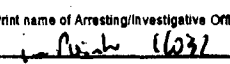


50-2022-CT-019703ASB
0389851

1788

☐ Marsy's Law CVI FL Const. Art.1 § 16(b)☐ Check if Supplement is Attached

ADMINISTRATIVE		ARREST / NOTICE TO APPEAR Juvenile Referral Report		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1		Juvenile N	
OBTS Number		Agency ORI Number FLO 5 0 0 0 0 0		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number (N.T.A.'s only) 0 6 - 22-133446					
Charge Type: Check as many as apply: ☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		If Weapon Seized Enter Type		Multiple Clearance Indicator 0 1							
Location of Arrest (Including Name of Business) 140th Ave N / Temple Blvd, Loxahatchee, FL 33412		Location of Offense (Business Name, Address) 140th Ave N / Temple Blvd, Loxahatchee, FL 33412									
Date of Arrest 11/27/2022		Time of Arrest 00:07		Booking Date 11/27/2022		Booking Time		Jail Date		Jail Time	
										Anytime Towing, 6738 Wella Rd. #1667, West Palm Beach, FL, (561) 932-9164	
Name (Last, First, Middle) Molina, Gabriel,		Alias (Name, DOB, Soc. Sec. #, Etc.)									
Race W - White B - Black I - American Indian O - Oriental/Asian W		Sex M		Date of Birth 2/23/1972		Height 5'10		Weight 180		Eye Color brown	
										Hair Color brown	
										Complexion light	
										Build large	
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)		Marital Status Married		Religion CATHOLIC		Indication of Alcohol Influence Y ☐ N ☐ Unk ☐					
Local Address (Street, Apt. Number) 15922 80th Ln N, Loxahatchee, FL 33470		(City) (State) (Zip)		Phone (786) 299 8232		Residence Type: 1. City 2. County 3. Florida 4. Out of State 2					
Permanent Address (Street, Apt. Number)		(City) (State) (Zip)		Phone ()		Address Source DL					
Business Address (Name, Street)		(City) (State) (Zip)		Phone ()		Occupation Electrician					
D/L Number, State M450280720630, FL		Soc. Sec. Number		INS Number		Place of Birth (City, State) Havana, Cuba		Citizenship US			
Co-Defendant (Last, First, Middle)		Race		Sex		Date of Birth		☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile			
Co-Defendant (Last, First, Middle)		Race		Sex		Date of Birth		☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile			
☐ Parent ☐ Legal Custodian ☐ Other		Name (Last) (First) (Middle)		Residence Phone ()							
Address (Street, Apt. Number)		(City) (State) (Zip)		Business Phone ()							
Notified by: (Name)		Date		Time		Juvenile Disposition 1. Handled/Processed within Dept. and Released. 2. TOT HRS/DYS 3. Incarcerated					
Released To: (Name)		Relationship		Date		Time					
The above address was provided by ☐ defendant and / or ☐ defendant's parents. The child and / or parent was told to keep the Juvenile Court Clerk's Office (Phone (561) 355-6511) informed of any change of address. ☐ Yes, by: (Name) ☐ No (Reason)		School Attended		Grade							
Property Crime? ☐ Yes ☐ No		Description of Property		Value of Property							
Drug Activity S. Sell N. N/A P. Possess		S. Sell B. Buy T. Traffic		R. Smuggle D. Deliver E. Use		K. Disperse/ Distribute		M. Manufacture/ Produce/ Cultivate		Z. Other	
Charge Description Driving Under the Influence with property damage		Counts 1		Domestic Violence ☐ Y ☒ N		Statute Violation Number 316.193(3)(c)(1)		Violation of ORD #			
Drug Activity N		Drug Type N		Amount / Unit		Offense # 22-133446		Warrant / Capias Number		Bond OR	
Charge Description		Counts		Domestic Violence ☐ Y ☒ N		Statute Violation Number		Violation of ORD #			
Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number		Bond	
Charge Description		Counts		Domestic Violence ☐ Y ☒ N		Statute Violation Number		Violation of ORD #			
Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number		Bond	
Charge Description		Counts		Domestic Violence ☐ Y ☒ N		Statute Violation Number		Violation of ORD #			
Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number		Bond	
Location (Court, Room Number, Address) South County Courthouse, Courtroom #1, 200 W. Atlantic Ave., Delray Beach, FL 33444 - Ph: (561) 355-2996		Court Date and Time Month December Day 20 Year 2022 Time 08:30 A.M. X P.M.		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) J. DUNN 36162		Date Signed 11/27/2022			
HOLD for other agency		Signature of Arresting Officer X		Name Verification (Printed by Arrestee) (PRINT)							
☐ Dangerous ☐ Suicidal ☐ Resisted Arrest ☐ Other		Name of Arresting Officer (Print) Inv. POINTU P.		I.D. # 16032						PAGE 1 OF 1	
Intake Deputy J. DUNN 36162		I.D. # Pouch #		Transporting Officer Inv. POINTU P.		I.D. # 16032		Agency PBSO		Witness here if subject signed with an "X"	

