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NJR

2023 CT-20928 AMB
2315

ARREST / NOTICE TO APPEAR

A D M I N I S T R A T I O N	OBTs Number		Agency ORI Number 0501700		Agency Name Jupiter Police Department		Agency Report Number (N.T.A.'s only) 5, 4		1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias 1		JUVENILE <input type="checkbox"/>	
	Charge Type: Check as many as apply: <input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input checked="" type="checkbox"/> 3. Misdemeanor <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		If Weapon Seized Enter Type UNARMED		Multiple Clearance Indicator							
D E F E N D A N T	Location of Arrest (Including Name of Business) S ALT AIA/DONALD ROSS RD JUPITER FL						Location of Offense (Business Name, Address) 5499 S ALT AIA/DONALD ROSS RD, JUPITER, FL 33477					
	Date of Arrest 11/19/2023	Time of Arrest 19:57	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle					
D E F E N D A N T	Name (Last, First, Middle) PENNER, CHRISTIAN ANTHONY						Alias (Name, DOB, Soc. Sec. #, Etc.) Alias: PENNER, CHRISTIAN ANTHONY PENNER, CHRISTIAN					
	Race W - White B - Black	1 - American Indian O - Oriental/Asian	Sex M	Date of Birth 07/10/1972	Height 5'06	Weight 165	Eye Color HAZEL	Hair Color BROWN	Complexion FAIR	Build Medium		
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)						Marital Status M	Religion CHRISTIAN	Indication of Alcohol Influence Yes <input type="checkbox"/> No <input type="checkbox"/> Unk. <input type="checkbox"/>		Indication of Drug Influence Yes <input type="checkbox"/> No <input type="checkbox"/> Unk. <input type="checkbox"/>	
	Local Address (Street, Apt. Number) 2364 BAY VILLAGE CT, PALM BCH GARDENS, FL 33410				(City)	(State)	(Zip)	Phone (561) 373-0987		Residence Type: 1. City 2. County 3. Florida 4. Out of State 3		
	Permanent Address (Street, Apt. Number) 2364 BAY VILLAGE CT, PALM BCH GARDENS, FL 33410				(City)	(State)	(Zip)	Phone (561) 373-0987		Address Source FL DL		
	Business Address (Name, Street)				(City)	(State)	(Zip)	Phone		Occupation Broker		
	D/L Number, State P560-101-72-250-0 / FL		Soc. Sec. Number		INS Number		Place of Birth (City, State) BEDFORD, OH, United		Citizenship			
	Co-Defendant Name (Last, First, Middle)			Race	Sex	Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large		<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor		<input type="checkbox"/> 5. Juvenile
	Co-Defendant Name (Last, First, Middle)			Race	Sex	Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large		<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor		<input type="checkbox"/> 5. Juvenile
	<input type="checkbox"/> Parent <input type="checkbox"/> Other: _____ Name (Last, First, Middle)											Residence Phone
<input type="checkbox"/> Legal Custodian											Business Phone	
Address (Street, Apt. Number) _____ (City) _____ (State) _____ (Zip)												
Notified by: (Name)			Date	Time	JUVENILE DISPOSITION 1. Handled/Processed within Department and Released 2. TOT JAC 3. Incarcerated							
Released To: (Name)			Relationship	Date	Time							
The above address was provided by <input type="checkbox"/> defendant and/or <input type="checkbox"/> defendant's parents. The child and/or parent was told to keep the Juvenile Court Clerk's Office (Phone 355-2526) informed of any change of address.						School Attended		Grade				
<input type="checkbox"/> Yes, by: _____ <input type="checkbox"/> No						Property Crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Description of Property		Value of Property		
C O D E	Drug Activity N N/A P Possess	S Sell B Buy T Traffic	R Smuggle D Deliver E Use	K Disperses/ 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	U Unknown Z Other	
	Charge Description DUI - NORMAL FACULTIES IMPAIRED						Statute Violation Number 316.193(1)(A)		Violation of ORD #			
C H A R G E	Drug Activity	Drug Type N	Amount / Unit	Offense #	Counts 1	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Warrant / Capias Number		Bond			
	Charge Description						Statute Violation Number		Violation of ORD #			
C H A R G E	Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Warrant / Capias Number		Bond			
	Charge Description						Statute Violation Number		Violation of ORD #			
C H A R G E	Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Warrant / Capias Number		Bond			
	Health / Apparent Physical Condition of Defendant						Any knowledge of the following Explain: <input type="checkbox"/> Mental <input type="checkbox"/> Escape Risk <input type="checkbox"/> Medication <input type="checkbox"/> Deformities <input type="checkbox"/> Injuries					
I N T A K E	Check which applies: <input type="checkbox"/> Released O.R. <input type="checkbox"/> Released to Parent/Guardian <input type="checkbox"/> T.O.T. County Jail <input type="checkbox"/> PROPERTY - Received By _____ Released By _____ Released To _____						Date Transported		Time Transported	Other		
	Transported By						Date Transported		Time Transported	Other		
N O T I C E	<input checked="" type="checkbox"/> INSTRUCTION NO. 1 - Mandatory appearance in court <input type="checkbox"/> INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.						Location (Court, Room) North County PALM BEACH GARD		Court Date and Time 12/20/2023 08:30:00			
	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 COMTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.						Signature of Defendant (or Juvenile and Parent/Custodian) <i>Christian Penner</i>		Date Signed 11/19/23		No Photo Available	
A D M I N	HOLD for Other Agency		Signature of Arresting Officer <i>Christopher Fandrey</i>		Name Verification (Printed by Arrestee) CHRISTIAN PENNER		I.D. # 1182		PAGE 1 OF 1			
	<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal	<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other	Name of Arresting Officer (Print) FANDREY, CHRISTOPHER		I.D. # 1182		Agency JPD		Witness here if subject does not sign an "X".			

