ARREST AFFIDAVIT

10/13/06

COURT DOCKET NO.
1.
2. 562006CT004934A

Use separate forms for each defendant and for multiple offenses occurring at different time, date or location

FBI NO. | FILE NO. None

Fingerprinted ☐ Identification Only ☐ Criminal By ☐ AFIS	☒ YES CHECK TRUE NAME ☐ YES	DEFENDANT NAME (LAST, FIRST, MIDDLE) LEROSE, GERALDINE S	ARR. AGENCY ORI. NO. 0 5 6 0 0 0 0
BOOKING OFFICER LAO	JAIL NUMBER 171492	A. K. A.	OBTS NO. 5001104803

LOCAL CASE NO.	DATE OF BIRTH	PERMANENT ADDRESS (STREET NO. STREET NAME CITY) PHONE	STATE	ZIP CODE	CN
1-06-12361	1/11/1948	438 SW FAIRWAY VISTA FORT PIERCE ( )- -	FL	34986	24

DEFENDANT REQUIRED TO APPEAR IN CIRCUIT COURT	SEX	HEIGHT	WEIGHT	RACE	D.L. #/STATE	EYE COLOR	HAIR COLOR
ON _____ AT _____ AM/PM	M	503	130 lbs	WHITE	L 620 297 48 511 0 FL	BRN	BROWN

SOCIAL SECURITY NUMBER	OCCUPATION OR EMPLOYER	DISTINUISHING MARKS
- -		

DEFENDANT REQUIRED TO APPEAR IN COUNTY COURT		DATE	MIL. TIME	STREET ADDRESS	CITY	STATE	CN
ON _____ AT _____ AM/PM	ARREST DATA →	9/24/2006	00:57	PRIMA VISTA BLVD. & LOMAS ST.	PT. ST. LUCIE	FL	24
	OFFENSE DATA →	9/24/2006	00:37	SAME AS ABOVE	PT. ST. LUCIE	FL	24

WEAPONS SEIZED /	TYPE	RESIDENCE TYPE	ACTIVITY MANUFACTURE/
NO	N/A	COUNTY	S SELL R SMUGGLE K DISPENSE/ M N N/A B BUY D DELIVER DISTRIBUTE PRODUCE/ P POSSESS T TRAFFIC E USE Z OTHER CULTIVATE

CHARGE STATUS:	INDICATION OF:		CITIZENSHIP	TYPE				
Probable Cause	ALCOHOL INFLUENCE	YES	US	N N/A	B BARBITURATE	H HALLUCINOGEN	P PARAPHERNALIA / EQUIPMENT	U UNKNOWN
	DRUG INFLUENCE	NO		A AMPHETAMINE	C COCAINE E HEROIN	M MARIJUANA O OPIUM/DERIV	S SYNTHETIC	Z OTHER

SEQ#	Domestic Related	CHARGE / STATUTE NO.	IF DRUGS ACTIVITY	IF DRUGS TYPE
1.	NO	TRAFFIC MISDEMEANOR DRIVING UNDER THE INFLUENCE 316.193	N	N

COPY TO: CLERK OF COURTS / STATE ATTORNEY / JAIL / ARRESTING AGENCY / DEFENDANT'S	PRINCIPAL ARRESTING OFFICER / AGENCY	OFFICER ID NO.	BONDSMAN /	BOND AMOUNT
	FAIELLA SLSO	323		

CO-DEFENDANT'S (LAST NAME, FIRST, MIDDLE)	VICTIM'S NAME
N/A, N/A N/A	STATE OF FL

2006 SEP 25 AM 8:36
CLERK OF CIRCUIT COURT
ST. LUCIE COUNTY, FL

SUMMARY OF OFFENSES AND PROBABLE CAUSE AFFIDAVIT:
The above names defendant was arrested for the following reasons;

PROBABLE CAUSE

I RESPONDED TO THE AREA OF PRIMA VISTA BLVD. AND LOMAS ST. WHERE I MET WITH SERGEANT DAVID BLATCHFORD, OF SEWALL'S POINT POLICE DEPARTMENT, WHO HAD BEEN IN CONTACT WITH 911 DISPATCH WHILE FOLLOWING A POSSIBLE IMPAIRED DRIVER.