		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1 Juvenile	
ADMIN	OBTS Number			Agency ORI Number		Agency Name		Agency Report Number	
				FLO 500000		PALM BEACH COUNTY SHERIFF'S OFFICE		06-22-133446	
DEF	Charge type	☐ 1. Felony ☐ 2. Traffic Felony ☒ 3. Misdemeanor ☐ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		Special Notes:					
	Name (Last, First, Middle)	MOLINA		GABRIEL		Alias		Race W Sex M Date of Birth 2/23/1972	
CHARGES	D.U.I.	316.193(1)							
VICTIM	Victim's Name (Last, First, Middle)	STATE OF FLORIDA		Race		Sex		Date of Birth	
	Local Address (Street, Apt. Number)	(City) (State) (zip)		Phone		Address Source			
	Business Address (Name, Street)	(City) (State) (zip)		Phone		Occupation			
<p>The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe that the above named Defendant committed the following violation of law.</p> <p>The Person taken into custody</p> <div style="display: flex; justify-content: space-between;"> <div> ☒ committed the below acts in my presence. ☐ confessed to _____ admitting to the below facts. </div> <div> ☐ was observed by _____ who told that he/she saw the arrested person commit the below acts. ☐ was found to have committed the below acts, resulting from my (described) investigation. </div> </div> <p>On the <u>26</u> day of <u>NOVEMBER</u>, 20<u>22</u> at <u>2304</u> ☐ A.M. ☒ P.M. (Specifically include facts constituting cause for arrest.)</p>									
<p>☐ Marsy's Law CVI FL Const. Art. I § 16(b)</p> <p>ON 11/26/2022 AT 2304 HOURS, I WAS TRAVELING NORTH ON 140TH AVE N APPROACHING 77TH PL N, I OBSERVED A GOLD FORD EXCURSION RUN THE STOP SIGN ON TEMPLE BLVD WESTBOUND CROSSING 140TH AVE N. THE EXCURSION DROVE DIRECTLY INTO THE STEEL PIPES ON THE ROUND-A-BOUT. AS I WAS APPROACHING, THE EXCURSION MADE SEVERAL ATTEMPTS TO LEAVE SCENE, BUT THE VEHICLE WAS STUCK ON A STEEL PIPE.</p> <p>THE DRIVER A WHITE MALE LATER IDENTIFIED AS GABRIEL MOLINA OPENED THE DRIVER DOOR AND SLID OUT OF THE VEHICLE. AS GABRIEL TRIED TO WALK TO THE FRONT OF THE VEHICLE, HE STUMBLED AND CAUGHT HIMSELF BY GRABBING NE OF THE LARGE STEEL PIPES IN THE ROUND-A-BOUT. I APPROACHED GABRIEL TO CHECK FOR INJURIES AND I COULD SEE HE WAS VERY UNSTEADY ON HIS FEET. I TOLD GABRIEL TO SIT DOWN, SO HE DID NOT FALL AND INJURE HIMSELF. WHILE SPEAKING WITH HIM, I COULD SMELL THE ODOR OF AN UNKNOWN ALCOHOLIC BEVERAGE ON HIS BREATH. GABRIEL TOLD ME THAT HIS FLORIDA DRIVER LICENSE WAS INSIDE THE EXCURSION. GABRIEL TRIED TO STAND UP THREE TIMES TO RETRIEVE HIS LICENSE FOR ME, BUT KEPT FALLING BACK ONTO THE GROUND. I TOLD GABRIEL TO STAY SEATED AND I WOULD RETRIEVE HIS LICENSE. WHEN I OPENED THE DRIVER DOOR TO RETRIEVE THE LICENSE, I SAW AN UNOPENED HEINEKEN CAN IN THE CUP HOLDER AND AN EMPTY HEINEKEN CAN ON THE FLOORBOARD OF THE VEHICLE. I REQUESTED A DUI UNIT TO RESPOND.</p> <p>INV. POINTU #16032 RESPONDED AND TOOK OVER THE DUI INVESTIGATION.</p>									
ADMINISTRATIVE	<p>STATE OF FLORIDA COUNTY OF PALM BEACH D/S S. KELLERMAN  (ID #) <u>18331</u></p> <p>(Signature of Arresting/Investigative Officer)</p>								
	<p>The foregoing instrument was sworn to or affirmed and subscribed before me this <u>26</u> day of <u>NOVEMBER</u>, 20<u>22</u> by <u>D/S S. KELLERMAN 18331</u></p> <p>(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced <u>KNOWN</u> <u>INV. POINTU #16032</u></p>								
	<p> <u>16032</u></p> <p>Notary Public, Clerk of Court, Officer (F.S.S. 117.10)</p>								

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 26 DAY OF November 20 22, AT 23:06 AM ☒ PM

SUBJECT: Molina, Gabriel, CASE NUMBER: 22-133446

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: Inv. POINTU P.

