

0539222 2023MM-002374 ANB 2040

ARREST / NOTICE TO APPEAR

OBTS Number	Agency ORI Number <b>0501700</b>		Agency Name <b>Jupiter Police Department</b>		Agency Report Number (N.T.A.'s only) <b>514 23-001276</b>		1. Arrest 2. N.T.A.	3. Request for Warrant 4. Request for Capias	<b>1</b>	JUVENILE			
Charge Type: Check as many as apply	<input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony	<input 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 <b>UNARMED</b>	Multiple Clearance Indicator								
Location of Arrest (Including Name of Business) <b>454 W INDIANTOWN RD, JUPITER, FL 33458</b>				Location of Offense (Business Name, Address) <b>454 W INDIANTOWN RD, JUPITER, FL 33458</b>									
Date of Arrest <b>03/26/2023</b>	Time of Arrest <b>03:54</b>	Booking Date <b>03/26/2023</b>	Booking Time <b>03:54</b>	Jail Date <b>03/26/2023</b>	Jail Time <b>04:38</b>	Location of Vehicle							
Name (Last, First, Middle) <b>GIORDANO, DANIEL J</b>				Alias:				Alias (Name, DOB, Soc. Sec. #, Etc.)					
Race W - White B - Black	I - American Indian O - Oriental/Asian	Sex <b>M</b>	Date of Birth <b>02/02/1993</b>	Height <b>5'10</b>	Weight <b>175</b>	Eye Color <b>BROWN</b>	Hair Color <b>BLACK</b>	Complexion <b>LIGHT</b>	Build <b>Medium</b>				
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)				Marital Status <b>S</b>	Religion <b>OTHER</b>	Indication of: Alcohol Influence Drug Influence		Yes <input type="checkbox"/> No <input type="checkbox"/> Unk. <input type="checkbox"/>					
Local Address (Street, Apt. Number) <b>43329 GADSDEN AVE 650, LANCASTER, CA 93534</b>				(City)	(State)	(Zip)	Phone		Residence Type: 1. City 2. County 3. Florida 4. Out of State <b>1</b>				
Permanent Address (Street, Apt. Number) <b>43329 GADSDEN AVE 650, LANCASTER, CA 93534</b>				(City)	(State)	(Zip)	Phone		Address Source <b>VERBAL</b>				
Business Address (Name, Street)				(City)	(State)	(Zip)	Phone		Occupation				
D/L Number, State <b>F8039303 / CA</b>		Soc. Sec. Number		INS Number		Place of Birth (City, State) <b>LANCASTER, CA,</b>		Citizenship <b>US</b>					
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					
Parent <input type="checkbox"/> Other: _____ Legal Custodian <input type="checkbox"/>				Name (Last, First, Middle)		Residence Phone							
Address (Street, Apt. Number)				(City)	(State)	(Zip)	Business Phone						
Notified by: (Name)				Date	Time	JUVENILE DISPOSITION 1. Handled/Processed within 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					
Drug Activity N. N/A P. Possess		S. Sell B. Buy T. Traffic	R. Snuggle D. Deliver E. Use	K. Disperse/ 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. Opioids/Deriv.	P. Paraphernalia/ Equipment S. Synthetic	U. Unknown Z. Other		
Charge Description <b>DUI - NORMAL FACULTIES IMPAIRED</b>						State Violation Number <b>316.193(1)(A)</b>		Violation of ORD #					
Drug Activity <b>N</b>	Drug Type <b>N</b>	Amount / Unit <b>/</b>	Offense # <b>23-001276</b>	Counts <b>1</b>	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Warrant / Capias Number		Bond					
Charge Description <b>RESIST/OBSTRUCT OFFICER W/O VIOLENCE</b>						State Violation Number <b>843.02</b>		Violation of ORD #					
Drug Activity <b>N</b>	Drug Type <b>N</b>	Amount / Unit <b>/</b>	Offense # <b>23-001276</b>	Counts <b>1</b>	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Warrant / Capias Number		Bond					
Charge Description						State Violation Number		Violation of ORD #					
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: <input type="checkbox"/> Mental <input type="checkbox"/> Escape Risk <input type="checkbox"/> Medication <input type="checkbox"/> Deformities <input type="checkbox"/> Injuries Explain:							
Check which applies: <input type="checkbox"/> Released O.R. <input type="checkbox"/> Posted Bond						<input type="checkbox"/> Released to Parent/Guardian <input type="checkbox"/> T.O.T. County Jail		PROPERTY - Received By		Released By		Released To	
Transported By						Date Transported	Time Transported	Other					
<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) <b>North County PALM BEACH GARD</b>		Court Date and Time <b>04/26/2023 08:30:00</b>					
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					
HOLD for Other Agency						Signature of Arresting Officer <b>1248</b>		Name Verification (Printed by Arrestee) (PRINT)					
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal						<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other		Name of Arresting Officer (Print) <b>TRUNTZ, NICHOLAS</b>		I.D. # <b>1248</b>		PAGE <b>1 OF 1</b>	
Intake Deputy <b>MARCOS</b>						Pouch #		Transporting Officer <b>MARCOS</b>		I.D. # <b>1236</b>		Agency <b>JPD</b>	
Witness here if subject signed with an "X"													