SGT. BLATCHFORD STATED WHILE TRAVELING NORTHBOUND ON INDIAN RIVER DRIVER, IN HIS PERSONAL VEHICLE, HE WAS BEHIND A WHITE CHRYSLER WHICH WAS UNABLE TO MAINTAIN A SINGLE LANE. HE STATED ON SEVERAL OCCASIONS THE VEHICLE DRIFTED OF THE ROADWAY AND ONTO THE SHOULDER. HE ALSO STATED AT ONE TIME THE VEHICLE DRIFTED LEFT OF THE CENTER LINE AND ALMOST STRUCK A VEHICLE TRAVELING SOUTHBOUND HEAD ON. SGT. BLATCHFORD STATED THE VEHICLE CONTINUED THIS ERRATIC DRIVING PATTERN ALL THE WAY TO WALTON RD. WHERE IT TURNED WEST TO SR-5. THE VEHICLE THAN TURNED NORTH ON SR-5 TO PRIMA VISTA BLVD. AND TURNED WESTBOUND. A TRAFFIC STOP ON THE SUSPECT VEHICLE WAS CONDUCTED AT THE INTERSECTION OF PRIMA VISTA BLVD. AND LOMAS ST. UPON MY ARRIVAL I MADE CONTACT WITH THE DRIVER, LATER IDENTIFIED AS GERALDINE LEROSE BY HER FLORIDA DRIVER LICENSE, AND ASKED HER FOR HER DRIVER LICENSE AND VEHICLE REGISTRATION. WHILE SPEAKING TO MS. LEROSE I DETECTED A STRONG ODOR OF AN ALCOHOLIC BEVERAGE COMING FROM THE AREA OF HER MOUTH. I ALSO OBSERVED THAT HER EYES WERE BLOODSHOT AND WATERY AND HER SPEECH WAS SLURRED AND MUMBLED. I ASKED MS. LEROSE TO PERFORM CERTAIN ROADSIDE EXERCISES AND SHE AGREED. I ACTIVATED MY ON-BOARD VIDEO CAMERA K-2 AND BEGAN TO RECORD ON TAPE 5-A. THE FIRST TASK WAS THE HEAD TILT. MS. LEROSE COULD NOT KEEP HER HEAD TILTED BACK, COULD NOT KEEP HER EYES CLOSED AND SWAYED IN A CIRCULAR MANNER. THE SECOND TASK WAS THE FINGER TO NOSE. MS. LEROSE HAD DIFFICULTIES UNDERSTANDING THE INSTRUCTIONS, DID NOT POINT FORWARD AS DIRECTED, MISSED THE TIP OF HER NOSE WITH HER FINGER ON ALL ATTEMPTS AND USED THE WRONG HAND ON TWO OCCASIONS. THE THIRD

THE PRECEDING IS TRUE TO THE BEST OF MY PRESENT KNOWLEDGE OR BELIEF.

SIGNATURE B Faiella 323

*SEQUENCE NUMBER TAKEN FROM FINGER PRINT CARD CONTAINING THIS OBTS NUMBER FOR THIS ARREST.

SWORN & SUBSCRIBED BEFORE ME THIS 24 DAY OF Sept 06

NOTARY / ASA R. D. Ryan 580

MY COMMISSION EXPIRES Feb 17, 10

AGENCY SLSO

562006GT004874A

ARREST AFFIDAVIT

TASK WAS THE WALK AND TURN. MS. LEROSE COULD NOT MAINTAIN BALANCE DURING THE INSTRUCTION PHASE, STARTED THE EXERCISE BEFORE I WAS FINISHED WITH THE INSTRUCTIONS, DID NOT TOUCH HEEL TO TOE AND LOST HER BALANCE DURING HER WALK. THE FOURTH TASK WAS THE FINGER COUNT. MS. LEROSE HAD NO FINE MOTOR SKILLS IN HER FINGERS AND COULD NOT COUNT CORRECTLY. THE FIFTH TASK WAS THE HORIZONTAL GAZE NYSTAGMUS. MS. LEROSE HAD NO SMOOTH PURSUIT, ON-SET PRIOR TO 45 DEGREES AND AT MAXIMUM DEVIATION. DUE TO MS. LEROSE CLAIM OF LEG PROBLEMS, THE LEG LIFT EXERCISE WAS NOT CONDUCTED. WITH THE EFFECTS OF ALCOHOL PRESENT AND BASED ON MS. LEROSE DRIVING PATTERN, I PLACED HER UNDER ARREST FOR DRIVING UNDER THE INFLUENCE. I INFORMED MS. LEROSE OF IMPLIED CONSENT AND REQUESTED A BREATH TEST. MS. LEROSE AGREED TO THE BREATH TEST.

