

0531821

793

NA

☐ Marsy's Law CVI FL. Const. Art.1 § 16(b)☐ Check if Supplement is Attached1. Arrest 3. Request for Warrant
2. N.T.A. 4. Request for CapiasJuvenile ☐ N

OBTS Number		ARREST / NOTICE TO APPEAR Juvenile Referral Report		1. Arrest 3. Request for Warrant 2. N.T.A. 4. Request for Capias		1		Juvenile ☐ N	
Agency ORI Number FL0 5 0 0 0 0 0		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number (N.T.A.'s only) 0 6 - 22-070840					
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			
Location of Arrest (including Name of Business) 180TH AVE N AND 62ND RD N LOXAHATCHEE FL 33470				Location of Offense (Business Name, Address) 180TH AVE N AND 62ND RD N, LOXAHATCHEE FL 33470					
Date of Arrest 05/25/2022		Time of Arrest 0250		Booking Date		Booking Time		Jail Date	
								TOWS ARE US	
Name (Last, First, Middle) Kalabovda, Yuriy, P				Alias (Name, DOB, Soc. Sec. #, Etc.)					
Race W - White B - Black		I - American Indian O - Oriental/Asian		Sex W M		Date of Birth 7/22/1985		Height 6'00	
								Weight 235	
								Eye Color BRO	
								Hair Color BRO	
								Complexion BRN	
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)				Marital Status Married		Religion NONE		Indication of: Alcohol Influence Drug Influence	
								Y N Unk ☐ ☐ ☐	
Local Address (Street, Apt. Number) 17767 61ST PL N, LOXAHATCHEE FL 33470				(City)		(State)		(Zip)	
								Phone (808) 798 5059	
Permanent Address (Street, Apt. Number) 10202 Ne 30th Pl, Bellevue, WA 98004				(City)		(State)		(Zip)	
								Phone ()	
Business Address (Name, Street) KALABYP156M2, WA				(City)		(State)		(Zip)	
								Phone ()	
D/L Number, State KALABYP156M2, WA				Soc. Sec. Number		INS Number		Place of Birth (City, State) UKRAINE	
								Citizenship RES	
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 ()	
								Business Phone ()	
Address (Street, Apt. Number)		(City)		(State)		(Zip)			
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) 355-6311) informed of any change of address.				School Attended		Grade			
☐ Yes, by: (Name) ☐ No (Reason)				Value of Property					
Property Crime? ☐ Yes ☐ No		Description of Property							
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. Synthetic	
Charge Description DUI		Counts		Domestic Violence ☐ Y ☒ N		Statute Violation Number 316.193(1)A		Violation of ORD #	
Drug Activity N		Drug Type N		Amount / Unit		Offense # 22-070840		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	
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) Criminal Justice Complex, 3228 Gun Club Road, West Palm Beach, FL 33406 - Ph: (561) 688-4600									
Court Date and Time Month JUNE Day 15 Year 2022 Time 0800 A.M. ☒ 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) Date Signed 05/25/2022									
HOLD for other agency		Signature of Arresting Officer X				Name Verification (Printed by Arrestee) MAY 25 AM 5:09			
☐ Dangerous ☐ Suicidal		☐ Resisted Arrest ☐ Other:		Name of Arresting Officer (Print) INV. E. K. WHITE (7209)		I.D. #		PAGE 1 OF 1	
Intake Deputy I.D. #		Pouch #		Transporting Officer INV. E. K. WHITE 7209		I.D. #		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		☐ Juvenile	
ADMIN	OBTS Number			Agency ORI Number		Agency Name		Agency Report Number	
	FLO 500000		PALM BEACH COUNTY SHERIFF'S OFFICE				06- 22070840		
CHARGES	Charge Type:	☐ 1. Felony ☐ 2. Traffic Felony		☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor		☐ 5. Ordinance ☐ 6. Other		Special Notes:	
	Name (Last, First, Middle)	Yuriy		P		Alias		Race	Sex
	Kalabovda						W	M	07/22/1985
VICTIM	DUI								
	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	
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. ☐ was observed by _____ who told _____ ☐ confessed to _____ that he/she saw the arrested person commit the below acts. ☐ admitting to the below facts. ☐ was found to have committed the below acts, resulting from my (described) investigation.									
On the <u>25</u> day of <u>May</u> , 20 <u>22</u> at <u>02:00</u> ☒ A.M. ☐ P.M. (Specifically include facts constituting cause for arrest.)									
PROBABLE CAUSE STATEMENT	☐ Marsey's Law CVI FL Const. Art.1 § 16(b)								
	On May 25, 2022 at approximately 01:50 hrs while on proactive patrol I observed a white Ford F150 bearing FL tag 62BLIQ traveling north bound on Mandarin Blvd at a high rate of speed. I attempted to catch up to the vehicle but before I could the vehicle made a left turn on Orange Blvd after failing to stop at a stop sign. Then the vehicle continued west bound at a high rate of speed making another left turn onto 180th Ave N again failing to stop at the stop sign. The vehicle then traveled south on 180th Ave N and turned left onto 61st St. N passing the address listed for the registered owner of the truck (17767 61st. Pl N). The vehicle then came to the dead end of 61st St. N and turned left traveling north driving along the canal bank and then turned left to go west on 62nd Rd N. I activated my overhead emergency lights and initiated a traffic stop. The vehicle came to a stop at 62nd Rd. N and 180th Ave N.								
	I approached the driver side of the vehicle and identified the driver as Yuriy Kalabovda by his Washington State Driver License. While speaking to Yuriy I observed him to have dilated pupils that where sluggish to respond to light. His eyes were glassed over and blood shot. When Yuriy was asked for his license registration and insurance instead of providing me with the requested items he began rambling and telling me about him being an electrician. It took several attempts to gain cooperation from Yuriy. I asked him if he had been drinking alcohol tonight and he said yes. Yuriy stated he had an argument tonight with his wife and went out for a few drinks.								
	DUI Investigator White # 7209 was called out to the scene and took over the investigation.								
ADMINISTRATIVE	STATE OF FLORIDA COUNTY OF PALM BEACH D/S Z. Legato (Signature of Arresting/Investigative Officer) <u>[Signature]</u> (ID #) 20424								
	The foregoing instrument was sworn to or affirmed and subscribed before me this <u>25</u> day of <u>May</u> , 20 <u>22</u> by <u>D/S Z. Legato</u> 20424								
	(Print name of Arresting/Investigative Officer) who is personally known to me and/or produced identification. Type of identification produced <u>KNOWN</u> <u>PBSO</u>								
	<u>Notary Public, Clerk of Court, Officer (F.S.S. 117.10)</u>								

