## 90.2022- CT-011876- ASB 0533237 \$3

	OBTS Number	Ju	ST / NOTIC			2. N.T.A. 4. F	tequest for Warrant Request for Capies	Juvenile N
TION	Agency ORI Number FL 0 5 0 0 3 0 0	Agency Name BOYNTON	BEACH PO	LICE	DEPT.		2-008241	
ADMINISTRATION	Charge Type: 1. Felony Check as many as Apply. 2. Traffic F	3. Misdemean		5. Ordi 6. Othe			zed Enter Type Mu Cle	tiple anince icator
P	Location of Arrest (Including Name of Business) 3000 High Ridge Rd. Boynton Bea			Locat	ion of Offense (	Business Name, Address) ige Rd. Boynton	Beach, FL 33435	
	Date of Arrest 7 Time of A 2050	urrest Booking Date	Booking Time		Jail Date	Jail Time	Location of Vehicle Beck's Towing	
$\vdash$	Name (Last First Middle) McCaw, Allistair, James		Alias (Name, DO	B, Soc. S	ec. #, Etc)			
	W - White I - American Indian	Date of Birth 05/12/1974	Height 5'9"	Weight 175		Color Hair Color		Bulld Medium
	B - Black O - Oriental / Asian VV Scars, Marks, Tettoos, Unique Physical Features (Local Control of the Control	l l	<u> </u>	1,,,	Marital	Status Religion	Indication of: Alcohol influence	Y N Unk.
DEFENDANT	Local Address (Street, Apt. Number)	(City)	(Su	•	Single (Zip)	Phone	Drug Influence Residence Type 1. City 3. Flo	
DEFE	1404 Copley CT Permanent Address (Street, Apt, Number)	Boynton Beach	FI (Sta		3343	5 ( )	1. City 3. Flo 2. County 4. Ou Address Source	t of State
	Business Address (Street, Apt. Number)	(City)	•	ate)	(Zip)	Phone	Defendant	
	D/L Number, State	L Soc Sac Number		S Numbe		Place of Birth	Author	enéhip
⊢	M200010741720 Co-Defendant Name (Last, First, Middle)			Sex 1	Date of Birth	Ireland	USA	
CO-DEF	Co-Defendant Name (Last, First, Middle)	لننتنا		Sex	Date of Birth	1. Arre 2. At I	arge 4. Misdemesnor	5. Juvenile
\ <u>\</u>	☐ Perent Name (Last)	(Finst)	(Middle)	لِــا	$\langle \rangle$	2. At L		
	☐ Legal Custodien ☐ Other	LOK			(Excess	/**t_1		
	Address (Street, Apt. Number)  Notified by: (Name)	2	(City)	$\langle \lambda \rangle$	(State)	(Zip)  Juvenile Dispor	Business Pho	me .
JUVENILE						Juvenile Ulapor     Handled/Pro     Dept. and R	ocessed within 2. TOT HR eleased 3. incercen	
ş	Released To: (Name)	Relationship		<b>Y</b>			Date Tim	
	The above address was provided by defendant and Court Clerk's Office (Phone 561-355-2526) informed of Yes, By: (Name)		shild and/or parent w	as told to	keep the Juven	le School Attended		Grade
	Property Crime? Description of Property Yes No	(A)				Value of Propert		
GODE		ispense/ M. Manufacture Distribute Produce/ Cultivate	N.	ug Type N/A Ampheta	B, Barbi C, Coca mine E, Heroi	ne M. Marijuana	P. Paraphernalia/ U. L. Equipment Z. C S. Synthetic	Inknown Other
_	Charge Description		Counts 1		tic Vialence	Statute Violation Number 316.193.1A		of ORD#
CHARGE	Drug Activity Drug Type Amou N/A N/A N/A	nt/Unit	Offense # 22 - 008241			Warrant/Capias Number	Bond	
MRGE	Charge Description Pessession of Open Container		Counts 1	Domes	tic Violence	Statute Violation Number 316:1936.2A	Violati	on of ORD#
Ş.	Drug Activity Drug Type Amou N/A N/A N/A	nVUnit	Offense # 22 008241	-70	-	Warrent/Capias Number	Bond	
₹GE	Charge Description Careless Driving		Counts 1		tic Violence	Statute Violation Number 316.1925	Violeti	or of ORD#
CHARGE	N/A N/A N/A	nt/Unit	Offense # 2 <del>2-008241</del>			Warrant/Capies Number	Bond	
CHARGE	Charge Description		Counts		tic Violence I No	Statute Violetion Number		of ORD#
충		nVUnit	Offense #			Warrant/Capies Number	Bond	
Ϋ́	Instruction No. 1 Mandatory Appearance in Court Instruction No. 2	South County Court		est Atl	antic Ave,	Delray Beach, FL	33444	8.5
TO APPEAR	You need not appear in Court but must Comply with instruction on reverse side.  I AGREE TO APPEAR AT THE TIME AND PLACE DE	Court Date and Time  Month Server SIGNATED TO ANSWER THE C	NO C Day	V 2	Year	SUBSCRIBED, LUNDERS	E 30 00	A.M. P.M.
NOTICE	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.							
ž	Signature of De	ofendant (or Juvenile and Parent/C Signature of Arre	<u> </u>			Name Verification (	Date Signed Printed by Arrestee)	
Į.	Name:  Dengerous Resisted Arrest	Name of the sting			1.0. #	(PRINT)		
ADMIN	Suicidal Other:	Coppini Pauch # Transporting Office		1.D. #	1137 Agency	BU# Witness here is sub	ect .	Page
L	1 linnag 691	Coppini		1137	BBPD	Signed with an "X",	<u></u> ;:	السواق

