0290342 22CT18775 NB 902

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

OBTS Number | 1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias: 1 | Juvenile: N

ADMINISTRATIVE

Agency ORI Number	Agency Name	Agency Report Number
FLO 5 0 2 6 0 0	PALM BEACH GARDENS POLICE DEPARTMENT	78 - 22005300

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)	Location of Offense (Business Name, Address)
ALT A1A/PGA BLVD PALM BEACH GARDENS FL	ALT A1A/PGA BLVD PALM BEACH GARDENS FL 33410

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle KADIFF'S TOWING AND RECOVERY
11/07/2022	12:48					4701 EAST AVENUE, WPB, FL 33407

DEFENDANT

Name (Last, First, Middle): SILVIEUS, JOAN, GAYLE | Alias (Name, DOB, Soc. Sec. #, Etc.)

Race (W - White I - American Indian B - Black 0- Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	F	05/12/1960	508	150	BLU	BLND	FAIR	THIN

Scars, Marks, Tatoos, Unique Physcal Features (Location, Type, Description)	Marital Status	Religion	Indication of:	Y	N	Unk.
N/A	Single	CHRISTIAN	Alcohol Influence	☐	☐	☒
			Drug Influence	☐	☐	☒

Local Address (Street, Apt. Number) (City) (State) (Zip)	Phone	Residence Type: 1. City 2. County 3. Florida 4. Out of State
12911 BRIARLAKE DR G204 PBG FL 33418	(561) 625-2507	2

Permanent Address (Street, Apt. Number) (City) (State) (Zip)	Phone	Address Source
12911 BRIARLAKE DR G204 PBG FL 33418	(561) 625-2507	FCIC/DL

Business Address (Name, Street) (City) (State) (Zip)	Phone	Occupation
		massage therapist

D/L Number, State	Soc.	INS Number	Place of Birth (City, State)	Citizenship
S412487606720 FL	[redacted]		ASHTABULA, OH	US

CO-DEF

Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth		
N/A				☐ 1. Arrested ☐ 2. At Large	☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile
N/A				☐ 1. Arrested ☐ 2. At Large	☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile

JUVENILE

☐ Parent ☐ Legal Custodian ☐ Other: | Name (Last) (First) (Middle): N/A | Residence Phone

Address (Street, Apt. Number) (City) (State) (Zip): N/A | Business Phone

Notified by: (Name)	Date	Time	Juvenile Disposition: 1. Handled/ processed within Dept. and Released. 2. TOT HRS / DYS 3. Incarcerated
N/A			

Released To: (Name)	Relationship	Date	Time
N/A			

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: N/A | Grade

Property Crime? ☐ Yes ☒ No | Description of Property: N/A | Value of Property: N/A

CODE

Drug Activity: N. N/A P. Possess | S. Sell B. Buy T. Traffic | R. Smuggle D. Deliver E. Use | 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

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
DRIVING UNDER THE INFLUENCE	1	☐Y ☒N	316.193(1)(A)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant I Capias Number	Bond
N	N/A	N/A	22005300		OR

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐Y ☐N		

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐Y ☐N		

Drug Activity	Drug Type	Amount I Unit	Offense #	Warrant / Capias Number	Bond

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐Y ☐N		

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond

NOTICE TO APPEAR

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 DECENBER Day 07 Year 2022 Time 10:00 AM X 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) | Date Signed: 11/07/2022

SCANNED

ADMIN

HOLD for other Agency Name: N/A ICE Detainer

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other:

Name of Arresting Officer (Print): OFC. JASON PAQUETTE | I.D. # 526

Signature of Arresting Officer

Name Verification (Printed by Arrestee) (PRINT) NOV 08 2022

Witness here if subject signed with an -X-

Intake Report (IOR) Pouch # | Transporting Officer: OFC. JASON PAQUETTE | ID # 526 | Agency PBGPD

PAGE 1 OF 1

DISTRIBUTION: WHITE - COURT COPY | GREEN - STATE ATTORNEY | YELLOW - AGENCY | PINK - AGENCY | GOLD - DEFENDANT (N.T.A.'s ONLY)

NOT A CERTIFIED COPY

PROBABLE CAUSE AFFIDAVIT

OBTS Number:

1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Copies | 1 | JUVENILE:

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FL FL0502600	Palm Beach Gardens Police Department	7 | 8 22-005300

Charge Type: Check as many as apply. ☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
SILVIEUS, JOAN GAYLE		W	F	05/12/1960

CHARGES

Charge Description	Charge Description
316.193(1)(A) DUI - NORMAL FACULTIES IMPAIRED	

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
State Of Florida			

Local Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Address Source

Business Address (Name, Street)	(City)	(State)	(Zip)	Phone	Occupation

PROBABLE CAUSE STATEMENT

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.