OBTS Number		PROBABLE CAUSE AFFIDAVIT		1 Arrest 2 NTA		3 Request for Warrant 4 Request for Copies		1	Juvenile	N	
ADMIN	Agency ORI Number FLO 5 0 0 0 0 0 0		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 22-070840						
	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) Kalabovda, Yuriy, P				Alias		Race W	Sex M	Date of Birth 7/22/1985		
	Charge Description DUI				316.193(1)A		Charge Description				
CHARGES	Charge Description				Charge Description		Charge Description				
	Charge Description				Charge Description		Charge Description				
VICTIM	Victim's Name (Last, First, Middle)						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
The undersigned certifies and swears that I have just and reasonable grounds to believe, and do believe that the above named Defendant committed the listed violation(s) of law. The Person taken into custody: ☐ committed the below acts in my presence. ☐ confessed to _____ admitting to the below facts. ☐ 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. On the <u>25</u> day of <u>MAY</u> 20 <u>22</u> at <u>0159</u> ☒ A.M ☐ P.M (Specifically include facts constituting cause for arrest.)											
☐ Marsy's Law CVI FL. Const. Art. 1 § 18(b) On Wednesday, May 25, 2022 at approximately 0205 hours, I responded to 180th Avenue North and 62nd Road N, Loxahatchee (Palm Beach County) Florida to assist Deputy Z. Legato with a traffic stop that involved a possible impaired driver. Upon my arrival I saw D/S Legato's patrol vehicle stopped on the south shoulder of 62nd Rd N. behind a white Ford pick up truck with his emergency lights activated. The pick up was stopped on the grass shoulder in the process of making a left turn onto 180th Ave N. D/S Kyle Cioffoletti was also on scene as a back up. I made contact with D/S Legato who told me he conducted a traffic stop on the white pick up for various violations. After making contact with the driver he suspected him to had been drinking an unspecified amount of alcoholic beverages. He asked for a DUI unit to respond to his location to assess the driver for possibly being impaired. I made contact with the driver who was the sole occupant inside the truck. He was later identified as Yuriy P. Kalabovda by his Washington driver license. He appeared sleepy. His eyes were red, watery and glossy. His cheeks were flushed, mouth dry and he slurred his speech while speaking. His movements were slow, calculated and lethargic. I could smell a strong odor of an unknown alcoholic beverage emanating from the inside of his vehicle. He was wearing blue jeans, a white flowery button up shirt and gray loafers. I told I was requested to the scene under the suspicion of him possibly being impaired after a traffic stop was initiated in his vehicle. He admitted to drinking alcoholic beverages. He explained he is an electrician and was driving home from a job in Delray. He was not lucid in his thoughts as he tried to explain his job hours and his reporting time for his job. I told him I also had a suspicion that he had been drinking an unspecified amount of alcoholic beverages and agreed with his admission. I asked him to exit his vehicle and noticed he could not maintain his balance. He swayed through out our encounter. Based on my suspicion I asked if he would consent to performing Standardized Field Sobriety Evaluations (SFSTs) for the purpose of determining if he was impaired while operating a motor vehicle. He became hesitant and began reasoning with me. I explained Taylor Warning informing the defendant that the SFSTS were voluntary and he did not have to perform them, however in the absence of his performance I would be only left with the physical evidence of impairment before me which could be strong basis for being placed under arrest for DUI. Additionally I explained his refusal would be used against him in a court of law.											
ADMINISTRATIVE	STATE OF FLORIDA COUNTY OF PALM BEACH				INV E. K. WHITE (72)						
	(Signature of Arresting/Investigative Officer)										
	The foregoing instrument was sworn to or affirmed and subscribed before me this <u>25</u> day of <u>MAY</u> 20 <u>22</u> by <u>INV E. K. WHITE</u> (Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced _____ Notary Public, Clerk of Court, Officer (F.S.S.) 11 7 10										
DISTRIBUTION WHITE — Court Copy GREEN — State Attorney PINK — Agency PAGE 1 OF 2											