### D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE	23rd	DAY OF _	July	2022	AT	2050		⊠ P.M.	
CASE #:	22-0082	41	DEF	ENDAN	T: <u>A</u>	llistair Jan	nes Mccaw		

### PERSONAL CONTACT/DRIVING PATTERN/OBSERVATION OF DRIVER:

On Saturday July 23, 2022, at approximately 1959 hours, I responded to 3000 High Ridge Rd. Boynton Beach, FL 33435 in reference to a traffic stop.

Upon arrival I made contact with Sgt. Herny, who advised the following;

"On July 23, 2022 at approximately 1959 hours, I was on patrol stopped at the intersection of High Ridge Road and West Gateway Boulevard. I was in the left turn lane facing westbound when I observed a silver Mercedes CLA (FL: L6FFS) traveling westbound in the center lane. The operator of the Mercedes, identified as Allistair McCaw, attempted a right turn from the center lane at unsafe speeds. Due to the high speed, McCaw was unable to safely negotiate said turn causing his Mercedes to almost crash head on into another vehicle, which was facing southbound in its correct lane of travel.

McCaw then quickly accelerated northbound on High Ridge Road, all while straddling the center lane until the road turned into one lane. As I was safely able to catch up to conduct a traffic stop for the listed careless driving, McCaw aggressively braked and made a right turn into the parking lot of 3000 High Ridge Road (closed businesses). It was at this point I activated my emergency equipment to affect a traffic stop.

I made contact with the driver and sole occupant, McCaw. Upon approaching the vehicle, McCaw opened the driver's door. I immediately smelled a strong odor of alcohol coming from McCaw, which only grew stronger as he spoke. McCaw continuously apologized for his admission of erratic driving and kept stating he was nervous. Officer Festa and Coppini arrived on scene and investigated McCaw for the suspicion of driving while intoxicated.

During this time, I wrote McCaw one citation for careless driving, in accordance to F.S.S. 316.1925 (UTC AG4IW8E). This citation was provided to Officer Festa which was then provided to McCaw. This concludes my involvement in this case."

I then made contact with the operator and sole occupant of the vehicle, Allistair James McCaw DOB: 05/12/1974, who I observed to be in the front driver seat of the vehicle (2018 Grey Mercedes CLA FL tag: L6FFS).

As I was speaking with McCaw I noticed his eyes were red bloodshot and glassy, I smelled an unknown alcoholic beverage emanating from within the vehicle and as I spoke with McCaw the odor of the unknown alcoholic beverage only became stronger. I also observed McCaw to have slurred speech as well as it appeared that McCaw had urinated on himself. While speaking to McCaw, he advised that he had two Bud Light beers earlier today.

Based on my observations thus far McCaw was asked to step out of the vehicle. While McCaw was walking towards the rear of the vehicle I witnessed him stumbling. I again spoke with McCaw and asked where he was coming from, stating he was coming from the Palm Beach Outlets in West Palm Beach, FL.

McCaw then advised he had eaten a club sandwich and drank two Bud Light beers "at midday" (1200). While speaking with McCaw I witnessed him swaying while standing, and had to continuously repeat basic questions related to the traffic stop in order to get an answer.

Based on my observation of McCaw I believed his abilities to operate a motor vehicle safely were impaired. As a result, I requested McCaw to submit to a series of Standardized Field Sobriety Tasks (SFSTs) to which McCaw agreed and stated that he has been through this before so he is aware of the process.

<u>HORIZONTAL GAZE NYSTAGMUS:</u>	
Left eye does not follow smoothly	Right eye does not follow smoothly
∠ Left eye prior to 45 degrees	Right eye prior to 45 degrees
☐ Distinct jerking in left eye at	Distinct jerking in right eye at
maximum deviation	maximum deviation
☐ Vertical Nystagmus in left eye	Vertical Nystagmus in right eye

### **WALK AND TURN:**

While attempting to explain and demonstrate to McCaw, he continuously interrupted my instructions and demonstrations to ask officers names, spelling of their names and asking if the tasks were being recorded. I was ultimately able to complete my demonstration and McCaw then attempted to rush to begin this task prior to being told to do so. Upon instructing McCaw to begin, he was unable to keep his balance, missed heel-to-toe several times, did not count out loud, repeatedly stepped off line, placed his hands together behind his back, and did not complete a proper turn. McCaw took 12 steps then stated that he counted to 10 before he made an improper turn and asked what to do after. I then reminded McCaw that he needed to take nine steps to complete the task. McCaw then took 14 steps back and stopped. He then became argumentative and once again requested officers' names and spelling of each officers' name, and asking if the tasks were being video recorded. This completed McCaws attempt of this task.