The Person taken into custody . . .

☒ committed the below acts in my presence.

☒ confessed to OFC JASON PAQUETTE admitting to the below facts.

☐ was observed by OFC. JASON PAQUETTE who told OFC. JASON that he/she saw the arrested person committ the below acts.

☒ was found to have committed the below acts, resulting from my (described) investigation.

On the 7 day of November, 2022 at 14:58 (Specifically include facts constituting cause for arrest.)

On 11/07/2022 at approximately 1230hrs This officer observed a light blue in color Chrysler 200 traveling north on Alternate A1A and passing under the PGA overpass. This officer observed the aforementioned vehicle make an illegal U-turn where prohibited (sign). This Officer followed the vehicle and observed the same vehicle failing to maintain a single lane.

I activated all my emergency equipment and conducted a traffic stop on the vehicle. While still moving I observed the driver and only occupant of the vehicle making several furtive movements towards the back seat. It took the driver of the vehicle several moments to come to a complete stop. Upon making contact with the driver who I properly identified as Joan Gayle Silvieus via her valid FL driver`s license that she handed me. I observed that Silvieus eyes were red, bloodshot, and watery. I could also smell a strong odor of an alcoholic beverage emitting from within the cabin of the vehicle.

Due to all the indicators of impairment, I observed, I asked Silvieus if she would be willing to participate by preforming the standard field sobriety tasks (SFST) to which she stated yes.

Upon Silvieus exiting the vehicle she was unsteady on her feet and appeared to be under the influence.

Horizontal Gaze Nystagmus:
I observed 5 out of 5 possible indicators of impairment. See report for details.

Walk and Turn:
Silvieus was unable to complete the task. I observed 6 out of 8 indicators of impairment. See report for details.

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER (CIRCLE ONE)

November 7, 2022
DATE

MADELIN GONZALEZ
Notary Public
State of Florida
Comm# HH225216
Expires 2/7/2026

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

PAQUETTE, JASON (526)
NAME OF OFFICER (PLEASE PRINT)

11/07/2022
DATE

PAGE 1 OF 2

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P.B.S.O.

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SCANNED
NOV 08 2022

ADMIN	OBTS Number	PROBABLE CAUSE AFFIDAVIT SUPPLEMENT	1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Copies	1	JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL FL0502600	Palm Beach Gardens Police Department	7 | 8 22-005300

Charge Type: Check as many as apply. ☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other

Special Notes:

DEF	Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
	SILVIEUS, JOAN GAYLE		W	F	05/12/1960

PROBABLE CAUSE STATEMENT

One Leg Stand:
I observed 3 out of 4 indicators of impairment. See report for details.

Upon Silvieus completing the SFST`s and based on the totally of the incident and all evidence observed, I was able to establish probable cause to place Silvieus under arrest for violation of FSS. 316.193 (1) (A) DUI - Normal faculties impaired.

While inventorying the property within Silvieus vehicle, several open and clod to the touch alcoholic seltzer style beverages were located stuffed under the passenger seat.

Silvieus was transported to the Palm Beach County Breath Alcohol Testing facility where she provided two breath samples as follows:

Subject sample #1 0.067 per g/210L of breath at 1349hrs.
Subject sample #2 0.070 per g/210L of breath at 1352hrs.

Upon completion of the breath tests, Silvieus was asked to provide a urine sample due to the signs of impairment on scene and the breath result. Silvieus provided a urine sample at 1409hrs.

Citation# AGETTYE - FSS. 316.193 (1) (A) DUI normal faculties impaired.
Citation# AGETTXE - Open container
Citation# AGETTWE - U-Turn violation

All appropriate paperwork was completed and filed accordingly.