COURT STATE ATTORNEY AGENCY CENTRAL RECORDS JAIL CRIME ANALYSIS ORIENTAL

SCANNED MAR 27 2023

PROBABLE CAUSE AFFIDAVIT

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

**1** JUVENILE

OBTS Number	Agency ORI Number <b>FL 0501700</b>		Agency Name <b>JUPITER POLICE DEPARTMENT</b>	Agency Report Number <b>5 4 23-001276</b>
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				Special Notes:

Name (Last, First, Middle) <b>GIORDANO, DANIEL J</b>	Alias	Race <b>W</b>	Sex <b>M</b>	Date of Birth <b>02/02/1993</b>
Charge Description <b>316.193(1)(A) DUI - NORMAL FACULTIES IMPAIRED</b>	Charge Description <b>843.02 RESIST/OBSTRUCT OFFICER W/O VIOLENCE</b>			

Victim's Name (Last, First, Middle) <b>State Of Florida</b>	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 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 \_\_\_\_\_ 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 **26** day of **March**, **2023** at **04:49** (Specifically include facts constituting cause for arrest.)


On Sunday, March 26, 2023, at approximately 0324 hours, I responded to 454 West Indiantown Road (Burger King) in reference to a male asleep at the wheel in a 2013 Gray Honda Accord in the drive through bearing CA tag#8AJN636.

I met with Officer Wyatt #1234, who advised me that the vehicle was on with a key in the ignition and in park. The white male, later identified as Daniel Giordano (W/M, 02/02/1993) via California Driver's license, was asleep with his head back, and Officer Wyatt advised me that he could smell marijuana odor emanating from the vehicle. I was using a fully marked Jupiter police vehicle and wearing a full class b police uniform on the above date.

I then met with Giordano and asked if he had ID; he said no, and I then asked for his name and where he was coming from. He answered Daniel. I immediately could see that Daniel was sweating profusely, his pupils were dilated, and he had slurred speech.

Giordano kept playing with his phone nervously, and I noticed he had a CA DL in the back of it; I then retrieved it, and an FCIC/NCIC query revealed no wants or warrants. I asked Giordano to step out of the vehicle. I then requested Giordano to step out, to which he complied. As he stepped out, he took the keys out of the ignition and placed them in his right pocket. I asked again where he was coming from and where he was going. Giordano said nothing and that he lives close. I told Giordano to stop sticking his hands in his pockets, and I had to say it a third time due to him. Then, I told him to sit on the curb, and he complied. I located a fixed-blade knife between the driver's seat and the center console.

While officers were speaking to him, Giordano continued not to listen and kept playing on his phone, which obstructed my investigation further, taking me away from searching the vehicle; I then placed him in handcuffs, checked for proper spacing, and

SWORN AND SUBSCRIBED BEFORE ME	SIGNATURE OF ARRESTING / INVESTIGATING OFFICER  1248
<b>MARCOS, FRANK</b> NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)	<b>TRUNTZ, NICHOLAS (1248)</b> NAME OF OFFICER (PLEASE PRINT)
<b>03/26/2023</b> DATE	<b>03/26/2023</b> DATE

SCANNED  
MAR 27 2023

PROBABLE CAUSE AFFIDAVIT  
SUPPLEMENT

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

1 JUVENILE

OBTS Number	Agency ORI Number <b>FL 0501700</b>		Agency Name <b>JUPITER POLICE DEPARTMENT</b>	Agency Report Number <b>5   4   23-001276</b>
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Charge Type: Check as many as apply.	<input type="checkbox"/> 1. Felony	<input type="checkbox"/> 3. Misdemeanor	<input type="checkbox"/> 5. Ordinance	Special Notes:
	<input type="checkbox"/> 2. Traffic Felony	<input checked="" type="checkbox"/> 4. Traffic Misdemeanor	<input type="checkbox"/> 6. Other	

Name (Last, First, Middle) <b>GIORDANO, DANIEL J</b>	Alias	Race <b>W</b>	Sex <b>M</b>	Date of Birth <b>02/02/1993</b>
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double-locked them at 0332 hours. I took his phone and placed it on the trunk of his vehicle.