COURTS ATTORNEYS AGENCY OTHER VENDOR OTHER

NOV 20 2023

PROBABLE CAUSE AFFIDAVIT

1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Captives

1 JUVENILE

Agency ORI Number: FL 0501700 Agency Name: JUPITER POLICE DEPARTMENT Agency Report Number: 5 | 4 | 23-004553

Charge Type: 1. Felony 2. Traffic Felony 3. Misdemeanor 4. Traffic Misdemeanor 5. Ordinance 6. Other

Name (Last, First, Middle): PENNER, CHRISTIAN ANTHONY Alias: PENNER, CHRISTIAN ANTHONY Race: W Sex: M Date of Birth: 07/10/1972

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

Victim's Name (Last, First, Middle): 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... [X] 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. [X] was found to have committed the below acts, resulting from my (described) investigation. On the 19 day of November, 2023 at 19:58 (Specifically include facts constituting cause for arrest.)

On 11/19/2023 I was in the area of Donald Ross Rd and S Alt A1A, Jupiter, Palm Beach County, Florida. I observed a silver Ram Pickup bearing FL Tag BU78DR going southbound at Donald Ross Rd. Multiple items from the rear of the pickup truck bed flew out of the truck and onto the roadway causing a traffic hazard. Based on the traffic infraction, I immediately activated my red and blue overhead emergency lights and sirens to signal the vehicle to pull over. I continued southbound on S Alt A1A at approximately 45mph and did not slow down or speed up. I changed the siren tones multiple times to continue to signal the vehicle to pull over. The vehicle pulled over a mile away from Donald Ross Rd at Hood Rd and S Alt A1A.

I approached the driver side of the vehicle and I made contact with the driver who was positively identified by Florida Driver License to be WM Christian A. Penner (7/10/1972). I immediately noticed the strong odor of an unknown alcoholic beverage coming from his person. I informed Penner that multiple items flew out of the bed of his truck and he seemed very surprised. I also asked Penner for his driver license, registration, and insurance. Penner handed me his driver license but had to be reminded to hand me his registration and insurance. While speaking to Penner I noticed he had red blood shot glassy eyes and was slow to respond to requests or questions. I asked Penner how much he had to drink today and he told me "not much" and then changed his statement to none. Penner had multiple responses to how much he drank today and I had to ask him the question several times. Penner then explained to me that he was at a friend's house and they he had alcohol spilled on him.