My agency issued body worn camera captured this incident.

NOT A CERTIFIED COPY

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER (Rule 1.010)

November 7, 2022
DATE

MADELIN GONZALEZ
Notary Public
State of Florida
Comm# HH225716
Expires 2/7/2026

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

PAQUETTE, JASON (526)
NAME OF OFFICER (PLEASE PRINT)

11/07/2022
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P.I.O.

SCANNED
NOV 08 2022

D.U.I. PROBABLE CAUSE AFFIDAVIT

On the 07 day of NOVEMBER 2022 at 1230 ☐ AM ☑ PM

Subject: SILVIEUS, JOAN, GAYLE Case Number: 22005300

Agency: *PALM BEACH GARDENS POLICE DEPARTMENT* Arresting Officer: OFC. JASON PAQUETTE 526

PERSONAL CONTACT

DRIVING PATTERN: (Actual Physical Control; Physical Evidence or Statements Putting Defendant Behind Wheel of Vehicle)

Observed driver make an illegal U-Turn and fail to maintain a single lane.

OBSERVATION OF DRIVER:

Driver displayed signs of impairment. Strong odor of alcohol emitting from the drivers breath.

Upon stopping driver, I observed the driver attempting to cover what was later determined to be several cases of alcohol beverages.

DRIVER STATEMENTS:

Driver stated she was heading to the dollar tree to pick up some water.

ODORS:

GENERAL OBSERVATIONS

SPEECH: slurred

ATTITUDE: Nice

CLOTHING: small stains on shorts (fresh)

MEDICAL/OTHER:

STATE OF FLORIDA
COUNTY OF PALM BEACH

P/O #526
SIGNATURE OF ATTESTING OFFICER

The foregoing instrument was sworn to or affirmed and subscribed before me this 07 day of November 20 22 by OFC. JASON PAQUETTE 526 who is ☑ personally known to me or ☐ produced _____.

Notary Public, Clerk of Court, Officer (FSS 117.10)

MADELIN GONZALEZ
Notary Public
State of Florida
Comm# HH225716
Expires 2/7/2026

SCANNED
STAMP NOV 08 2022

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D.U.I. PROBABLE CAUSE AFFIDAVIT Cont.

Subject: SILVIEUS, JOAN, GAYLE Case Number: 22005300

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

LEFT EYE	*RIGHT EYE*
☑ Lack of Smooth Pursuit	☑ Lack of Smooth Pursuit
☑ Distinct & Sust. Nystag. at Max. Deviation	☑ Distinct & Sust. Nystag. at Max. Deviation
☑ Onset of Nystagmus Prior to 45 Degrees	☑ Onset of Nystagmus Prior to 45 Degrees

Other Observations:

Walk and Turn

-Lost Balance
-Missed Heel to Toe
-Stepped off Line
-Used Arms for Balance
-Wrong Number of Steps
-Improper Turn

One Leg Stand

-Put Foot Down
-Used Arms for Balance
-Swayed
-Other Observations: Stopped while performing task.

BREATH RESULTS: 1) .067 @ 1349 2) .070 @ 1352 3) - @ - 4) - @ -

STATE OF FLORIDA
COUNTY OF PALM BEACH

P/O #526
SIGNATURE OF ATTESTING OFFICER

The forgoing instrument was sworn to or affirmed and subscribed before me this 07 day of November 20 22 by OFC. JASON PAQUETTE 526 who is ☑ personally known to me or ☐ produced _____.

Notary Public, Clerk of Court, Officer (FSS 117.10)

MADELIN GONZALEZ
Notary Public
State of Florida
Comm# HH225716
Expires 2/7/2026

STAMP

SCANNED
NOV 08 2022

NOT A CERTIFIED COPY

Case Number:
22005300

PALM BEACH GARDENS POLICE DEPARTMENT
DUI PACKET RECOMMENDATION AND ATTACHED DOCUMENTS

Sentencing Recommendation:

Which ever the stater attorney deems fair.