OBTS Number		PROBABLE CAUSE AFFIDAVIT		1 Arrest 2 NTA	3 Request for Warrant 4 Request for Capias	1	Juvenile	N
ADMIN	Agency ORI Number FLO. 5 0 0 0 0 0	Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE			Agency Report Number 22-070840			
	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) Kalabovda, Yuriv, P			Alias	Race W	Sex M	Date of Birth 7/22/1985	
	Charge Description DUI			316.193(1)A	Charge Description			
CHARGES	Charge Description			Charge Description				
	Charge Description			Charge Description				
VICTIM	Victim's Name (Last, First, Middle)			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
The undersigned certifies and swears that I have just and reasonable grounds to believe, and do believe that the above named Defendant committed the listed violation(s) of law. The Person taken into custody: ☐ committed the below acts in my presence. ☐ was observed by _____ who told _____ that he/she saw the arrested person commit the below acts. ☐ confessed to _____ admitting to the below facts. ☐ was found to have committed the below acts, resulting from my (described) investigation. On the <u>25</u> day of <u>MAY</u>, 20 <u>22</u> at <u>0159</u> ☒ A.M ☐ P.M (Specifically include facts constituting cause for arrest.)								
☐ Marsy's Law CVI FL. Const. Art. 1 § 16(b) He acknowledged the warnings and agreed to perform the tasks. Prior to his performance I asked if he had any physical problems with his body that would inhibit him from performing light physical exercises. I also asked if he was taking medication. He showed me a scar to his left calf muscle that he incurred from a motorcycle crash. He also showed scars to his stomach and back where he had surgery. He said he has scoliosis but is not being seen by a physician. He works as an electrician, explaining his job duties of handling equipment and at times being involved in labor intensive work. I told him the tasks would not be as demanding as his job duties. The tasks were performed on a dirt road. I could now smell a strong odor of an unknown alcoholic beverage emanating from his breath that intensified when he spoke. Instead of a reference line for one of the tasks, I asked him to walk in a straight line. The following SFSTs were explained, demonstrated and acknowledged by him prior to his performance: HGN, The Walk and Turn, The One Leg Stand (omitted), The Finger to Nose and The Romberg Alphabet Recitation. His deficiencies were recorded on another form in this work sheet. At the conclusion of the SFSTs, coupled with the Deputy's observation of the defendant's vehicle in motion and my observation of personal indicators of impairment exhibited by the defendant, probable cause was established for DUI. I told the defendant he was being placed under lawful arrest for DUI. He was searched and handcuffed (double locked and checked for tightness) prior to being seated into the rear of my patrol car. The back up deputy arranged for the defendant's vehicle to be towed by a tow service from PBSO's rotation list. Tows Are Us responded and impounded his vehicle to their lot. Meanwhile I began transport to the main jail breath analysis facility for further processing. Upon our arrival I escorted the defendant into the facility and began a 20 minute observation period. During this time the defendant did not ingest anything into his body orally or otherwise. Neither did he regurgitate. I escorted him into the testing room and asked him to provide breath samples for the purpose of determining his alcohol content. He refused. I read him implied consent in which he acknowledged. I asked if he would reconsider his refusal and provide breath samples. He refused again and was deemed a "Refusal". He invoked his "rights" after I read his Miranda Warnings. He was booked into the main jail for the charge of DUI.								
ADMINISTRATIVE	STATE OF FLORIDA COUNTY OF PALM BEACH			INV E. K. WHITE (72)				
	(Signature of Arresting/Investigative Officer)							
	The foregoing instrument was sworn to or affirmed and subscribed before me this <u>25</u> day of <u>MAY</u>, 20 <u>22</u> by <u>INV E. K. WHITE</u> (Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced _____ <i>[Signature]</i> Notary Public, Clerk of Court, Officer (F.S.S. 11-1.0) Notary Public - State of Florida Commission Expires 07/22/2024 My Comm. Expires 07/22/2024							
								PAGE <u>2</u> OF <u>2</u>