PERSONAL CONTACT

DRIVING PATTERN: Actual physical control (physical evidence or statements putting def. behind wheel of vehicle)

D/S Kellerman (#18331) observed a Ford Excursion bearing Florida tag NPNC55 driving westbound on Temple Boulevard, going without stopping through a stop sign at the intersection with 140th St, then driving directly over the curb of the round about and over the steel pipes of the round about. The driver attempted to drive back from the round about, but the vehicle was stuck on the steel pipe. The driver and only occupant was identified as Gabriel Molina. Molina was also the registered owner of the Ford.

OBSERVATION OF DRIVER:

Molina was stumbling when he exited his vehicle and had to catch himself by grabbing one of the steel pipe. He was very unsteady on his feet and an obvious odor of unknown alcoholic beverage was coming from his breath. His speech was very slurred and Molina was very talkative and unable to focus on a single task. Inside the car there was an unopened can of Heineken in the cup holder and an empty can of Heineken on the floorboard.

DRIVER'S STATEMENTS:

Post Miranda, Molina admitted drinking 4 Coors Light. He said he didn't see the stop sign and ran over the round about. He said he was coming from his daughter's house and was driving home.

ODORS:

Obvious odor of unknown alcoholic beverage that become stronger when he talked.

GENERAL OBSERVATIONS

SPEECH: Slurred, slow

ATTITUDE: Talkative

CLOTHING: black T-shirt, white jeans, white sneakers

MEDICAL/OTHER: High blood pressure.

STATE OF FLORIDA
COUNTY OF PALM BEACH

Inv. POINTU P.

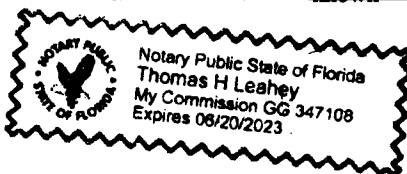
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 27 day of November 20 22 by Inv. POINTU P.

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

Thomas Leahey (#19183)

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



SUBJECT: Molina, Gabriel, CASE NUMBER 22-133446

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:

Pupils round and equal. No resting nystagmus. Equal tracking. Onset of HGN at approximately 30 degrees. VGN present. LOC present. Swayed during the task. Moved his head.

WALK & TURN:

Molina could not maintain the instructional stance. He used his arms to balance and started before being told. He then said he would not do the task and asked me to arrest him. He refused to continue after Taylor warnings.

ONE LEG STAND:

Not performed

FINGER TO NOSE:

Not performed

ROMBERG ALPHABET:

Not performed

BREATH TEST RESULTS: Refusal

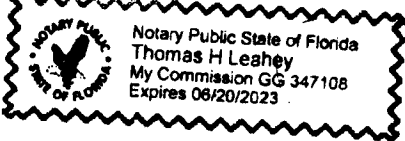
STATE OF FLORIDA
COUNTY OF PALM BEACH

Inv. POINTU P.
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 27 day of November 2022 by Inv. POINTU P.

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

Thomas Leahey (#19183)
Notary Public, Clerk of Court, Officer (F.S.S. 117.10)





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

PBSO CASE # 22-133446 PBSO ZONE 15-21

AGENCY CASE # _____ CRASH CASE # 22-133444

TIME OF STOP/CRASH 23:06 DATE 11/26/2022 DAY Saturday

SUBJECT'S NAME Molina, Gabriel, RACE W SEX M

HGT 5'10 WGT 180 DOB 2/23/1972

LOCATION 140th Ave N / Temple Blvd, Loxahatchee, FL 33412

ARRESTING OFFICER'S NAME & ID Inv. POINTU P. (16032) AGENCY Palm Beach County Sheriff's Office

DIVISION: CID/DUI

NOTIFIED BY COMMO yes

ARRIVAL AT FACILITY 00:42

ARREST TIME 00:07

BREATH RESULTS:

REFUSED

2

3

4

TESTING OFFICER'S ID 19183 PBSO VIDEOTAPE # n/a

WITNESS LIST

CASE NUMBER: 22-133446

ARRESTING OFFICER: Inv. POINTU P.