Additional Comments:

N/A

- [x] Filing Packet Information Form
- [x] Recommendation and Attached Documents Form
- [x] Arrest/Notice to Appear
- [x] Agency Probable Cause Affidavit
- [x] DUI Probable Cause Affidavit
- [x] DUI Witness List
- [x] Testing Facility Information Sheet
- [x] Testing Facility Task Report
- [ ] Photograph of DL / DAVID Printout
- [ ] Breath Alcohol Test Affidavit
- [ ] Refusal Form
- [ ] FDLE Blood Withdrawal Certification Form
- [x] Implied Consent / Miranda Warnings Form
- [x] Question and Answer Sheet
- [x] Prisoner Property Receipt

Additional Items:

- [ ] _____
- [ ] _____
- [ ] _____
- [ ] _____

Attached Citations

DUI Citation(s):	UTC Citations:	Tracking Citations:
1)	1) AGETTYE	1)
2)	2) AGETTXE	2)
3)	3) AGETTWE	3)
4)	4)	4)
5)	5)	5)
6)	6)	6)

NOT A CERTIFIED COPY

SCANNED
NOV 08 2022

Do Not Print or Attach to Filing Packet

STATE OF FLORIDA
IMPLIED CONSENT WARNINGS

NOT APPLICABLE WITH VOLUNTARY CONSENT

[redacted]

I am now requesting that you submit to a lawful test of your **BREATH** for the purpose of determining its alcohol content.

Will you take the test?

NOTE: *READ ONLY IF THE ANSWER TO THE ABOVE IS "NO"*

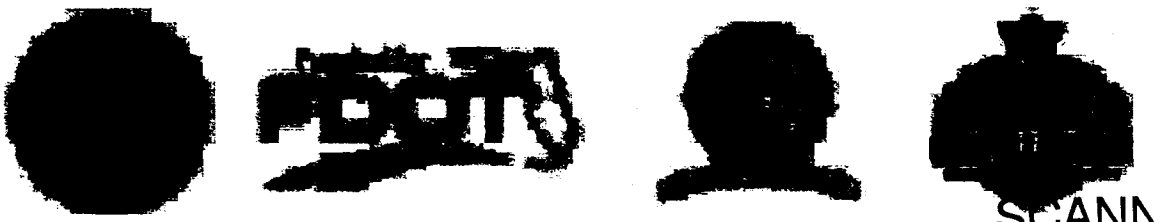
If you refuse to take the test I have requested of you, your driving privilege will be suspended for a period of one (1) year for a FIRST REFUSAL, or eighteen (18) months if your driving privilege has been PREVIOUSLY SUSPENDED for refusing to submit to a lawful test of your breath, urine, or blood. Additionally, if you refuse to take the test I have requested of you, and if your driving privilege has been previously suspended 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 still refuse to submit to this test?

NOTE: *If the subject possesses a CDL endorsement, read the following, regardless of whether the subject is operating a commercial vehicle*

In addition, if you are a CDL holder, or were driving a CMV, your refusal to submit to testing will result in the loss of your commercial driving privileges for one year from today. If this is your second refusal, you will be permanently disqualified from operating a commercial motor vehicle.

Do you still refuse to submit to this test?



Revised: 01/23/19

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SCANNED

NOV 08 2022

Case Number:
22005300

NOTICE ON YOUR VEHICLE

Your vehicle was towed by Kauff's Towing and taken to their tow-yard, located at **4701 East Avenue, West Palm Beach, FL 33405**. Call to make arrangements and receive instructions on how to pick up your vehicle at the tow-yard at **(800) 432-7182**.

To request a copy of your tow-receipt, contact the Palm Beach Gardens Police Department Records division and provide your case number at (561) 799-4470.

AVISO EN SU VEHÍCULO

Su vehículo fue remolcado por Kauff's Towing y llevado a su patio de remolque, ubicado en **4701 East Avenue, West Palm Beach, FL 33405**. Llame para hacer arreglos y recibir instrucciones sobre cómo recoger su vehículo en el patio de remolque al **(800) 432-7182**.

Para solicitar una copia de su recibo de remolque, comuníquese con la división de Registros del Departamento de Policía de Palm Beach Gardens y proporcione su número de caso al (561) 799-4470.