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 25 DAY OF MAY 20 22, AT 0159 AM PM

SUBJECT: Kalabovda, Yuriy, P CASE NUMBER: 22-070840

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: INV E. K. WHITE (7209)

PERSONAL CONTACT

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

SEE PC AFFIDAVIT

OBSERVATION OF DRIVER:

SEE PC AFFIDAVIT

DRIVER'S STATEMENTS:

ADMITTED TO DRINKING ALCOHOLIC BEVERAGES

ODORS:

STRONG ODOR OF AN UNKNOWN ALCOHOLIC BEVERAGE COMING FROM SUBJECT'S BREATH.

GENERAL OBSERVATIONS

SPEECH: SLURRED

ATTITUDE: VARYING EMOTIONS-UPSET, PLEADING, ANGRY

CLOTHING: LOOSE AND DISHEVELED

MEDICAL/OTHER: UNK

STATE OF FLORIDA
COUNTY OF PALM BEACH

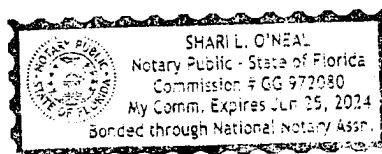
INV E. K. WHITE (7209)

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 25 day of MAY 20 22 by INV E. K. WHITE (7209)

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

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



CASE NUMBER 22-070840

HORIZONTAL GAZE NYSTAGMUS:

☒ RT EYE-LACK OF SMOOTH PURSUIT

☒ RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION

☒ RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

 SHARI L. ONTAL
Notary Public - State of Florida
Commission # 60170110
My Comm. Expires Jan 28, 2014
Bonded through National Notary Assn.

WITNESS LIST

CASE NUMBER: 22-070840

ARRESTING OFFICER: INV E. K. WHITE (7209)

ADDRESS: CID/DUI

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

CAN TESTIFY TO: FACTS

NAME: D/S Z. LEGATO ID 20424

ADDRESS: DIST 15

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

CAN TESTIFY TO: STOPPING THE VEHICLE FOR A TRAFFIC VIOLATION

NAME: D/S KYLE CIOFFOLETTI

ADDRESS DIST 15

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

CAN TESTIFY TO: BACK UP DEPUTY

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) 0

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: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

TESTING FACILITY TASK REPORT

AGENCY: PBSO INV. WHITE #7209

SUBJECT: KALABOVDA, YURIY P.

