August 22nd, 2020, at approximately 11:01 PM. I was

### Arrest Report

DS Collins 7672

A. Fernandez  
TPR2932

2020 AUG 23 AM 11:55  
AUG 23 2020  
Page 1 of 4

Report Date / Time 8/22/2020 11:34 PM	Report Number FHP99ARR802129	Case Number/Cad Number FHPL20OFF046416 / LWRC20CAD124457	Reporting Officer Name A. FERNANDEZ
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contacted by Trooper Mack ID# 1484 via phone regarding a DUI investigation. Trooper Mack advised me that the driver of the pick-up truck she had pulled over was demonstrating signs of impairment. At approximately 11:07 PM I arrived on scene and contacted Trooper Mack who advised me the reason why she pulled the vehicle over, swerving, varying speeds. She will add a supplement report to this report later.

I then contacted the defendant who was later ID by his FL DL T-260-892-64-264-0 as WAMILTON LIBRELATO TEIXEIRA. The defendant was observed by me in the driver seat in actual physical control of the vehicle. I approached the passenger right side of the vehicle and asked the defendant where he was coming from. He stated he was coming from a friend's house after celebrating her birthday. While talking to the defendant I could smell a faint odor of an alcoholic beverage emitting from within the vehicle. I asked the defendant if he had anything to drink and he stated, "some wine".

At this time, I asked the defendant to step out of the vehicle, in order to eliminate that faint odor emitting from within the vehicle. The defendant stepped out of the vehicle and walked towards the front of my marked patrol car. Once in front of my patrol car, I advised the defendant that now I was able to smell the odor of an alcoholic beverage emitting from his breath, his speech was slurred, and eyelids looked droopy. Based on my observations I asked the defendant if he was willing to perform a series of field sobriety

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exercises. He agreed to perform the exercises.

All the exercises were captured in my in-car camera and will be detailed in separate incident report. The defendant did not perform the exercises satisfactorily and was placed under arrest for DUI at 11:24 PM. He was then transported to the Palm Beach County Jail where he was asked to submit to a breath test. He agreed to submit to the breath test. I conducted my 20-minute observation period starting at 11:47 PM. The results are as follow: 1st sample provided at 12:16 AM .152 g/210L, 2nd sample provided at 12:20 AM .151 g/210L.

Based on these results and the evidence provided to me at the scene, the defendant did operate a motor vehicle within the State of Florida while his normal faculties were impaired due to an alcoholic beverage. These events took place in Palm Beach County Florida.

**Jail Booking Facility**

Booking Date/Time	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 3188 PGA BLVD. PALM BEACH GARDENS, FL 33410		
Court PALM BEACH NORTH COUNTY COURTHOUSE	Court Phone 561-624-6608	Court Apperance Date / Time 09/23/2020 1:30 PM	Court Fine
Comments			

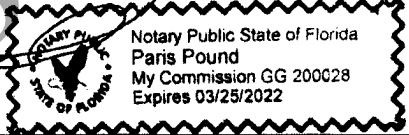

Arrest Report

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Originating Agency ORI	Occur Date Time Range 08/22/2020 22:59:37 -	Jurisdiction	Clearance

Officer Name Rank / ID #	Involvement On Report / Reporting Role	Officer Agency Org/Unit
A. FERNANDEZ TPR 2932	ASSISTING / REPORTING OFFICER	FLORIDA HIGHWAY PATROL FHPL\LWRCC\PALM BEACH\SR702 TO MARTIN LN
C.D.MACK TPR 4323	PRIMARY	FLORIDA HIGHWAY PATROL FHPL\LWRCC\PALM BEACH\BROW LN TO SR804

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:

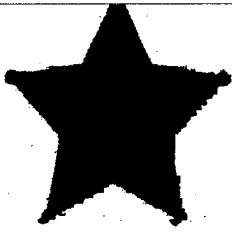
**Reporting Officer**

Officer Name A. FERNANDEZ	Office Rank TPR	Officer ID No 2932	Sworn and subscribed before me, the undersigned authority This the <u>23<sup>RD</sup></u> day of <u>AUGUST</u> , <u>2020</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT 
Officer Agency FLORIDA HIGHWAY PATROL	Officer Signature 		

No Bill / Petition   
 Issue Warrant   
 Prosecution Approved

Signature of Assistant State Attorney \_\_\_\_\_ Date \_\_\_\_\_

NOT A CERTIFIED COPY



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

PBSO CASE # 20-099937 PBSO ZONE 1-43

AGENCY CASE # FHP620OFF046416 CRASH CASE # \_\_\_\_\_

TIME OF STOP/CRASH 10:59 PM DATE 8-22-2020 DAY SATURDAY

SUBJECT'S NAME WAMILTON L. TEIXEIRA RACE WHITE SEX MALE

HGT 5'05 WGT 130 DOB 7-24-64

LOCATION I-95 NB SOUTH OF 10<sup>TH</sup> AVE N.

