

22CT21468

OBTS Number		ARREST / NOTICE TO APPEAR Juvenile Referral Report		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1		Juvenile		N	
Agency ORI Number FLO 5 0 2 6 0 0				Agency Name PALM BEACH GARDENS POLICE DEPARTMENT				Agency Report Number 78 - 22006139					
Charge Type: Check as many as apply.		1. Felony ☐ 2. Traffic Felony		3. Misdemeanor ☒ 4. Traffic Misdemeanor		5. Ordinance ☐ 6. Other		Weapon Seized / Type 2 1. Yes 2. No		Multiple Clearance Indicator			
Location of Arrest (Including Name of Business) 4300-BLOCK BURNS RD, PALM BEACH GARDENS, FL, 33410								Location of Offense (Business Name, Address) HOOD RD/ALT A1A, PALM BEACH GARDENS, FL, 33410					
Date of Arrest 12/25/2022		Time of Arrest 05:03		Booking Date		Booking Time		Jail Date		Jail Time		Location of Vehicle RELEASED TO PASSENGER PER DRIVER REQUEST	
Name (Last, First, Middle) GONZALEZ, GUSTAVO, IBANEZ												Alias (Name, DOB, Soc. Sec. #, Etc.)	
Race W - White - American Indian B - Black - Oriental/Asian W		Sex M		Date of Birth 06/17/1992		Height 5'11		Weight 172		Eye Color BRO		Hair Color BRO	
Complexion MED		Build MED		Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)		Mental Status SINGLE		Religion CHRISTIAN		Indication of Alcohol Influence Drug Influence ☐ Y ☐ N ☐ Unk			
Local Address (Street, Apt. Number) 1163 WHITE PINE DR, WELLINGTON, FL 33414				(City)		(State)		(Zip)		Phone (561) 720-9147		Residence Type: 1. City 2. County 3. Florida 4. Out of State 2	
Permanent Address (Street, Apt. Number) 1163 WHITE PINE DR, WELLINGTON, FL 33414				(City)		(State)		(Zip)		Phone		Address Source VERBAL	
Business Address (Name, Street)				(City)		(State)		(Zip)		Phone		Occupation	
D/L Number, State G524289922170 FL		Soc. Sec.		INS Number		Place of Birth (City, State) WEST PALM BEACH, FL		Citizenship US					
Co-Defendant Name (Last, First, Middle)				Race		Sex		Date of Birth		☐ 1. Arrested ☐ 2. At Large		☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile	
Co-Defendant Name (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 provided by ☐ defendant and / or ☐ defendant's parents. The child and / or parent was told to keep the Juvenile Court Clerk (Phone 355-2526) 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 N. N/A S. Sell P. Possess B. Buy T. Traffic		S. Sell D. Deliver E. Use		R. Smuggle K. Dispense/ Distribute		M. Manufacture/ Produce/ Cultivate		Z. Other		Drug Type N. N/A A. Amphetamine		B. Barbiturate C. Cocaine E. Heroin	
H. Hallucinogen M. Marijuana O. Opium/Deriv.		P. Paraphernalia/ Equipment S. Synthetics		U. Unknown Z. Other									
Charge Description DRIVING UNDER THE INFLUENCE OVER .08				Counts 1		Domestic Violence ☐ Y ☒ N		Statute Violation Number 316.193(1)(C)		Violation of ORD #			
Drug Activity		Drug Type		Amount / Unit .173		Offense #		Warrant / Capias Number		Bond OR			
Charge Description DUI OVER .15				Counts 1		Domestic Violence ☐ Y ☒ N		Statute Violation Number 316.193(4)		Violation of ORD #			
Drug Activity		Drug Type		Amount / Unit .173		Offense #		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			
Location (Court Room Number, Address) NORTH COUNTY COURTHOUSE, 3188 PGA BOULEVARD, PALM BEACH GARDENS, FL 33410 PH: (561) 662-6700													
Court Date and Time Month JANUARY Day 25 Year 2023 Time 10:00 AM ☒ PM													
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) <i>[Signature]</i>												Date Signed 12/25/2022	
HOLD for other Agency Name:				Signature of Arresting Officer <i>[Signature]</i>				Name Verification (Printed by Arrestee)					
☐ Dangerous ☐ Suicidal ☐ Resisted Arrest ☐ Other:				Name of Arresting Officer (Print) A. FLINK				I.D. # 514		(PRINT)			
Intake Deputy J. DUNN 80662				Transporting Officer A. FLINK				ID # 514		Agency PBGPD		Witness here if subject signed with an "X"	
PAGE 1													