### **ONE LEG STAND**:

While attempting to explain and demonstrate to McCaw, he continuously interrupted my instructions and demonstrations to ask officers names, spelling of their names and asking if the tasks were being recorded. I was ultimately able to complete my demonstration and McCaw then stated that he had an injured right hip/leg and stated that it travels to his left leg as well. I asked if McCaw would still like to attempt the task, to which he agreed. McCaw started the task several times before being instructed to start. McCaw then stated "what if I was not incoherent" and "this is even difficult without even drinking". Prior to McCaw being instructed to start this task he began counting: "one thousand 1, one thousand 2, one thousand 3, one thousand 3" and then counted properly to one thousand 7 and stopped. McCaw was then instructed to begin the task to which he lifted his leg, bent at the knee and counted improperly. During McCaw's first attempt he counted to one thousand 6 and stated that officers told him to do so. I then reexplained and demonstrated this task to McCaw, to which he stated "I don't need to be told to do so". He then became argumentative and once again requesting officers' names and spelling of each officers' name, and asking if the tasks were being video recorded.

### **FINGER TO NOSE:**

While attempting to explain and demonstrate to McCaw, he continuously interrupted my instructions and demonstrations to ask officers names, spelling of their names and asking if the tasks were being recorded. McCaw then began to argue with officers and attempted to walk away from me while explaining the task. Due to McCaw continuously being argumentative with officers and not complying with Officers multiple lawful orders to not walk away my continued efforts to conduct the tasks were stopped.

### **ROMBERG/ALPHABET:**

Task not conducted.

Based on the above, McCaw was placed under arrest (handcuffed and double locked and checked for tightness) at 2050 hours. A search incident to tow was conducted which revealed an open 750mL Skyy Vodka bottle (40% alcohol) which was approximately three-quarters empty which was located in the back seat of the vehicle on the right passenger floor board.

I then transported McCaw to PBCJ where I arrived at 2137 hours and began my 20-minute observation period to ensure McCaw did not ingest or regurgitate anything. During this time, McCaw drank water while using the restroom after being advised not to do so. A second 20-minute observation period was conducted to once again ensure McCaw did not ingest or regurgitate anything. After completing this, McCaw was read Implied Consent and I requested McCaw submit to a lawful sample of his breath, for the purpose of determining its alcohol content. At this time McCaw agreed. While in the testing room. McCaw was able to provide two valid samples. The first sample was collected at 2205 hours with a reading of 188 the second valid breath sample was collected at 2208 hours with a reading of 195. I then advised McCaw of his Miranda Rights, to which he stated that he understood, where I proceeded to ask McCaw a series of questions where he advised he was 175 for his height. McCaw advised he was pulled over on I-95 traveling southbound, when in fact he was pulled over on High Ridge Rd traveling northbound at a high rate of speed. When I asked McCaw what he had been drinking he advised that he had two cans of Bud Light and a Vodka Soda between 1:30pm-2:00pm, when on scene he advised that he had consumed two Bud Light cans at midday. McCaw was also asked if he could feel the effects of the alcohol which he stated yes, but then stated that he did not think he was under the influence. McCaw completed the question and answer portion. Based on the above facts, McCaw is being charged with one count of DUI pursuant to F.S.S. 316.193.1A. McCaw was also provided with a citation for Careless Driving and Open Container, McCaw was TOT to the quality care and control of PBCJ. McCaw's above described vehicle was towed by Beck's Towing.