AVI SOU MACHIN OU

Kauff's Towing té pran machin ou é yo métè li nan garaj yo ki sitiyé nan **4701 East Avenue, West Palm Beach, Fl 33405**. Rélé yo lan numéro **(800) 432-7182** pou ou kapab fè aranjman avèk yo sou kòman pou ou kap al pran machin ou nan garaj yo.

Si ou bézwon gnou copi récu docié a pou al pran machin ou, rélé divizyon Départman Lapolis Palm Beach Gardens lan numéro **(561) 799-4470** épwi bayo numéro dosié ou.

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SCANNED
NOV 08 2022

PALM BEACH GARDENS POLICE DEPARTMENT
DUI TESTING FACILITY INFORMATION SHEET

PBSO Case #: 22-127193 PBSO Zone: 3-13

Agency Case #: 22005300 Crash Case #: N/A

Incident Information:

Time of Stop/Crash: 1230 Date of Incident: 11/07/2022 Day: MONDAY

Location of Incident: ALT A1A/PGA BLVD PALM BEACH GARDENS FL

Arrest Information:

Time of Arrest: 12:48 Date of Arrest: 11/07/2022 Day: MONDAY

Location of Arrest: ALT A1A/PGA BLVD PALM BEACH GARDENS FL

Subject's Name: (L) SILVIEUS, (F) JOAN, (M) GAYLE

DOB: 05/12/1960 Race: W Sex: F Height: 508 Weight: 150 Hair BLND Eye BLU

Address: 12911 BRIARLAKE DR G204 PBG FL 33418 Phone: (561) 625-2507

Arresting Officer's Name: OFC. JASON PAQUETTE ID#: 526

Agency: PBGPD Division: TRAFFIC - MOTORS

Breath Results

1) .067 at 1349 hrs.
2) .070 at 1352 hrs.
3) - at - hrs.
4) - at - hrs.

---BAT Use---

BAT Notified: YES
Arrival Time at BAT: 1318
Subject Arrest Time: 12:48

Breath Test Operator: 19183
PBSO

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SCANNED
NOV 08 2022

22005300

STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH AND/OR URINE TEST

I, OFC. JASON PAQUETTE , a duly certified Law Enforcement Officer or Correctional Officer,
(Name of Officer reading Implied Consent Warning)

am a member of PALM BEACH GARDENS POLICE DEPARTMENT , and I do swear
(Name of law enforcement agency)

or affirm that on or about the 07 day of November , 20 22 , at 12:48 ☑ P.M ☐ A.M.

DRIVER JOAN GAYLE SILVIEUS ,
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# S412487606720 , state of FL , was placed under lawful arrest for

the offense of DRIVING UNDER THE INFLUENCE by OFC. JASON PAQUETTE and
(Name of Arresting Officer)

issued Citation # _____ .

That on or about the 07 day of November , 20 22 , at 1409 ☑ P.M ☐ A.M.

in PALM BEACH County,

I requested that the driver submit to a ✕ **breath and/or** ✕ **urine** test to determine his or her blood alcohol level and/or the presence of chemical or controlled substances. I informed the driver that the refusal to submit to such test(s) 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 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 for refusal to submit to a lawful test of his or her breath, urine, or blood. Additionally, I informed the driver that if he or she holds a CDL, or was operating a CMV, refusal will result in the disqualification of the Commercial Driver's License/driving privilege for a period of one (1) year in the case of a first refusal or permanently if he or she has previously been disqualified as a result of a refusal to submit to any such lawful test. Nonetheless, the driver refused to submit to the test(s) requested.

#521
Signature of Law Enforcement Officer or
Correctional Officer

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

The foregoing instrument was sworn and subscribed before me:

_____
Signature of Attesting Officer

(AFFIX SEAL)
The foregoing instrument was sworn and subscribed before

Title _____

me this 07 day of November , 20 22 ,

Date _____

by OFC. JASON PAQUETTE ,

who is personally known to me or who has produced

_____ as identification

Notary Public _____

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.