I later requested that Penner exit the vehicle and he complied. I noticed Penner was swaying while standing still and was easily distracted. I again asked Penner how much he had to drink today and he eventually told me that he had one drink earlier today but nothing after that. Penner also explained that he had multiple prescription medications and had suffered injuries in a crash approximately a year ago. Penner also told me that

SWORN AND SUBSCRIBED BEFORE ME [Signature] NOTARY PUBLIC (CLERK OF COURT OFFICER (F.S.S. 117.10)) 11/19/2023 DATE SIGNATURE OF ARRESTING/INVESTIGATING OFFICER [Signature] FANDREY, CHRISTOPHER (1182) NAME OF OFFICER (PLEASE PRINT) 11/19/2023 DATE PAGE 1 OF 2

OBTG Number Agency ORI Number FL 0501700	PROBABLE CAUSE AFFIDAVIT SUPPLEMENT	1. Arrest 2. N.T.A.	3. Request for Warrant 4. Request for Capias	1	JUVENILE
Agency Name JUPITER POLICE DEPARTMENT	Agency Report Number 5 4 23-004553	Charge Type: Check as many as apply. <input type="checkbox"/> 1. Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 2. Traffic Felony <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other			
Name (Last, First, Middle) PENNER, CHRISTIAN ANTHONY		Alias PENNER, CHRISTIAN ANTHONY	Race W	Sex M	Date of Birth 07/10/1972
<p>he did not believe he was supposed to mix his medications with alcohol. Based upon all of my observations of Penner, statements made by him, and his driving pattern, I believed that he may have had too much to drink to operate a motor vehicle. I asked Penner to perform Standardized Field Sobriety Tasks (SFSTs) roadside task and he was reluctant. I then explained his Taylor Warnings to him and he again continued to be reluctant to continue with the tasks. Penner also continued to walk and move around the general area and was continually asked to keep his hands out of his pockets while speaking to him. During this time Penner also mentioned his attorney and I told him that this was a decision he had to make himself. Penner also asked if he could just have someone else drive him home. I explained this was not possible and again asked if he wanted to complete SFSTs and he was advised of his Taylor Warnings multiple times. Penner also mentioned that he knew the Chief of Police and asked if he could call him. Eventually Penner told me that he was not going to perform the SFSTs.</p> <p>At this point based upon my entire investigation I developed Probable Cause to arrest and charge Penner with DUI. I placed Penner into handcuffs which were double locked and checked for spacing. On scene I requested that Penner provide a lawful sample of his breath and he refused. I read Penner Implied Consent from a preprinted card and he stated he understood but again refused to provide a lawful sample of his breath. I later transported Penner to the Jupiter Police Department while the appropriate paperwork was completed and later transported him to the Palm Beach County Jail without incident. The vehicle was released to a responsible sober party on scene.</p>					
A D M I N I S T R A T I V E	<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>SWORN AND SUBSCRIBED BEFORE ME</p> <p><i>[Signature]</i></p> <p>NOTARY PUBLIC / CLERK OF COURT OFFICER (F.S.S. 117.10)</p> <p>11/19/2023</p> <p>DATE</p> </div> <div style="width: 45%;"> <p><i>[Signature]</i></p> <p>SIGNATURE OF ARRESTING / INVESTIGATING OFFICER</p> <p>FANDREY, CHRISTOPHER (1182)</p> <p>NAME OF OFFICER (PLEASE PRINT)</p> <p>11/19/2023</p> <p>DATE</p> </div> </div>				
					PAGE 2 OF 2

NOT A CERTIFIED COPY

COURT

STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIME ANALYSIS I. O.

NOV 20 2023

SCANNED

WITNESS LIST

CASE NUMBER: 23-004553

ARRESTING OFFICER: C Fandrey

ADDRESS: 196 Military Trl, Jupiter, FL 33458

PHONE NUMBERS (HOME): _____ (WORK) (561) 746-6201

CAN TESTIFY TO: PC

NAME: Sgt. Brandt

ADDRESS: 196 Military Trl, Jupiter, FL, 33458

PHONE NUMBERS (HOME) _____ (WORK) (561) 746-6201

CAN TESTIFY TO: Assisting on scene

NAME: Ofc. Flesch

ADDRESS 196 Military Trl, Jupiter, FL, 33458

PHONE NUMBERS (HOME) _____ (WORK) (561) 746-6201

CAN TESTIFY TO: Assisting on scene post arrest

NAME: Ofc. Palmeri

ADDRESS 196 Military Trl, Jupiter, FL, 33458

PHONE NUMBERS (HOME) _____ (WORK) (561) 746-6201

CAN TESTIFY TO: Assisting on scene post arrest

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

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NAME: _____

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CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