ARRESTING OFFICER'S NAME & ID ALAIN FERNANDEZ 931 AGENCY FHP

DIVISION: \_\_\_\_\_

NOTIFIED BY COMMO WALK IN

ARRIVAL AT FACILITY 11:47 PM

BREATH RESULTS:

Arrest Time 11:24 PM

1. .152
2. .151
3. N/A
4. N/A

TESTING OFFICER'S ID 24639

NOT A CERTIFIED COPY

**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: 80-006238 Software: 8100.27  
Date of Test: 08/23/2020

Date of Last Agency Inspection: 08/14/2020  
Observation Period Began: 23:47  
Subject's Name: WAMILTON L TEIXEIRA

DOB: 07/24/1964 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	00:14
	Air Blank	0.000	00:15
	Control Test	0.079	00:15
	Air Blank	0.000	00:16
	Subject Sample #1	0.152	00:16
	Air Blank	0.000	00:17
	Air Blank	0.000	00:19
	Subject Sample #2	0.151	00:20
	Air Blank	0.000	00:20
	Control Test	0.078	00:21
	Air Blank	0.000	00:21
	Diagnostics Check	OK	00:21

Cylinder Lot: 14020080A1  
Exp: 07/05/2022

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 PARIS D POUND, 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: \_\_\_\_\_ Date: 08/23/20  
Signature

Sworn to (or affirmed) before me this 23<sup>rd</sup> day of AUGUST, 2020

Signature of Notary Public-State of Florida # 931 Printed Name of Notary Public-State of Florida TRP. A. FERNANDEZ

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.

SUBJECT: TEIXEIRA, WAMILTON L 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) RINO OW CANEA

SUBJECT: TEIXEIRA, WAMILTON L CASE NUMBER: FHP2007F046416

### 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? NONE

WHAT STREET OR HIGHWAY WERE YOU ON? I-95

DIRECTION OF TRAVEL? NO WHERE DID YOU START? POMEROY BEACH

WHAT TIME DID YOU START? DON'T KNOW WHAT TIME IS IT NOW? NO

WHAT IS TODAY'S DATE? DON'T KNOW WHAT DAY OF THE WEEK IS IT? SATURDAY

WHAT COUNTY AND CITY ARE YOU IN NOW? PALM BEACH

WHEN DID YOU LAST EAT? 4 AM WHAT DID YOU EAT? FOODS

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? WORKING ON PARTY

HOW MUCH DO YOU WEIGH? 130 HAVE YOU BEEN DRINKING? YES WHAT? WINE

HOW MUCH? 2 GLASSES WHERE? B DAY PARTY WITH WHOM? FRIENDS

WHEN DID YOU HAVE YOUR FIRST DRINK? 12:30 AM AND YOUR LAST DRINK? SOME

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? SIP

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

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

WHAT? NO WHERE? N/A WHEN? N/A

WHAT LINE OF WORK ARE YOU IN? CONCRETE WHEN DID YOU LAST WORK? TODAY

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? NO WHAT? N/A

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

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? 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? TODAY

- DO YOU HAVE:
- EPILEPSY? NO
  - GLASS EYE? NO
  - FALSE TEETH? YES
  - EAR INFECTION? NO
  - INNER EAR TROUBLE? NO
  - DIABETES? NO

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? N/A

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? YES WHERE? N/A FLORIDA

INTERVIEWER: ALAIN FERNANDEZ

# TESTING FACILITY TASK REPORT

AGENCY: FHP-L

SUBJECT: TEIXEIRA, WAMILTON L

DATE: Aug 23, 2020

BEGINNING TIME: 00:11

CASE NUMBER: 20-099937

VIDEO DVD NUMBER: N/A

ENDING TIME: 00:33

BREATH TESTS RESULTS: 1) .152 TIME 00:16 A.M.  P.M.  2) .151 TIME 00:20 A.M.  P.M.   
3) N/A TIME N/A A.M.  P.M.  4) N/A TIME N/A A.M.  P.M.

BREATH OPERATOR: P.POUND #24639

MAINTENANCE TECHNICAN: J. KARLECKE# 6467

### TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED

ATTITUDE: CALM, QUIET

CLOTHING: BLUE JEANS, BLUE T-SHIRT, BLACK SNEAKERS

MEDICAL CONDITIONS: TOOTHACHE

MEDICATIONS: IBPROFEN

### OTHER:

SUBJECT: STATED HE HAD A COUPLE GLASSES OF WINE IN Q&A

### COMMENTS:

ARRIVED AT CENTER A/O BEGAN THE 20 MINUTE OBSERVATION PERIOD AT 23:47 HRS.

SUBJECT: AGREED TO TAKE TEST

A/O: READ RIGHTS TWO TIMES

SUBJECT: STATED HE UNDERSTOOD RIGHTS

TECH: READ TEST RESULTS

SUBJECT: STATED HE UNDERSTOOD TEST RESULTS

A/O: CONDUCTED Q&A

SUBJECT: ANSWER QUESTIONS



# 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: 2020020036

Date: 8/23/2020

Specialist Name/ID: B Evans / 23649

8/23/2020