Arrest Report 0536459 1755

FLORIDA HIGHWAY PATROL
P.O. BOX 540007, GREENACRES, FL 33454 22CT 20261 NB

Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
12/5/2022 05:15 AM	FHP99ARR848169	FHP22ON0627337 / RCC22IN0926427	COSTALES, ALEXANDRO

Originating Agency ORI	Occur Date Time Range	Jurisdiction
FL0509000	12/05/2022 00:49:12 -	

OBTS Number	Other Number	Clearance

Location of Occurrence

County	Location Type	Location Description
PALM BEACH	PUBLIC PLACE	SB 95 NOF GATEWAY BLVD

Street Number	Street	Apt/Lot/Bldg	City	State	Zip Code
	I-95 SB		DELRAY BEACH	FL	33444

Defendant

First Name	Middle Name	Last Name	Suffix	Race	Sex	Height	Weight	Hair	Eyes
NISHANA	AMARA	MANGALIE		~~OTHER~~ White (H)	FEMALE	500	85	BAL	BRO

MNI #	SSN	Date of Birth	Age	ID Type	Drivers License or other ID	State	OCA / Agency ID
	[redacted]	08/30/1991	31	E	M524621918100	FL	

Place of Birth:	DALLAS TX USA

Address
* RESIDENCE / 3121 NE 7TH AVE APT D , PAMPANO BEACH, FL 33064 /

Arrest

Arrest Date/Time	Arrest Location Type	Arrest Location Description
12/5/2022 1:21:28 AM	BUSINESS	MOBILE GAS STATION

Street Number	Street	Apt/Lot/Bldg	County	City	State	Zip Code
8081	CONGRESS AVE		PALM BEACH	BOCA RATON	FL	33487

Charge : S

Counts	Charge	Bond Amount	
1	316.193.1a	$0.00	☐ No Bond OR

Charge Degree	Charge Level
S	MISDEMEANOR
General Offense Code	Arrest Offense Code
	DUI-UNLAW BLD ALCH

Charge Description
DUI INFLUENCE OF ALCOHOL OR DRUGS

Bond Set by Court

Bond Amount	
	☐ No Bond

Bond Type(s)

Probable Cause

On December 5, 2022 at approximately 12:47 AM, Recruit Trooper Sandruny Fortune #5077, and I

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J. DUNN 36162

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were traveling south on Interstate 95 (State Road 9), just north of Gateway Blvd in the outside lane. As we were approaching Gateway Blvd, a silver in color vehicle passed us at a high rate of speed in the inside lane. I then instructed Recruit Trooper Fortune, who was driving, to catch up to the vehicle and conduct a pace clock.

The vehicle was traveling at such a high rate of speed that we finally were able to get a consistent pace clock around Atlantic Ave, which is several miles south of Gateway Blvd. We were able to obtain a pace clock of 115 mph in a 65-mph zone for a quarter mile (FHP1143 VIN #2C3CDXAT8GH121808) just before Linton Blvd in the inside lane.

While trying to obtain the pace clock, I observed the vehicle to be a silver in color Kia Forte with Florida tag ENBT61. The vehicle was also weaving in its lane and veered into the inside shoulder and back into the inside lane. Based on the above observations, we activated our emergency equipment (lights & sirens) and conducted a traffic stop just before Linton Blvd. The vehicle pulled over onto the inside shoulder.

We then made a driver side approach and observed a female as the driver and only occupant. As the driver rolled down her window, I immediately observed a strong odor of an unknown alcoholic beverage coming from inside the car. After explaining the reason for the traffic stop, the driver was identified as, Nishana Amara Mangalie, via her Florida driver's license (M-524-621-91-810-0).

I then asked Ms. Mangalie where she was coming from and she stated from "'Throw Social' in Delray". I asked if he had taken any alcoholic beverages and she stated "yes". I then had Ms. Mangalie exit the vehicle and stand in front of our patrol car so I could further evaluate her condition. During our conversation, Ms. Mangalie stated she had just left "Throw Social" in Delray and was heading home towards Pompano. I also asked if she was diabetic or had any medical conditions in which she stated "no". I asked if she was taking any medications and she stated she was prescribed "Xanax" for her panic attacks.

During our conversation, I observed a strong odor of an unknown alcoholic beverage coming from her breath. I also noticed she stated she left "Throw Social" in Delray and was heading home towards Pompano but, Ms. Mangalie passed us at Gateway Blvd heading south, meaning she first drove north from Delray Beach. We then stopped her near Delray Beach as she was heading back south.

Based on the above observations and the totality of the circumstances, I believed Ms. Mangalie was driving under the influence of alcohol and/or chemical controlled substances. I then asked Ms. Mangalie if she was willing to perform field sobriety exercises and she consented. I then advised her that our current location was unsafe and not leveled and that we would transport her to the next exit. Ms. Mangalie understood and consented.