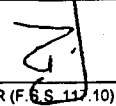

I asked Giordano if he would participate in standardized field sobriety exercises based on the aforementioned events, to which he agreed. I took him out of handcuffs and asked Giordano if he was drinking, where he was coming from, what he was drinking, and how many. He stated only that he did not do drugs. I asked him if he had taken any prescription medications and if he was under a doctor's care. He stated that he did not take any medications and was not under a doctor's or dentist's supervision.

The first task I began with was the Horizontal Gaze Nystagmus task. I instructed Giordano to stand with his feet touching (heel & toes) and to keep his arms down at his side. I demonstrated to Giordano that he would be following my stimulus (tip of my pen/red light) with his eyes and his eyes only and to keep his head still at all times. Giordano stated that he understood the instructions and was ready for me to continue. Giordano's eyes had no resting nystagmus in either eye, and both eyes were tracked together equally. I observed a lack of smooth pursuit in both eyes and distinct and sustained nystagmus at maximum deviation in both eyes.

The second task was the walk and turn. I began to try and instruct/demonstrate to Giordano continued to try to talk over me. Giordano then requested his phone so that he could call his lawyer. I explained that he refused to complete the exercises and that I would have to make an arrest decision based on what I had seen and heard up to this point. I asked if he would submit to a breath test for his alcohol content. He refused to answer; I told him it was a yes or no question. He said nothing, so I explained that he would be marked as a DUI refusal.

Based on my investigation, observations, and totality of circumstances, I had probable cause to believe that Giordano was in actual physical control of a vehicle while under the influence of an alcoholic beverage, chemical, or controlled substance, to the point where his normal faculties were impaired, contrary to F.S 316.193; and did resist, obstruct my investigation by not providing me with his driver's license that I requested and oppose myself Officer Truntz #1248 by starting to call people on his phone obstructing me from conducting my investigation, a law enforcement officer of the Jupiter Police Department, in the execution of a legal process or in the lawful execution of a legal duty, without offering or doing violence to the person of such officer, contrary to Florida Statute 843.02. He was handcuffed at 0354 hours, double-locked, and checked for proper spacing.

I then transported Giordano to Jupiter PD holding Facility while all necessary paperwork was completed and subsequently booked him into the Palm Beach County Jail. He was given a criminal court date of 04/26/2023, 0830 hours. The above incident was captured on BWC. This narrative summarizes the events and is not purported to be verbatim. The

ADMINISTRATIVE	SWORN AND SUBSCRIBED BEFORE ME		
	<b>MARCOS, FRANK</b>		
	NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S. 117.10)		SIGNATURE OF ARRESTING / INVESTIGATING OFFICER
	<b>03/26/2023</b>	<b>1236</b>	<b>TRUNTZ, NICHOLAS (1248)</b>
	DATE		NAME OF OFFICER (PLEASE PRINT)
			<b>03/26/2023</b>
			DATE
			PAGE <b>2 OF 3</b>

OBTS Number		<b>PROBABLE CAUSE AFFIDAVIT SUPPLEMENT</b>		1. Arrest 2. N.T.A.	3. Request for Warrant 4. Request for Capias	<b>1</b>	JUVENILE
Agency ORI Number	Agency Name	Agency Report Number					
<b>FL 0501700</b>	<b>JUPITER POLICE DEPARTMENT</b>	<b>5   4   23-001276</b>					
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Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
<b>GIORDANO, DANIEL J</b>		<b>W</b>	<b>M</b>	<b>02/02/1993</b>

vehicle was towed by All Hooked Up towing.

Giordano refused to sign his citation and was written another for refusal to sign a citation.

NOT A CERTIFIED COPY


PROBABLE CAUSE STATEMENT

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

MARCOS, FRANK  
 NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S. 117.10)

03/26/2023 1236  
 DATE

 1248  
 SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

TRUNTZ, NICHOLAS (1248)  
 NAME OF OFFICER (PLEASE PRINT)

03/26/2023  
 DATE

PAGE  
**3 OF 3**

SUBJECT: Giordano, Daniel J.

CASE NUMBER: 23001276

**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 of chemical or controlled substances.

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

I am Ofc Nicolas Truntz 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 Camera ,

**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: Read on Camera ,

**SCANNED**  
**MAR 27 2023**

**STATE OF FLORIDA  
AFFIDAVIT OF REFUSAL TO SUBMIT TO  
BREATH TEST**

I, Officer Truntz, 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 26 day of March, 20 23, at 0354  P.M.  A.M.

DRIVER Daniel J Giordano  
FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL # F8039303, state of California, was placed under lawful arrest for

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

issued citation # AH4WP4E.

That on or about the 26 day of March, 20 23, at 0354  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 to 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,  
who is personally known to me or who has produced  
Personally Known as identification.

Notary Public \_\_\_\_\_

Title Officer  
Date March 26, 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.