The following instrument was sworn to before me this

23 day of July 2022

By: Ofc. Coppini 1137

Notary Public State of Florida
Thomas H Leahey
Ny Commission GG 347108

Notary/Police Officer F.3: 9: 1 179:160 100202023

Signature of Arresting Officer



	FINAL ORDER
22-668241 FLORIDA DUI UNIFORM TRAFFIC CITATION AE1574E	This will serve as notice of final order of license suspension/disqualification effective on the dath it was issued to you. You may request a formal or informal review of the suspension/disqualification, or if this is your first DUI related offense, you may welve the review and request a review to determine eligibility for a restricted license. If you want the department to conduct a review of your suspension/disqualification, you must request such review at the location indicated on the reverse side. Your request must estabilited in
COUNTY OF PALM BEACH (1) F.H.P (2) P.D (3) S.O (4) OTHER CITY (F APPLICABLE)  BOYNTON BEACH AGENCY MAKE BOWNTON BEACH POLICE DEPARTMENT  AGENCY 9 6884	writing WITHIN TEN CALENDER DAYS after the date of of suspension/disqualification and include a copy of this notice. When requesting a review, or if this is your first DUI neleted offense and you wish to waive the review and request an eligibility review for a restricted license, you must include a non- refundable filling fee of \$25 made payable to DHSMV.
SETTING COURT SERVICION SELECT THE CHINESIAN CHINESIAN THAT HERE WAS SUMMONS	
ANT AND REMOTHABLE GROUNDS TO BELLEVE AND DOOR BELLEVE THAT ON (MOLATOR COPY)  DAY OF WEEK MONTH DAY YEAR TIME	REVIEW PROCESS
SUN         7         24         2022         12:46:00 AM           NAME (PRINT) FIRST         MIDDLE         LAST	The informal review shall consist solely of an examination of the materials submitted by you and the law enforcement officer or correctional officer. The formal review allows you to be heard and present witnesses in regard to thissuspension/disqualification.
ALLISTAIR JAMES MCCAW  STREET FOFFERENT THAN ONE ON DRIVER LICEUSES TO HERE  1404 COPLEY CT	WAIVER OF FORMAL/INFORMAL REVIEW
STATE   ZIP CODE   33438   TELEPHONE NUMBER   DATE OF MO   DAY   1974   W   M   5' 09"	If this is your first DUI related offense and you otherwise quality, you may waive your right to a review of the suspension and receive a business purpose only license for use during the period your driver license is auspended. A non-refundable filing fee of \$25 made payable to DHSMV is required for determination of your eligibility for a restricted license.
DRIVER M 2 0 0 0 1 0 7 4 1 7 2 0	DRIVING WITH AN UNLAWFUL BLOOD OR BREATH
LICENSE NUMBER STATE CLASS STATE FL E Y N 2027 FEB NO	ALCOHOL LEVEL (.08 OR ABOVE)
YR VEHICLE AMAKE STYLE COLOR COLOR YES WINDOWS INTO NO. STATE VEAL YAG EXP YES WIND NO. STATE YEAR YAG EXP YES WIND NO. STATE YES WIND YOU YES WIND YOU YES WIND	<ol> <li>Whether the law enforcement officer had probable cause to believe that the person was driving or in actual physical control of a motor mehicle in this state while under the influence of alcoholic beverages</li> </ol>
L6 FFS FL 2023 V86 W MO UPON A PUBLIC STREET OR HIGHWAY, OR OTHER LOCATION, NAMELY GATEWAY BLVD 50 FEET E FROM HIGH RIDGE RD 26.550700 V86 W MO	or controlled substances (DUI).  2. Whether the person had an unlawful blood or breath alcohol level (:08 or above).
80.072828 COMMON RIGHT R	REFUSAL TO SUBMIT TO A BREATH, BLOOD OR URINE TEST
FT MILES OF NODE	<ol> <li>Same as number one above.</li> <li>Whether the person refused to submit to any such test after being requested to do so by a law enforcement</li> </ol>
DID LIBE MATCHLY COMING THE OPPINION OF DIVINIO LINDER THE NATLEMEDE OF ALCOHOLIC SEPERAGES, CHESICAL, OR CONTROLLED GLIBTANICES, DID DRIVE ON TWO OI ACTUAL PHYSICAL, CONTROL OF A VEHICLE, WHELE LINDER THE SPILIPACE	afficer or correctional officer.
OWN TRACES GROUND US HAVE AN ARROW OF THE STATE OWN TO A VALUE OF THE STATE OWN ARROWS OWN ARROWS OWN ARROWS OF THE STATE OWN ARROWS OW	<ol><li>Whether the person whose license was suspended was told that if he or she refused to submit to such test, his or her privilege to operate a motor vehicle would be suspended.</li></ol>
D.U.I DRIVING UNDER THE INFLUENCE MISDEMEANO	IN CASE OF A DISQUALIFICATION THE FOLLOWING ISSUES WILL BE CONSIDERED:
THE STATE SALE SECTION SALE SECTION (1)	DRIVING WITH AN UNLAWFUL BLOOD OR BREATH ALCOHOL LEVEL (48 OR ABOVE)
THIS IS A CRIMINAL VIOLATION, COURT APPEARANCE REQUIRED, AS INDICATED BELOW.	<ol> <li>Whether the arresting law enforcement officer had probable cause to believe that the person was driving or in actual physical control of a commercial motor vehicle, or any motor vehicle if the driver holds a commercial driver's license, in this state while he or she had any alcohol, chemical substances, or controlled substances in</li> </ol>
09/12/2022 08:30 AM AE1574E	his or her body.
COURT DATE SOUTH COUNTY COURT HOUSE	Whether the person had an unlawful blood-atcohol level or breath-atcohol level of 0.08 or higher.
200 WEST ATLANTIC AVE OELRAY BEACH 33444 FL	REFUSAL TO SUBMIT TO A BREATH, BLOOD OR URINE TEST
200 Medi Albatione Section Scientification	1. Same as number one above.
ARREST DELIVERED TO  ALTER AND ROMERT TO COMPLY AND AMERIES TO THE CHARGE AND RESTRICTIONS REPORTED IN THIS CITATION, WILLIAR, REFURLA TO ACCOUNT AND ABOVE THE CITATION WILLIAR, REFURLA TO ACCOUNT AND ABOVE THE CITATION WILLIAR, REFURLA TO ACCOUNT AND ABOVE TO COUNTY THE CITATION CONTINUES TO COUNTY THE CITATION CONTINUES AND TO COUNTY THE CITATION CONTINUES AND THE CITATION CONTINUES AND TO COUNTY THE CITATION CONTINUES AND THE CITATION CONTINUES A	<ol><li>Whether the person refused to submit to any such test after being requested to do so by a law enforcement or correctional officer.</li></ol>
X SKRNATURE OF VIOLATOR	<ol> <li>Whether the person was told that if he or she refused to submit to such test, his or her driving privilege to operate a commercial motor vehicle would be disquelified.</li> </ol>
EFFECTIVE MMECATELY, YOUR DRIVING PRIVACES SUSPENDED/SIGNAL/FED FOR:  IN DRIVING WITH AN UNLAWFUL BLOOD OR BREATH ALCOHOL LEVEL. THIS SUSPENSION IS FOR A PERIOD OF SIX MONTHS IF THIS IS THE FIRST VIOLATION OR ONE YEAR IF PREVIOUSLY SUSPENDED FOR DRIVING WITH AN UNLAWFUL BLOOD OR BREATH ALCOHOL LEVEL. IF YOU HOLD A CLO OR YOU ARE OPERATING A CMY, YOUR COMMERCIAL DRIVER LICENSEPRIVILEGE WILL ALSO BE DISQUALIFIED FOR ONE YEAR FOR THE FIRST OFFENSE OR PERMANENTLY DISQUALIFIED FOR A SUBSEQUENT OFFENSE	FAILURE TO REQUEST A REVIEW WITHIN THE 10 DAY PERIOD SHALL RESULT IN THE WAIVER OF YOUR RIGHT TO A REVIEW OF THE SUSPENSION/DISQUALIFICATION AND A REVIEW OF YOUR ELIGIBILITY FOR A RESTRICTED LICENSE.
REFUSAL TO SUBMIT TO LAWFUL BREATH BLOOD OR URINE TEST SECTION 322.2616, F. S. THIS	Location of Administrative Reviews Hearing Offices
L-JBUSPEANION IS FOR A PERIOD OF ONE YEAR IF THIS IS A FIRST REFUSAL OR 15 MONTH'S IF PREVIOUSLY SUSPENDED FOR THIS OFFENSE. IF YOU HOLD A COLL OR YOU ARE OFFERNING A CMY, YOUR COMMERCIAL DRIVER LICENSEPPRIVILEGE WILL ALSO BE DISQUALIFIED FOR A PERIOD OF ONE YEAR FOR A FIRST REFUSAL OR PERMANENTLY DISQUAL IFIED FOR A BUSSEQUENT REFUSAL.	1, Cisenwater 33762 6, Jecksonville 32210-3522 11, Panama City 32401-2230 4585 140th Avenue North, 7439 Wilson Boulevard 237 West 15th Street (Lincoln Center)
LICENSE SURRENDERED?   YES   NO REASON	12. Persecola 32503-7460 2.Deytone Beach 32114-4663 7, Lantens 33462-1516
ELIGIBLE FOR PERMIT? VES NO REASON	995 Orange Avenue 1299 West Lantana Road  3 Fort Myera 33901 13. Tallahasses 32399-0500
URLESS MELAGRIE, THIS CITATION SHALL SERVE AS A TEMPORARY DRIVER LICENSE AND WILL EXPIRE AT MIDNIGHT ON THE 10TH DAY FOLLOWING THE DATE OF SUSPENSION.  AT THE THE DATE OF SUSPENSION, A REVIEW OF ADMINISTRATIVE REVIEWS OFFICE, YOU MAY REQUEST, WITHIN 10 DAYS AFTER THE DATE OF SUSPENSION, A REVIEW OF SUSPENSION OF A REVIEW TO DETENDING ELICIBATE FOR A RESTRICTED LICENSE FTHIS IS YOUR PRIST OU RELATED OFFICES THE COMPANY APPER YOUR DISTORT OF VEHICLES, SEE REVIEWS BE SUSPENSIONED.	3.Fort Myere 33901 4048 Evans 8. Lauderdale Laise 33311 Avenue, Suite 305 3718-3 W. Oakland Park Blvd
YOUR HAST OUR RELATED OWNERS BY THE CREMATISATY OF HOUSING WANTED AND MOTOR VEHICLES, SEE REVERSE BIOS.	4, Fort Pierce 34982-8105 9, Mismi 33144 2814 East Hilleborough Avenue
RANK-SIGNATURE OF OFFICER BADGE NO ID NO TROOP UNIT	3220 South Federal 7795 West Flagler Street Highway, Suite 8 Suite 82C 15. Orlando 32810-4221
T COPPINI	10, Melbourne 32901-7121 4101 Clarcons-Occee 5, Geinesville 32909-2861 2325 S. Beboock Street Road, Ste 152 2815 N.W. 13th
ELECTRONIC REPORT	Street, Suite 302 16. Winter Springe 32708