Ms. Mangalie was then transported to the Mobil gas station located at 8081 Congress Ave, Boca Raton

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FL 33487. During the transport, I observed a strong odor of an unknown alcoholic beverage that was not present prior to Ms. Mangalie being inside the patrol car. She then performed the following exercises:

(Note: The summary below is not intended to be a verbatim account of all the events that took place during the administration of the standardized field sobriety exercises. Video footage and audio is available upon request).

Each exercise was explained and demonstrated prior to the subject attempting to perform the exercises. Ms. Mangalie acknowledged that she understood the instructions. Recruit Trooper S. Fortune # 5077 was also on-scene and conducted the field sobriety exercises as part of his training. I assisted Recruit Trooper Fortune when necessary and observed the entire exercises.

Horizontal Gaze Nystagmus Exercise: Ms. Mangalie was having a hard time following the exercises, therefore we had to restart from the beginning.

- She was unable to stand in the starting position
- She was told numerous times to follow with her eyes only
- She was told numerous times to not move her head
- Observed an orbital sway
-I checked for resting nystagmus which was not observed in either eye
-I checked for equal pupil size and equal tracking; Both pupils were equal in size and both eyes tracked the stimulus equally.
-I observed a lack of smooth pursuit in both eyes
-I observed horizontal gaze nystagmus at maximum deviation in both eyes
-I observed horizontal gaze nystagmus prior to 45 degrees in both eyes
-I observed vertical gaze nystagmus both eyes

Walk and Turn Exercise: We used the clearly marked white line on the parking lot. I made sure the area was flat and free of debris. Ms. Mangalie was having a hard time keeping balance with her shoes, so she decided to perform barefoot.
-Unable to stay in the starting position by stepping off the line and losing balance
-Started before told to do so
--Improper turn
-Failed to touch heel to toe steps (forward and back)
- Interrupted instructions multiple times.

One Leg Stand Exercise:
Ms. Mangalie raised her right foot.
-Unable to keep balance

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-Placed foot on ground
-Stopped counting multiple times without told to stop

Based on the performance of the above exercises and the totality of the circumstances, I determined that there was probable cause to believe that Ms. Mangalie committed the offense of driving under the influence by being in actual physical control or operated a motor vehicle while under the influence of alcoholic beverages, any chemical substance, or any controlled substance, while her normal faculties were impaired.

Ms. Mangalie was then placed under arrest at 1:21 AM. While being searched, she advised she was having a panic attack. For safety concerns, I requested EMS to check Ms. Mangalie. After several minutes, Ms. Mangalie was able to gather herself and refused EMS.

Ms. Mangalie was then was then transported to the Palm Beach County Breath Alcohol Testing (BAT) Facility. During the transport, I again observed a strong odor of an unknown alcoholic beverage inside the patrol car. Once at the BAT, I conducted a 20-minute observation at 2:29 AM where the she did not ingest anything by mouth or regurgitate.

After the observation period, Ms. Mangalie was asked to provide a breath sample to test for the alcoholic content of her breath. Ms. Mangalie refused. Florida Implied Consent was then read in which Ms. Mangalie understood and then consented. While attempting to obtain the first breath sample, Ms. Mangalie was not able to properly follow instructions therefore the intoxilyzer timed out. For the second breath sample Ms. Mangalie blew .115 and the third sample .116.

Ms. Mangalie was then read her Miranda warnings and requested a lawyer.

See BAT video footage for a complete account of the breath test administration

Ms. Mangalie was then charged with DUI, unlawful speed and failure to maintain in her lane. She was then booked into the county jail for further processing.

All events occurred in Palm Beach County.

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Jail Booking Facility

Booking Date/Time	Booking County	Booking Facility	Booking Facility Phone
	PALM BEACH	PALM BEACH COUNTY CORRECTIONS	(561) 688-4400

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Booking Facility Location	Booking Number
3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406	

Booking Comments

Court

Court County	Court Location
PALM BEACH	3188 PGA BLVD. PALM BEACH GARDENS, FL 33410

Court	Court Phone	Court Appereance Date / Time	Court Fine
PALM BEACH NORTH COUNTY COURTHOUSE	561-624-6608	01/04/2023 10:00AM	

Comments

Officer Name / Rank / ID #	Involvement On Report / Reporting Role	Officer Agency Org/Unit
COSTALES, ALEXANDRO TPR 3943	REPORTING OFFICER	FLORIDA HIGHWAY PATROL FHPL\LWRCC\PALM BEACH\ALL WEST

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the probable cause associated with this report:

Reporting Officer

Officer Name	Office Rank	Officer ID No
COSTALES, ALEXANDRO	TPR	3943

Officer Agency: FLORIDA HIGHWAY PATROL

Officer Signature: A. Costales

Sworn and subscribed before me, the undersigned authority

This the 05 day of December, 2022

DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT

JOSHUA BELL
MY COMMISSION #GG346008
EXPIRES: JUN 18, 2023
Bonded through 1st State Insurance