CASE NUMBER: 22-070840

DATE: 05-25-22

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 03:55 HRS

ENDING TIME: 03:59 HRS

BREATH TESTS REQUESTED:

REFUSED

1) TIME 03:57

A.M. ☒ P.M. ☐

2) TIME A.M. ☐ P.M. ☐

3) TIME A.M. ☐ P.M. ☐

4) TIME A.M. ☐ P.M. ☐

BREATH OPERATOR: S.O'NEAL #6212

MAINTENANCE TECHNICIAN: J. KARLECKE #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLUR

ATTITUDE: CALM, QUIET, AGITATED, SARCASTIC

CLOTHING: SHIRT-MULTI. COLORED/PRINT PANTS- BLUE JEANS

MEDICAL CONDITIONS:

MEDICATIONS:

OTHER:

EYES : RED, GLASSY

COMMENTS:

20 MIN. OBSERVATION DONE BY A/O WHITE #7209

A/O REQUESTED THE BREATH TEST.

D STATED ZERO CHANCE.

A/O READ THE IMPLIED CONSENT ON CAMERA.

D UNDERSTOOD THE I/C.

D STILL REFUSED THE REQUEST AFTER THE I/C WAS READ TO HIM.

C/W READ ON CAMERA TO HIM.

D REFUSED Q&A.

SUBJECT:

YULIY P. Kala Bouda

CASE NUMBER:

22-C70840

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 I 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 ☒ NO ☐ Do you still refuse to submit to this test? YES ☒ 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 ☒ NO ☐ Do you still refuse to submit to this test? YES ☒ 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

SUBJECT: YURIY I. LUKIBOVSKI CASE NUMBER: 22-C78840

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? _____

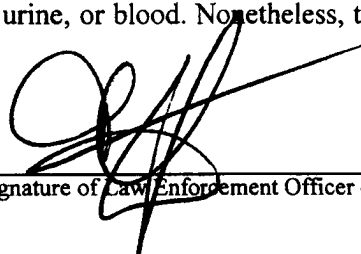
INTERVIEWER: F.L. WHITE 7219

STATE OF FLORIDA
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH TEST

I, INV E. K. WHITE, 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-FIFTH day of May, 2022, at 4:22 AM
DRIVER YURIY P KALABOVDA,
(Type or Print) FIRST MIDDLE OR MAIDEN LAST
DL # KALABYP156M2, state of WA, was placed under lawful arrest for
the offense of DUI by INV E. K. WHITE and
(Name of Arresting Officer)
issued Citation # AF1074E.

That on or about the TWENTY-FIFTH day of May, 2022, at 3:57 AM
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.)



(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before
me this 25 day of May, 2022,
by _____
who is personally known to me or who has produced
_____ as identification.
Notary Public S. O'Neal

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
DUI TESTING FACILITY
INFORMATION SHEET

PBSO CASE # 22-070840 PBSO ZONE 15-11

AGENCY CASE # _____ CRASH CASE # _____

TIME OF STOP/CRASH 0159 DATE 05/25/2022 DAY Wednesday

SUBJECT'S NAME Kalabovda, Yuriy, P RACE W SEX M

HGT 6'00 WGT 235 DOB 7/22/1985

LOCATION 180TH AVE N AND 62ND RD N LOXAHATCHEE FL 33470

ARRESTING OFFICER'S NAME & ID INV E. K. WHITE (7209) () AGENCY Palm Beach County Sheriff's Office

DIVISION: CID/DUI

NOTIFIED BY COMMO YES

ARRIVAL AT FACILITY 0334 HRS

ARREST TIME 0250

BREATH RESULTS:

1)	
2)	
3)	
4)	

TESTING OFFICER'S ID 6212 PBSO VIDEOTAPE # /



**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: 2022013527	Date: 5/25/2022
	Specialist Name/ID: Pinkneya/7796