Information Regarding Review Hearing FINAL ORDER

### **TESTING FACILITY TASK REPORT**

	AGENCY: BBPD				
SUBJECT: McCaw, Allistair J	CASE NUMBER: 22-091012				
DATE: Jul 23, 2022	VIDEO DVD NUMBER: n/a				
BEGINNING TIME: 2159	ENDING TIME: 2220				
BREATH TESTS RESULTS: 1) .188 TIME 2205 A.M F					
BREATH OPERATOR: Thomas H Leahey #19183					
MAINTENANCE TECHNICAN: Jason Karlecke #6467					
TESTING OFFICER'S OBSERVATIONS					
SPEECH: thick					
ATTITUDE: calm/agitated, argumentative					
CLOTHING: red shorts, gray t-shirt, white sneakers					
MEDICAL CONDITIONS: none					
MEDICATIONS: none					
OTHER:  eyes were glassy & bloodshot odor of unknown alcoholic beverage on breath subject stated he drank a few drinks - 2 Bud Lites & 1 Vodka/soda @ home - Q&A					
COMMENTS:					
arrived at center A/O conducted 20 observation period at 2137 hrs					
subject agreed to perform breath test subject completed breath test					
A/O read rights & subject understood rights - subject refused to answer until after results					
tech read breath test results & subject understood breath test results					
A/O conducted Q&A					
subject answered questions					

CASE #: 22-00	08241	DEFENDANT:	Allistair James McCaw	
	G 11440			
<del>-</del>	r: Coppini 1137			-
		non Beach, FL 33435		
Phone Numbers:	: Home:		Work: (561) 742-6100	
Names Cot Ham	···			
Name: Sgt. Her		non Dooch El 22425		
		non Beach, FL 33435	W. J. (5(1) 742 (100	
Phone Numbers:		Dili	Work: (561) 742-6100	
Can testify to: _1	initial driving patte	rn, observation, DUI invest	ugation	+
Name: Ofc. Fes	ta		4	
		non Beach, FL 33435		
Phone Numbers:		non beach, PL 33433	Work: (561) 742-6100	<del></del>
	DUI investigations			
Name: Cpt. Riv			~ ()	
		non Beach, FL 33435		
Phone Numbers:		non beach, 1 13 33 433	Work: (561) 742-6100	
	DUI investigation		(201) / 12 0100	
cun testily to	Delinvestigation			
Name: Ofc. Rol	berts			
		non Beach, FL 33435		
Phone Numbers:			Work: (561) 742-6100	<del></del>
	DUI investigation			
Name:				
Address:				
Phone Numbers:	: Home:		Work:	
Can testify to:				
_		) 7		
Name:				
Address: Phone Numbers:	Цото		Work:	
Can testify to:			WUIK.	
Can testify to				
Name:				
Address:				1
			Work:	
Can testify to:				
		* * * * * * * * * * * * * * * * * * *		<del>~</del>
Name:				
Address:				
			Work:	



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

PBSO CASE # 22-09/0/2	PBSO ZONE	6-12
agency case # 22-008241	CRASH CASE #	
TIME OF STOP/CRASH 2004 DATE	7/23/22	DAY Saturday
SUBJECT'S NAME Allistair James Mc		
HGT 5'9" WGT 175		
LOCATION 3000 High Ridge Rd		1
ARRESTING OFFICER'S NAME & ID Coppini		
DIVISION: Road Portrol		DMMO Yes
		ACILITY 2/37
BREATH RESULTS:	Arr	est Time 2050
1		
2195		
3. <b>NA</b>		
4. MA		
TESTING OFFICER'S ID /9/83		

## 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: 80-006477 Software: 8100.27

Date of Test: 07/23/2022

Date of Last Agency Inspection: 07/15/2022

Observation Period Began: 21:37 Subject's Name: ALLISTAIR J MCCAW

DOB: 05/12/1974 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	22:04
	Air Blank	0.000	22:04
	Control Test	0.080	22:04
	Air Blank	0.000	22:05
	Subject Sample #1	0.188	22:05
	Air Blank	0.000	22:06
	Air Blank	0.000	22:08
	Subject Sample #2	0.195	22:08
	Air Blank	0.000	22:09
	Control Test	0.080	22:09
	Air Blank	0.000	22:10
	Diagnostics Check	OK	22:10

Cylinder Lot: 19021080A2 Exp: 09/05/2023

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 THOMAS H LEAHEY , 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: 07/23/2022

Sworn to (or affirmed) before me this 23 day of July, 2022

Signature Notary Public-State of Florida 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.