ADDRESS: Palm Beach County Sheriff's Office - 3228 Gun Club Rd - West Palm Beach, FL 33406

PHONE NUMBERS (HOME): _____ (WORK) (561) 688 3000

CAN TESTIFY TO: DUI Investigation, see PC

NAME: Sgt Chaves (#8477)

ADDRESS: Palm Beach County Sheriff's Office - 3228 Gun Club Rd - West Palm Beach, FL 33406

PHONE NUMBERS (HOME) 0 (WORK) (561) 688 3000

CAN TESTIFY TO: Spanish translation on scene

NAME: D/S Artola (#39052)

ADDRESS: Palm Beach County Sheriff's Office - 3228 Gun Club Rd - West Palm Beach, FL 33406

PHONE NUMBERS (HOME) _____ (WORK) (561) 688 3000

CAN TESTIFY TO: Spanish translation at the BAT

NAME: D/S Kellerman (#18331)

ADDRESS: Palm Beach County Sheriff's Office - 3228 Gun Club Rd - West Palm Beach, FL 33406

PHONE NUMBERS (HOME) 0 (WORK) (561) 688 3000

CAN TESTIFY TO: driving pattern, wheel witness, crash investigation. See supplemental PC.

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: _____

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: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

TESTING FACILITY TASK REPORT

AGENCY: PBSO

SUBJECT: Molina, Gabriel CASE NUMBER: 22-133446

DATE: Nov 27, 2022 VIDEO DVD NUMBER: n/a

BEGINNING TIME: 0104 ENDING TIME: 0116

BREATH TESTS RESULTS: 1) R TIME 0106 A.M. ☒ P.M. ☐ 2) n/a TIME 0 A.M. ☐ P.M. ☐

3) n/a TIME 0 A.M. ☐ P.M. ☐ 4) n/a TIME 0 A.M. ☐ P.M. ☐

BREATH OPERATOR: Thomas H Leahey #19183

MAINTENANCE TECHNICAN: Jason Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: Spanish speaking - translation by D/S R Artola #39052

ATTITUDE: talkative, loud

CLOTHING: white pants, black t-shirt, black/white sneakers

MEDICAL CONDITIONS: none

MEDICATIONS: none

OTHER:

eyes were glassy & bloodshot
odor of unknown alcoholic beverage on breath

REFUSED

COMMENTS:

arrived at center A/O conducted 20 observation period at 0042 hrs

subject refused to perform breath test

A/O read I/C & subject understood I/C

subject refused to perform breath test

A/O called refusal @ 0106

A/O read rights on scene & subject remembered/understood rights

A/O conducted Q&A

subject answered questions - declined to answer last questions

REFUSED

SUBJECT: Melvin Barber

CASE NUMBER: 20103446

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 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 **breath, urine** 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

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

SUBJECTS 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) _____

SUBJECT: Melina Gabriel

CASE NUMBER: 22 133444

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: _____

STATE OF FLORIDA
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH TEST

I, Investigator P. POINTU, a duly certified Law Enforcement Officer or Correctional Officer,
(Person reading Implied Consent Warning)
am a member of Palm Beach County Sheriffs Office, and I do swear
(Name of enforcement agency)

or affirm that on or about the TWENTY-SEVENTH day of November, 2022, at 00:07

DRIVER GABRIEL MOLINA
(Type or Print) FIRST MIDDLE OR MAIDEN LAST

DL # M450280720630, state of FL, was placed under lawful arrest for

the offense of DUI by Investigator P. POINTU and
(Name of Arresting Officer)

issued Citation # AG5ZMQE

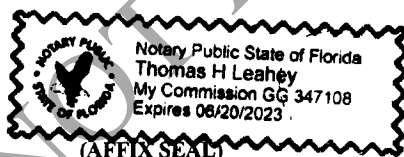
That on or about the TWENTY-SEVENTH day of November, 2022, at 01:06
in Palm Beach County,

I requested that the driver submit to a **BREATH** test for the purpose of determining its alcohol content. I informed the driver that the refusal to submit to such test 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, or if he or she had been previously fined under s. 327.35215, F.S., 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, or if he or she has been previously fined under s. 327.35215, F.S., for refusal to submit to a lawful test of his or her breath, urine, or blood. Nonetheless, the driver refused to submit to the test requested.



Signature of Law Enforcement Officer or Correctional Officer

THE AFFIDAVIT MUST BE NOTARIZED OR ATTESTED TO (s. 117.10, F.S.)



The foregoing instrument was sworn and subscribed before
me this 27 day of November, 2022
by Inv P Pointu #16032
who is personally known to me or who has produced
Idem as identification.
Notary Public TJL

The foregoing instrument was sworn and subscribed before me:

Signature of Attesting Officer

Title _____

Date _____

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.



**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.	
	☐			
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	☐			
	☐			
	☐			
	☐			
Other	☐		Other:	
	☐		Other:	

REVIEW COMPLETED BY

Booking Number: 2022030589	Date: 11/27/2022
	Specialist Name/ID: M. Took #8557