HSMV-BAR1001 (REV. 10/2016)

MADELIN GONZALEZ
Notary Public
State of Florida
Comm# HH225716
Expires 2/7/2026

SCANNED
NOV 08 2022

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TESTING FACILITY TASK REPORT

AGENCY: PBG

SUBJECT: Silvieus, Joan G

CASE NUMBER: 22-127193

DATE: Nov 7, 2022

VIDEO DVD NUMBER: n/a

BEGINNING TIME: 1344

ENDING TIME: 1405

BREATH TESTS RESULTS: 1) .067 TIME 1349 A.M. ☐ P.M. ☒ 2) .070 TIME 1352 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: slurred, thick

ATTITUDE: coopertive

CLOTHING: blue jeans, lt green blouse, blue shoes

MEDICAL CONDITIONS: sleeping, thyroid, depression

MEDICATIONS: trazadone, synthroid, paxil

OTHER:

eyes were glassy & bloodshot
odor of unknown alcoholic beverage on breath
subject stated she drank a Hard Cider @ home - Q&A

COMMENTS:

arrived at center A/O conducted 20 observation period at 1317 hrs
subject agreed to perform breath test
subject completed breath test
tech read breath test results & subject understood breath test results
A/O requested urine sample @ 1355
A/O read I/C & subject understood I/C
subject agreed to provide urine sample @ 1356
A/O read rights & subject understood rights
A/O attempted Q&A
subject answered questions
subject provided urine sample @ 1409

NOT A CERTIFIED COPY

SCANNED
NOV 08 2022

TESTING FACILITY TASK REPORT

AGENCY: PBG

SUBJECT: Silvieus, Joan G

CASE NUMBER: 22-127193

DATE: Nov 7, 2022

VIDEO DVD NUMBER: n/a

BEGINNING TIME: 1344

ENDING TIME: 1405

BREATH TESTS RESULTS: 1) .067 TIME 1349 A.M.☐ P.M.☒ 2) .070 TIME 1352 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

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A/O requested urine sample @ 1355
A/O read I/C & subject understood I/C
subject agreed to provide urine sample @ 1356
A/O read rights & subject understood rights
A/O attempted Q&A
subject answered questions
subject provided urine sample @ 1409

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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: 80-006240 Software: 8100.27
Date of Test: 11/07/2022

Date of Last Agency Inspection: 10/21/2022
Observation Period Began: 13:17
Subject's Name: JOAN G SILVIEUS DOB: 05/12/1960 Sex: F

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	13:47
Air Blank	0.000	13:48
Control Test	0.081	13:48
Air Blank	0.000	13:49
Subject Sample #1	0.067	13:49
Air Blank	0.000	13:50
Air Blank	0.000	13:51
Subject Sample #2	0.070	13:52
Air Blank	0.000	13:53
Control Test	0.081	13:53
Air Blank	0.000	13:53
Diagnostics Check	OK	13:53

Cylinder Lot: 08622080A1
Exp: 06/05/2024

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: T Leahey Date: 11/07/2022
Signature

Sworn to (or affirmed) before me this 07 day of November, 2022

P/O [signature] Ofc J Paquette #
Signature of 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.

FDLE/ATP FORM 38 - MARCH 2004, Ref. 11D-8.007

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Do Not Attach to Filing Packet

PALM BEACH GARDENS POLICE DEPARTMENT **22005300**

BAT OFFICER NOTE SHEET

Date of Incident: **11/07/2022** Time of Stop/Crash: **1230** Location of Incident: **ALT A1A/PGA BLVD PALM BEACH GARDENS FL**

Date of Arrest: **11/07/2022** Time of Arrest: **12:48** Location of Arrest: **ALT A1A/PGA BLVD PALM BEACH GARDENS FL**

Subject's Name: **SILVIEUS, JOAN, GAYLE** DOB: **05/12/1960** Phone: **(561) 625-2507**

Address: **12911 BRIARLAKE DR G204 PBG FL 33418**

Hair: **BLND** Eye: **BLU** Race: **W** Sex: **F** Height: **508** Weight: **150**

☐ Requested Bathroom ☐ Drank Water ☐ Observation Restarted at ____ hrs.