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OBTS Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Copies		1	JUVENILE
ADMINISTRATIVE	Agency ORI Number FL FL0502600		Agency Name Palm Beach Gardens Police Department		Agency Report Number 7 8 22-006139		
	Charge Type: ☐ 1. Felony ☐ 3. Misdemeanor ☐ 5. Ordinance ☐ 2. Traffic Felony ☒ 4. Traffic Misdemeanor ☐ 6. Other						Special Notes:
DEFENSE	Name (Last, First, Middle) GONZALEZ, GUSTAVO IBANEZ				Race W	Sex M	Date of Birth 06/17/1992
	Charge Description 316.193(1)(C) DUI - BREATH .08 OR ABOVE		Charge Description 316.193(4) DUI - BRAC OVER .15				
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		
PROMISE	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> <p>☒ committed the below acts in my presence. ☐ was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.</p> <p>☐ confessed to _____ admitting to the below facts. ☒ was found to have committed the below acts, resulting from my (described) investigation.</p> <p>On the <u>25</u> day of <u>December</u>, <u>2022</u> at <u>04:45</u> (Specifically include facts constituting cause for arrest.)</p> <p>On 12/25/2022 at approximately 0445 hours, this Officer was traveling south bound on Alt A1A just north of Burns Rd, PBG, FL, when a vehicle was observed disobeying a steady red light at an intersection. Body worn camera and in car video were used.</p> <p>This Officer observed a vehicle traveling west bound on Burns Rd disobey a steady red light through the intersection of Alt A1A at a visually estimated speed of approximately 40 MPH. The vehicle did not appear to apply the brakes or even slow for the clearly lit traffic control device. This Officer conducted a traffic stop on the vehicle, a Toyota utility (DVQY02/FL) in the 4300-block of Burns Rd, PBG, FL. This Officer made contact with the driver, identified via Florida Driver License photo on DAVID, Gustavo Gonzalez (OF), while he was still in actual physical control of the vehicle. Gonzalez appeared highly intoxicated at time of contact. Gonzalez had a flushed red face, almost to the extent of sweating despite temperature outside being in the mid 40's, bloodshot watery eyes, low droopy eyelids, thick slurred speech, and the strong obvious odor of an unknown alcoholic beverage emanating from his breath at conversational distance.</p> <p>Gonzalez acknowledged that he disobeyed a red light, that he "passed it". Gonzalez said he was coming from Wellington, then corrected himself and said he was going to Wellington. Gonzalez further stated he was coming from a party on PGA and admitted to consuming the alcoholic beverage on this night. Based on this Officer's observations Gonzalez was asked to exit the vehicle to participate in Standardized Field Sobriety Exercises, to which he complied. Gonzalez was uneasy on his feet and walked with a very unsteady gait. Gonzalez said he did not have any medical conditions which would affect the exercises performed.</p> <p>The first exercise conducted, was the Horizontal Gaze Nystagmus. The stimulus used was a Stylus Streamlight with an illuminated red tip. This Officer observed a lack of smooth pursuit in both eyes and sustained involuntary jerking in both eyes at maximum</p>						
ADMINISTRATIVE	SWORN AND SUBSCRIBED BEFORE ME		JOSHUA BELL MY COMMISSION #GG348008 EXPIRES: JUN 18, 2023 NOTARY PUBLIC / CLERK OF COURT / OFFICER (Seal)				
	Signature of Notary Public / Clerk of Court / Officer 12/25/2022 DATE		Signature of Arresting / Investigating Officer FLINK, ANDREW S (514) NAME OF OFFICER (PLEASE PRINT) 12/25/2022 DATE				

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STATE ATTORNEY

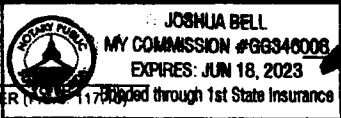
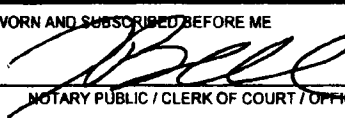
CENTRAL RECORDS