SCANNED
NOV 20 2023

STATE OF FLORIDA
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH TEST

I, Officer Fandrey, a duly certified Law Enforcement or Correctional Officer, am a
(Name of Officer reading Implied Consent Warning)

member of Jupiter Police Department, and I do swear
(Name of Law Enforcement Agency)

or affirm that on or about the 19 day of November, 20 23, at 1958 P.M. A.M.

DRIVER Christian A Penner
FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL # P560101722500, state of Florida, was placed under lawful arrest for

the offense of DUI by Officer Fandrey and
(Name of Arresting Officer)

issued citation # AHD6QBE

That on or about the 19 day of November, 20 23, at 2001 P.M. A.M.

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]
Signature of Law Enforcement Officer or Correctional Officer

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

The foregoing instrument was sworn and subscribed before me:

[Signature]
Signature of Attesting Officer

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before me this _____ day of _____, 20 _____, by Officer C Fandrey 1182, who is personally known to me or who has produced Personally Known as identification.
Notary Public _____

Title Police Officer / Sergeant
Date 11/19/2023

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.

SUBJECT: **Penner, Christian A**

CASE NUMBER: 23-004553

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 detecting the presence of chemical or controlled substances.

-OR-

I am now requesting that you submit to a lawful test of your BLOOD for the purpose of detecting its alcohol content and the presence o chemical or controlled substances.

NOTE: READ ONLY IF THE SUBJECT DOES NOT COMPLY WITH YOUR REQUEST

I am Officer Fandrey of the Jupiter Police Department

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.

SUBJECT'S SIGNATURE: Read on Camea Penner, Christian A

CONSTITUTIONAL WARNINGS

I AM REQUIRED TO WARN YOU BEFORE YOU MAKE ANY STATEMENTS THAT YOU HAVE THE FOLLOWING RIGHTS:

You have the right to remain silent and not answer any questions.

Any statement must be freely and voluntarily given.

You have the right to the presence of a lawyer of your choice before you make any statement and during any questioning.

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.

If at any time during the interview you do not wish to answer any questions, you are privileged to remain silent.

I can make no threats or promises to induce you to make a statement. This must be of your own free will.

Any statement can and will be used against you in a court of law.

SUSPECT'S SIGNATURE: _____

Penner, Christian A
SCANNED
NOV 20 2023



Palm Beach County Sheriff's Office
 Florida State Statute Exemption Sheet

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	<input type="checkbox"/>	119.071(4)(c)	Undercover personnel	
	<input type="checkbox"/>	119.071(2)(e)	Confession	
Public Info. Exemptions	<input type="checkbox"/>	Fl. Const. Art. I, s. 16(b)(5)	Marsy's Law – victim information shall be redacted. The term "victim" also includes the victim's lawful representative, the parent or guardian of a minor, or the next of kin of a homicide victim. The term "victim" does not include the accused (ref. page 99 of the CRTM for additional information)	
	<input type="checkbox"/>	119.071(2)(j)	Home/employment telephone number, home/employment address, or personal assets of a person who has been the victim of sexual battery, aggravated child abuse, aggravated stalking, harassment, aggravated battery or domestic violence	
	<input type="checkbox"/>	119.0712(2)	Personal information contained in a motor vehicle record	
	<input type="checkbox"/>	316.650(11)	Driver information contained in a uniform traffic citation	
	<input type="checkbox"/>	119.071(4)(d)2.a.	Home addresses, telephone numbers, dates of birth, and photographs of active/former LE personnel, spouses, and children	
Florida Rules of Judicial Administration 2.420	<input checked="" type="checkbox"/>	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers	2
	<input type="checkbox"/>	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request	
	<input type="checkbox"/>	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses	
	<input type="checkbox"/>			
	<input type="checkbox"/>			
Other	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			

REVIEW COMPLETED BY

Booking Number: 2023030594	Date: 11/20/2023
	Specialist Name/ID#: Rebeca Castro/40259

SCANNED
 NOV 20 2023