RANK-NAME OF OFFICER

I CERTIFY THE CITATION V

### AG4 IWBE SEC FLORIDA UNIFORM TRAFFIC CITATION 1) F.H.P (2) P.O (3) S.O (4) OTHER PALM BEACH SHOY NAME BOYNTON SEACH POLICE DEPARTMENT 20.0 **BOYNTON BEACH** IN THE COURT DESIGNATED BELOW THE UNDERNIGHED CERTIFIES THAT HER JUST AND REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT ON ED CERTIFIES THAT HEADY SUMMONS SUN 7 24 2022 12:48 AM (PRINT) FIRST ALLISTAIR MIDDLE MCCAW 1404 COPLEY CT BOYNTON BEACH 5 12 1974 W 0 0 0 1 0 7 4 1 M 2 7 0 Y N 2027 7ES V 100 FL £ YR VEHICLE 17ES V NO MERZ 4D TRAKER TAG NO 2018 GRY VEHICLE DICENSE NO FL 2023 YES V NO IRON A BURLIC STREET OR HIGHWAY OR OTHER LOCATION NAME ! YES V NO GATEWAY BLVD, 50 FEET E FROM HIGH RIDGE RD 26.550700 80.072826 THE W NO MILES - - - - OF NODE FT 50 DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE. CHECK CHELY ONE OFFISHE EACH CITATION. LIPH. SPEED APPLICABLE SCHOOL ZONE CONSTRUCTION WORKERS PRESENT INTERNTATE D MEASUREMENT DEVICE: BOYAND DRIVER LICENSE BY IN CANDLEDS SHOWING OF THE DRIVER LIGHT ning a red light/traffic oc PARLURE TO STOP AT ATRAFFIC SIGNAL ROPER LANE CHANGE OR COURSE ED TAG SEK (E) MONTHS OR OTHER VIOLATIONS OR COMMENTS PERTANSION TO OFFENSE: POSSESSION OF OPEN CONTAINER IN MOTOR VEHICLE (DRIVER CITED) YES V AGGRESSIVE DRIVING 316,1936 (2)(6) V No Ves V No W VOIL ATTOM COLOT APPEAR V INFRACTION, COURT APPEARANCE REQUIRED AS INDICATED SELOW CHECK AG41-WBE INFRACTION WHICH DOES NOT REQUIRE APPEARANCE IN COURT. COURT INFORMATION 09/12/2022 08:30 AM SOUTH COUNTY COURT HOUSE 200 WEST ATLANTIC AVE DELRAY BEACH HTTP://WWW.MYPALMBEACHCLERK.COM/SOUTHCDATE: (561) 274-1530 33444 ARREST DELIVERED TO DATE I MAY HERLET OF ON AND DESTRUCTIONS OF CONTROL OF THE CITATION, WELFA. CHIEF, WOODSTAND MY CONSTRUCT IN NOT AN ADMINISTRAL OF CULL T CONTROL TO COMPLY WITH THE CITATION, CONTROL THE Signed: X SCONTON OF POLYCON BIOLOGY OF STREET FIRE TION REQUIRE APPLICATION OF INCOME. 1137 1137 OFC

BADGE NO

ID NO

TROOP UNIT

### IMPORTANT INSTRUCTIONS REGARDING A NON-CRIMINAL TRAFFIC INFRACTION NOT REQUIRING A COURT APPEARANCE

If you were charged with a civil infraction, you must complete one of the following options WITHIN 30 CALENDER DAYS of the date of this citation. If you fail to comply WITHIN 30 CALENDER DAYS your driving privilege will be suspended until you comply. You will then be subject to additional penalties. Please see the front of the citation for the contact information for the Clark of Court in the county where

Option 2: If you were cited for expired driver license, failure to display a valid driver license, expired tag, failure to possess a valid registration, or no proof of insurance, you may show proof to the Clerk of Court that you had a valid driver license, tag/registration, or insurance, whichever is applicable, at the time of the offense. The charge will be dismissed upon payment of a dismissed upon payment of a dismissed lice. Option 3: If you DO NOT hold a commercial driver license and you were cited for driver license expired 6 months or less, expired tag 6 months or less, tailure to display a valid driver license, failure to possess a valid registration, no proof of insurance, or driving while license suspended [see s. 322.34 (10)(a), F.S.], you may elect to show proof of compliance to the Clerk of Court in the form of a valid driver license, registration, or proof of insurance, whichever is applicable. You may make only due such an election per 12 month period and no more than three elections in a lifetime. You must pay court costs and adjudication will be withheld. Option 4: If you DO NOT hold a commercial driver license, you may be eligible to elect to complete a Florida driver improvement course. You must contact the Clerk of Court to make this election. You may make only one such election per 12 month period and not more than five elections in your lifetime. www.fihamv.gov for a list of approved courses and to determine your eligibility for this election.

Adjudication will be withheld and points will not be assessed. You must pay a civil penalty and pourt costs. This option is not available for certain traffic offenses including driver floense, tag and registration violations. Completion of a driver improvement course is required if you are cited for ntrol device, even if you do not make this ele Option 5: You may elect a court hearing by contacting the Clerk of Court. If you request a hearing and the County Judge/Magistrate/Hearing Officer determines that you have committed the offense, the County Judge/Magistrate/Hearing Officer may impose a penalty of up to \$500 (or \$1,000 if a fability occurred) and/or require completion of a driver improvement course. Points may be assessed. If it is determined that no infraction has been committed, no cost or penalties shall be imposed. **FAULTY EQUIPMENT AFFIDAVIT OF COMPLIANCE** (Law Enforcement Use Only) I certify that the defective equipment described herein has been corrected and compiles with the requirements of the Florida traffic laws. ASSIGNED DHSMV AGENCY #: 0634

(Name, Title, ID#)