JAIL

CRIME ANALYSIS

P. I. O.

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OBTS Number		PROBABLE CAUSE AFFIDAVIT SUPPLEMENT		1. Arrest	3. Request for Warrant	1	JUVENILE
Agency ORI Number		Agency Name		Agency Report Number			
FL FL0502600		Palm Beach Gardens Police Department		7 8 22-006139			
Charge Type: Check as many as apply.		Special Notes:					
☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other							
Name (Last, First, Middle)				Alias	Race	Sex	Date of Birth
GONZALEZ, GUSTAVO IBANEZ					W	M	06/17/1992
<p>deviation. Gonzalez also had the onset of Nystagmus prior to 45 degrees in both eyes as well as Vertical Gaze Nystagmus in both eyes. Gonzalez was swaying back and forth during the exercise.</p> <p>The second exercise conducted, was the Walk and Turn. The line used was a strip of yellow tape placed upon the pavement by this Officer. During the instructions, Gonzalez stepped out of the starting position at least three times, including stumbling out of position once. During the first set of steps, Gonzalez immediately stepped off the line when told to begin. The third step, Gonzalez swung his foot wide causing his planted foot to come off the line, he then paused to regain balance. The fourth step Gonzalez crossed his lead foot over and stepped next to the line. The 11th step, Gonzalez crossed his foot over, missed the line and lost his balance. Gonzalez missed heel-to-toe three times, raised his arms more than six inches from his sides and took 11 steps rather than nine. Gonzalez conducted an improper turnaround by way of coming off the line and walking around rather than taking a series of small steps. During the return set of steps, Gonzalez crossed over and missed the line on steps five and six. Gonzalez took 12 steps rather than nine and stumbled off the line upon his final step. Gonzalez also missed heel-to-toe four times and raised his arms more than six inches from his sides.</p> <p>The third exercise conducted, was the One-Leg Stand. During the exercise Gonzalez raised his left foot. Gonzalez swayed and raised his arms more than six inches from his sides. Gonzalez also placed his foot down three times, prior to being told to do so, thus ending the exercise early.</p> <p>Based on this Officer's observations, Gonzalez was placed under arrest at 0503 hours. The vehicle was turned over to Gonzalez's front passenger, Henrique Lopes De Aquino (IO) who had told Ofc Lovett 523 he offered to drive for Gonzalez since he was not under the influence. However, Gonzalez would not allow him to drive. At PBSO BAT, this Officer requested Gonzalez provide a breath sample for the purpose of determining its alcohol content, to which he consented. At 0559 hours he blew .171 and at 0602 hours he blew .173.</p> <p>Based on the results of the investigation, this Officer has probable cause to prove Gustavo Gonzalez operated a motor vehicle, in the county of Palm Beach, in the state of Florida, under the influence to the extent his normal faculties were impaired with an unlawful breath alcohol content, in violation of FSS 316.193(1)(C). The degree to which Gonzalez was impaired by alcohol was in violation of FSS 316.193(4).</p>							
SWORN AND SUBSCRIBED BEFORE ME				 SIGNATURE OF ARRESTING / INVESTIGATING OFFICER			
 NOTARY PUBLIC / CLERK OF COURT / OFFICER		12/25/2022 DATE		FLINK, ANDREW S (514) NAME OF OFFICER (PLEASE PRINT)			
				12/25/2022 DATE			
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STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIME ANALYSIS

P. I. O.



**PALM BEACH GARDENS POLICE DEPARTMENT
DUI TESTING FACILITY INFORMATION SHEET**



PBSO Case #: 22-143292 PBSO Zone: 3-13

Agency Case #: 22006139 Crash Case #: _____

Incident Information:

Time of Stop/Crash: 0446 Date of Incident: 12/25/2022 Day: SUNDAY

Location of Incident: HOOD RD/ALT A1A, PALM BEACH GARDENS, FL, 33410

Arrest Information:

Time of Arrest: 05:03 Date of Arrest: 12/25/2022 Day: SUNDAY

Location of Arrest: 4300-BLOCK BURNS RD, PALM BEACH GARDENS, FL, 33410

Subject's Name: (L) GONZALEZ, (F) GUSTAVO, (M) IBANEZ

DOB: 06/17/1992 Race: W Sex: M Height: 5'11 Weight: 172 Hair BRO Eye BRO

Address: 1163 WHITE PINE DR, WELLINGTON, FL 33414 Phone: (561) 720-9147

Arresting Officer's Name: A. FLINK ID#: 514

Agency: PBGPD Division: TRAFFIC UNIT

Breath Results

- 1) .171 at 0559 hrs.
- 2) .173 at 0602 hrs.
- 3) N/A at - hrs.
- 4) N/A at - hrs.

---BAT Use---

BAT Notified: YES
Arrival Time at BAT: 0530
Subject Arrest Time: 05:03

Breath Test Operator: BELL 8656
PBSO

TESTING FACILITY TASK REPORT

AGENCY: PBG

SUBJECT: GONZALEZ, GUSTAVO IBANEZ

CASE NUMBER: 22-143292

DATE: Dec 25, 2022

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 0555

ENDING TIME: 0605

BREATH TESTS RESULTS: 1) .171 TIME 0559 A.M. ☒ P.M. ☐ 2) .173 TIME 0602 A.M. ☒ P.M. ☐
3) XX TIME XX A.M. ☐ P.M. ☐ 4) XX TIME XX A.M. ☐ P.M. ☐

BREATH OPERATOR: JOSHUA J BELL #8656

MAINTENANCE TECHNICIAN: J. KARLECKE #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED

ATTITUDE: COOPERATIVE

CLOTHING: CHRISTMAS SWEATER, BLACK PANTS, BLACK SHOES

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES: GLASSY, BLOODSHOT

COMMENTS:

A/O ARRIVED AT DUI TESTING FACILITY AND BEGAN THE 20 MINUTE OBSERVATION AT 0530 HOURS

SUBJECT STATED HE WOULD TAKE BREATH TEST

BREATH TEST COMPLETED

A/O READ RIGHTS

SUBJECT DID NOT RESPOND

TECH READ BREATH TEST RESULTS AND EXPLAINED

SUBJECT ACKNOWLEDGED HE UNDERSTOOD BREATH TEST RESULTS

Q AND A NOT CONDUCTED



**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: 2022033175

Date: 12/26/2022

Specialist Name/ID: C. Smith/39657