○ No Bill / Petition ○ Issue Warrant ○ Prosecution Approved

Signature of Assistant State Attorney Date

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

PBSO CASE # 22-136071 PBSO ZONE 6-12

AGENCY CASE # FHP22ON0627337 CRASH CASE #

TIME OF STOP/CRASH 12:47 AM DATE 12/05/2022 DAY Monday

SUBJECT'S NAME ,, Nishana Amara Mangalie RACE W SEX Female

HGT 500 WGT 85 DOB 8/30/1991

LOCATION SB I-95 NOF GATEWAY BLVD

ARRESTING OFFICER'S NAME & ID G. Costakis 3443 AGENCY FHP

DIVISION:

NOTIFIED BY COMMO YES

ARRIVAL AT FACILITY 2:29 AM

ARREST TIME ~~1:30 AM~~ "C" 1:21 am

BREATH RESULTS:

1) .116 VNM
2) .115
3) .116
4) N/A

TESTING OFFICER'S ID 8656 PBSO VIDEOTAPE # N/A

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TESTING FACILITY TASK REPORT

AGENCY: FHP-L

SUBJECT: MANGALIE, NISHANA AMARA

CASE NUMBER: 22-136071

DATE: Dec 5, 2022

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 0257

ENDING TIME: 0318

BREATH TESTS RESULTS: 1) .116vnr TIME 0306 A.M.☒ P.M.☐ 2) .115 TIME 0310 A.M.☒ P.M.☐

3) .116 TIME 0314 A.M.☒ P.M.☐ 4) XX TIME XX A.M.☐ P.M.☐

BREATH OPERATOR: JOSHUA J BELL #8656

MAINTENANCE TECHNICAN: J. KARLECKE #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED

ATTITUDE: EMOTIONAL, MOOD SWINGS

CLOTHING: RED DRESS, NO SHOES

MEDICAL CONDITIONS: ANXIETY, PANIC ATTACKS

MEDICATIONS: ANXIETY

OTHER:

EYES: BLOODSHOT, GLASSY

ODOR OF UNKNOWN ALCOHOLIC BEVERAGE COMING FROM BREATH

COMMENTS:

A/O ARRIVED AT DUI TESTING FACILITY AND BEGAN THE 20 MINUTE OBSERVATION AT 0229 HOURS

SUBJECT STATED SHE WOULD NOT TAKE BREATH TEST

A/O READ I.C
SUBJECT STATED SHE UNDERSTOOD I.C
SUBJECT STATED SHE WOULD TAKE BREATH TEST

AFTER REPEATED INSTRUCTIONS BREATH TEST COMPLETED

TECH READ BREATH TEST RESULTS
SUBJECT STATED SHE UNDERSTOOD BREATH TEST RESULTS

A/O READ RIGHTS
SUBJECT STATED SHE UNDERSTOOD HER RIGHTS

SUBJECT ASKED FOR A LAWYER Q AND A NOT CONDUCTED

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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: 80-006238 Software: 8100.27
Date of Test: 12/05/2022

Date of Last Agency Inspection: 11/18/2022
Observation Period Began: 02:29
Subject's Name: NISHANA A MANGALIE DOB: 08/30/1991 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	03:01
Air Blank	0.000	03:02
Control Test	0.079	03:02
Air Blank	0.000	03:03
Subject Sample #1	VNM*	03:06
Air Blank	0.000	03:06
Air Blank	0.000	03:08
Subject Sample #2	0.115	03:10
Air Blank	0.000	03:10
Air Blank	0.000	03:12
Subject Sample #3	0.116	03:14
Air Blank	0.000	03:15
Control Test	0.078	03:15
Air Blank	0.000	03:15
Diagnostics Check	OK	03:15

*Volume Not Met (0.116 - Breath Sample Not Reliable to Determine Breath Alcohol Level)

Cylinder Lot: 29821080A4
Exp: 12/05/2023

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 JOSHUA J BELL, 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: JBell Date: 12/05/22
Signature

Sworn to (or affirmed) before me this 05 day of December, 2022

C. Costales
Signature of Notary Public-State of Florida

Ofc. A. Costales #3943
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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SUBJECT: Mangalir, Nishana Amara CASE NUMBER: 22-0627337

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) Read On Camera

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) Read On Camera

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WHITE: STATE ATTY. YELLOW: DHSMV PINK: CENTRAL RECORDS GOLD: JAIL

SUBJECT: Mangalic, Nishana Amara CASE NUMBER: 22-0627377

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: _____

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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: 2022031370	**Date:** 12/06/2022
	Specialist Name/ID: C. Smith/39657