SUBJECT: McCan, Allistair J	CASE NUMBER:
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## 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? (Lome
WHAT STREET OR HIGHWAY WERE YOU ON? <u>I-95</u>
DIRECTION OF TRAVEL? WHERE DID YOU START?
WHAT TIME DID YOU START? no che WHAT TIME IS IT NOW?
WHAT IS TODAY'S DATE? 23'd WHAT DAY OF THE WEEK IS IT? 6 +h
WHAT COUNTY AND CITY ARE YOU IN NOW? Palm Feach
WHEN DID YOU LAST EAT? 32m WHAT DID YOU EAT? 5 Pague ++1, port chop
WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? SACORDING
HOW MUCH DO YOU WEIGH? 177, 3 HAVE YOU BEEN DRINKING? YE 5 WHAT? 2 Dad Vights & wedke
HOW MUCH? 3 drinks WHERE? at home WITH WHOM? Jamyse (
WHEN DID YOU HAVE YOUR FIRST DRINK? (:30 - 2 pm AND YOUR LAST DRINK? 43
HOW DID YOU CONSUME YOUR LAST TWO DRINKS?
CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? Yes ARE YOU UNDER THE INFLUENCE? 1 Jon't HVINK 50
HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? NO HOW MUCH?
WHAT? WHERE? WHEN?
WHAT LINE OF WORK ARE YOU IN? WHEN DID YOU LAST WORK? 4 hours age
DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? WHAT? T + WIND WE ALL OF P
ARE YOU SICK OR INJURED? WHAT'S WRONG?
DO YOU LIMP? NO DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? YO
WERE YOU IN AN ACCIDENT TODAY?
HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? Y\ C> WHEN? WHEN?
HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? NO. WHO? WHY?
ARE YOU TAKING ANY PRESCRIPTION MEDICINES? WHAT? WHEN?
DO YOU HAVE: EPILEPSY? Y. CO
GLASS EYE?  FALSE TEETH?  O
EAR INFECTION?
INNER EAR TROUBLE? <u>V</u> O 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: 1137 WHITE SPATE ATTY. YELLOW DHSMV PINK - CENTRAL RECORDS GOLD - JAIL
PBSO #0129C REV. 9/93

SUBJECT: Mean, Allistair CASE NUMBER:	
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### **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 <b>URINE</b> for the purpose of determining 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 refuse to take the test I have requested of you, your driving privilege will be suspended for a period of one (1) year for a FIRST REFUSAL, or eighteen (18) months if your driving privilege has been PREVIOUSLY SUSPENDED, or if you have been PREVIOUSLY FINED under s. 327.35215, for refusing to submit to a lawful test of your breath, urine, or blood. Additionally, if you refuse to take the test I have requested of you, and if your driving privilege has been previously suspended, or if you have been previously fined under s. 327.35215, for a refusal to submit to a lawful test of your <i>breath</i> , <i>urine</i> or blood, you will be committing a misdemeanor, in addition to any other penalties which can be imposed by law.  Refusal to submit to the test I have requested is admissible into evidence in any criminal proceeding.
Do you understand what I have just read to you? YES <or> NO Do you still refuse to submit to this test? YES <or> NO</or></or>
NOTE: IF THE SUBJECT POSSESSES A COMMERCIAL DRIVER'S LICENSE (CDL), READ THE FOLLOWING,
If you are a Commercial Driver License (CDL) holder or were driving a Commercial Motor Vehicle (CMV), your refusal to submit to testing will result in the loss of your commercial driving privilege for a period of one year from today. If this is your SECOND REFUSAL, you will be permanently disqualified from holding a CDL or operating a CMV.
Do you understand what I have just read to you? YES <or> NO Do you still refuse to submit to this test? YES <or> NO</or></or>
SUBJECTS SIGNATURE: (X)
CONSTITUTIONAL WARNINGS
I AM REQUIRED TO WARN YOU BEFORE YOU MAKE ANY STATEMENTS THAT YOU HAVE THE FOLLOWING RIGHTS:
<ol> <li>You have the right to remain silent and not answer any questions.</li> <li>Any statement must be freely and voluntarily given.</li> <li>You have the right to the presence of a lawyer of your choice before you make any statement and during any questioning.</li> <li>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.</li> <li>If at any time during the interview you do not wish to answer any questions, you are privileged to remain silent.</li> <li>I can make no threats or promises to induce you to make a statement. This must be of your own free will.</li> <li>Any statement can and will be used against you in a court of law.</li> </ol> SUSPECT'S SIGNATURE: (X) Read M. Camana Camana Camana

WHITE: STATE ATTY.

YELLOW: DHSMV

PINK: CENTRAL RECORDS

**GOLD: JAIL** 



### Palm Beach County Sheriff's Office - Arrests Only

ı	х	Florida State Statute	Description	Page Number(s)
L/E Exemptions	П	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	Π	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	1
	П	119.071(4)(c)	Undercover personnel.	
	П	119.071(2)(f)	Confidential informants (CIs).	
		119.071(2)(e)	Confession.	
Public Info. Exemptions		985.04(1)	Juvenile offender records.	
	П	119.071(h)(i)	Assets of a crime victim.	
	П	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	П	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 of sexual offenses.	
		Control of the Contro		
	П	A property of the second of th		
Other	П		Other:	
		<b>&gt;</b>	Other:	

### REVIEW COMPLETED BY

Backing Number, 2022010014	Date: 7/24/2022
Booking Number: 2022019014	Specialist Name/ID: Chantel Daniels/30347