Speech	Demeanor	Attitude	
O T	O T	O T	O T
☐ ☐ Accent	☐ ☐ Belching	☐ ☐ Abusive Language	☐ ☐ Insulting
☐ ☐ Confusing	☐ ☐ Blank Stare	☐ ☐ Belligerent	☐ ☐ Mood Swings
☐ ☐ Drooling	☐ ☐ Body Tremors	☐ ☐ Carefree	☐ ☐ Paranoia
☐ ☐ Incoherent	☐ ☐ Crying	☐ ☐ Cocky	☐ ☐ Polite
☐ ☐ Low	☐ ☐ Dry Mouth	☐ ☐ Combative	☐ ☐ Relaxed
☐ ☐ Mumbled	☐ ☐ Excessive Spitting	☐ ☐ Confused	☐ ☐ Restless
☐ ☐ Normal	☐ ☐ Eyelid Tremors	☒ ☐ Cooperative	☐ ☐ Sarcastic
☐ ☐ Not Understandable	☐ ☐ Fighting	☐ ☐ Dazed	☐ ☐ Sleepy
☐ ☐ Raspy	☐ ☐ Grinding Teeth	☐ ☐ Emotional	☐ ☐ Talkative
☒ ☐ Slurred	☐ ☐ Hiccupping	☒ ☐ Excited	☐ ☐ Tense
☐ ☐ Stuttering	☑ ☐ Laughing	☐ ☐ Fighting	☐ ☐ Uncooperative
	☐ ☐ Urination	☐ ☐ Flirtatious	
	☐ ☐ Vomiting	☐ ☐ Indifferent	

Notable Statements:

Requested Breath at ____ hrs.
I/C Read at ____ hrs.
Breath Sample 1 .067 at 1349 hrs.
Breath Sample 2 .070 at 1352 hrs.
Refusal at N/A hrs.
☐ Unable to Perform/Follow Instructions
☐ Sucking Air
☐ Inadequate Breath Sample

Requested Urine at 1409 hrs.
I/C Read at 1408 hrs.
Refused/Provided at 1409 hrs.
☐ Unable to Perform DRE ☐ Y ☐ N

Miranda Read at 1400 hrs.
☒ Q&A Conducted
☐ Refused ☐ Invoked

Notable Statements:

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SUBJECT:_____ 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 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)_____

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SUBJECT: _____ CASE NUMBER: _____

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? TO THE DOLAR STORE

WHAT STREET OR HIGHWAY WERE YOU ON? ALT A1A

DIRECTION OF TRAVEL? SOUTH WHERE DID YOU START? FROM HOME

WHAT TIME DID YOU START? 12:15 WHAT TIME IS IT NOW? 2:30

WHAT IS TODAY'S DATE? 11-9-2022 WHAT DAY OF THE WEEK IS IT? MONDAY

WHAT COUNTY AND CITY ARE YOU IN NOW? PALM BEACH COUNTY / PBG

WHEN DID YOU LAST EAT? LAST NIGHT WHAT DID YOU EAT? TEA LEMON TODAY

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? WENT TO GIRLFRIENDS TO SELL CLOTHES

HOW MUCH DO YOU WEIGH? 150 HAVE YOU BEEN DRINKING? YES WHAT? 1 HARD SELZER

HOW MUCH? ONE WHERE? AT HOME WITH WHOM? SELF

WHEN DID YOU HAVE YOUR FIRST DRINK? 11:AM AND YOUR LAST DRINK? 11.

~~HOW DID YOU CONSUME YOUR LAST TWO DRINKS?~~ _____

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? NO NOT NOW ARE YOU UNDER THE INFLUENCE? NO

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? _____ HOW MUCH? _____

WHAT? _____ WHERE? _____ WHEN? _____

WHAT LINE OF WORK ARE YOU IN? MASSAGE THERAPIST WHEN DID YOU LAST WORK? SAT

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? NO WHAT? _____

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? PAXIL, SYNTHROID, TRAZADONE WHEN? YES TODAY

DO YOU HAVE:

EPILEPSY?	NO
GLASS EYE?	NO
FALSE TEETH?	YES BRIDGE
EAR INFECTION?	NO
INNER EAR TROUBLE?	NO
DIABETES?	NO

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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? OHIO

INTERVIEWER: _____

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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:	

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REVIEW COMPLETED BY

Booking Number: 2022029108	**Date:** 11/08/2022
	Specialist Name/ID: C. Smith/39657

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