THE VEHICLE WAS RELEASED TO THE REGISTERED OWNER, WHO RESPONDED TO THE SCENE AND TOOK POSSESSION OF IT. MS. LEROSE WAS TRANSPORTED TO THE ST. LUCIE COUNTY JAIL WHERE I ADMINISTERED THE BREATH TEST. DURING THE TEST, MS. LEROSE PROVIDED A GOOD FIRST SAMPLE WHICH WAS .103 G/210L. HOWEVER DURING THE SECOND REQUIRED SAMPLE, MS. LEROSE BEGAN TO MALINGER ON THE TEST AND WOULD NOT PROVIDE A SATISFACTORY SAMPLE. THE SECOND SAMPLE WAS .073 G/210L LOW SAMPLE VOLUME/VOLUME NOT MET. DUE TO THE NO .02 G/210L AGREEMENT, THE INSTRUMENT REQUIRED A THIRD SAMPLE WHICH MS. LEROSE REFUSED TO PROVIDE. MS. LEROSE WAS CHARGED ACCORDINGLY.

EDWIN M. FRY, JR
CLERK OF CIRCUIT COURT
ST. LUCIE COUNTY, FL
2006 SEP 25 AM 9:36

THE PRECEDING IS TRUE TO THE BEST OF MY PRESENT KNOWLEDGE OR BELIEF.

SIGNATURE D/S [signature] 323

*SEQUENCE NUMBER TAKEN FROM FINGER PRINT CARD CONTAINING THIS OBTS NUMBER FOR THIS ARREST.

SWORN & SUBSCRIBED BEFORE ME THIS 24 DAY OF Sept, 06

NOTARY / ASA D/S D. [signature] 580

MY COMMISSION EXPIRES FS 117.10

AGENCY SC 50

562006GT049374A

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
ALCOHOL TESTING PROGRAM
BREATH ALCOHOL TEST AFFIDAVIT

Instrument Type: Intoxilyzer 8000
Instrument Registered To: ST LUCIE COUNTY SO
Instrument Serial Number: 80-000794 Software: 8100.26
Date of Test: 09/24/2006

Date of Last Agency Inspection: 08/23/2006
Observation Period Began: 01:15
Subject's Name: GERALDINE S LEROSE DOB: 01/11/1948 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	01:36
Air Blank	0.000	01:37
Control Test	0.080	01:37
Air Blank	0.000	01:38
Subject Sample #1	0.103	01:38
Air Blank	0.000	01:39
Air Blank	0.000	01:41
Subject Sample #2	VNM*	01:44
Air Blank	0.000	01:45
Air Blank	0.000	01:46
Subject Sample #3	REF**	01:47
Air Blank	0.000	01:47
Control Test	0.078	01:47
Air Blank	0.000	01:48
Diagnostics Check	OK	01:48

*Volume Not Met (0.073 - Breath Sample Not Reliable to Determine Breath Alcohol Level)
**Subject Test Refused

EDWIN L. [illegible] JR
CLERK OF CIRCUIT COURT
ST. LUCIE COUNTY, FL
2006 SEP 25 AM 9:36

State of Florida, County of St Lucie.

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 PASQUALINO PAIELLA, 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: D/S [signature] 523 Date: 9-24-06
Signature

Sworn to (or affirmed) before me this 24 day of Sept, 2006

D/S D Phelan 580 D/S D. PHELAN
Signature of Notary Public-State of Florida Printed Name of Notary Public-State of Florida

Note: Pursuant to section 117.10, Florida Statutes, law enforcement officers, correctional officers, traffic accident investigation officers and traffic infraction enforcement officers are notaries public when engaged in the performance of official duties. In accordance with section 316.1934(5), F.S., this completed form is admissible without further authentication and is presumptive proof of the results herein. To be used in accordance with Section 316.1934(5), F.S., and in administrative proceedings pursuant to 322.2615, F.S.

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

G.O. 31.10
Attachment A

ST. LUCIE COUNTY SHERIFF'S OFFICE
ALCOHOL INFLUENCE REPORT

Revised January, 1997

CASE # 1-6-12361 DEFENDANT: Geraldine S. Lefose
DATE/TIME 9-24-06 LOCATION: Prima Vista BLVD & Lennard Rd
ARRESTING DEPUTY/OFFICER & AGENCY Faiella #301 SLSO
INTOXILYZER OPERATOR: Faiella LOCATION Jail
ARREST TIME 0057 IMPLIED CONSENT TIME 0059 MIRANDA TIME N/A
VIDEO # K2T5A CITATION # 0980XA51 ACCIDENT: YES / NO

PART ONE - DRIVING OBSERVATIONS
(Check all that apply)

- ☐ Turning with wide radius
- ☐ Straddling center line or lane marker
- ☐ Appearing to be drunk
- ☒ Almost striking object or vehicle
- ☒ Weaving
- ☒ Drifting on other than designated roadway
- ☒ Swerving
- ☐ Slow speed (more than 10 MPH below limit)
- ☐ Stopping in traffic lane (without cause)
- ☐ Following too closely
- ☐ Other:

- ☐ Drifting
- ☒ Tires on center line or lane marker
- ☐ Braking erratically
- ☒ Driving into opposing or crossing traffic
- ☐ Signaling inconsistent with driving actions
- ☐ Slow response to traffic signals
- ☐ Stopping inappropriately
- ☐ Turning abruptly or illegally
- ☐ Accelerating or decelerating rapidly
- ☐ Headlights off
- ☐ Other:

2006 SEP 25 AM 9:36
EDWIN A. LARR, JR
CLERK OF CIRCUIT COURT
ST. LUCIE COUNTY, FL

PART TWO - PHYSICAL CONDITION

CLOTHING:
- ☒ Neat
- ☐ Mussed
- ☐ Disorderly
- ☐ Soiled
- ☐ Odor

BREATH: (Odor of alcoholic bvg.)
- ☐ None
- ☐ Masked
- ☐ Slight
- ☐ Moderate
- ☒ Strong

SPEECH:
- ☐ Good
- ☐ Accent
- ☒ Mumbled
- ☒ Slurred
- ☐ Stuttered

BEHAVIOR:
- ☒ Mood swings
- ☐ Combative
- ☒ Belligerent
- ☒ Profanity
- ☐ Cocky
- ☒ Uncooperative
- ☐ Indifferent
- ☐ Sleep
- ☒ Crying
- ☒ Laughing
- ☒ Malingering
- ☐ Other:

BALANCE:
- ☐ Good
- ☐ Fair
- ☒ Poor
- ☐ Falling
- ☐ Circular motion

FACIAL COLOR:
- ☐ Normal
- ☐ Pale
- ☒ Flushed
- ☐ Other

EYES:
- ☒ Bloodshot
- ☒ Watery
- ☐ Dilated
- ☐ Contracted

Color: Brown
Glasses Y/(N)
Contacts Y/(N)
Defect: ____

COGNITIVE:

Understands / follows directions
- ☐ Good
- ☒ Poor
- ☐ Fair
- ☐ Unable

Short-term memory
- ☐ Good
- ☒ Poor
- ☐ Fair
- ☐ None

562006CT004874A

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

I, Pasqualino Faiella, a duly certified Law Enforcement Officer or Correctional
(Person reading Implied Consent Warning)

Officer, am a member of St Lucie County Sheriff Office, and I do swear
(Name of enforcement agency)

or affirm that on or about the 24 day of Sept, 2006, at 1257 P.M. A.M.
(Circle One)

NAME Geraldine S. Lerose,
(Type or Print) FIRST MIDDLE OR MAIDEN LAST

DL # L620297485110, state of Florida, was placed under lawful arrest for

the offense of DUI by Pasqualino Faiella and
(Name of Arresting Officer)

issued Citation # 0980XAM

That on or about the 24 day of Sept, 2006, at 145 P.M. A.M.
(Circle One)

in St Lucie County, I did request said person to submit to a breath, urine, or blood test to determine the content of alcohol in his or her blood or breath or the presence of chemical or controlled substances therein. I did inform said person that any refusal to submit to such test or tests would result in the suspension of his or her privilege to operate a motor vehicle for a period of one (1) year for a first refusal, or for a period of eighteen (18) months if the driving privilege of such person had been suspended previously for refusing to submit to such test or tests. I did inform said person that he or she commits a misdemeanor. If said person refuses to submit to a lawful test of his or her breath, urine, or blood, and his or her driving privilege has been previously suspended for a prior refusal to submit to a lawful test of his or her breath, urine, or blood. In cases involving a Commercial Motor Vehicle, I did inform the driver that this refusal will result in the disqualification of the driver's Commercial Driver's License/privilege for a period of one (1) year in the case of a first refusal or permanently for a second refusal in a commercial motor vehicle.

Said person did at that time and place refuse to submit to such test or tests.

D/S Faiella 323
Signature of Law Enforcement Officer or Correctional Officer

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

The foregoing instrument was sworn and subscribed before me:

D/S D. Rolan 580
Signature of Attesting Officer

Title Deputy

Date 9-24-06

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before me this ____ day of _____, 20____,

by _____,

who is personally known to me or who has produced

_____ as identification.

Notary Public _____

Note: Mail or hand deliver to the designated Bureau of Administrative Reviews office, Department of Highway Safety and Motor Vehicles, with the driver's license, the appropriate copy of the UTC, and the probable cause affidavit. If no DUI arrest is made, attach HSMV 78005 (Notice of Commercial Driver's License/Privilege Disqualification).

HSMV 78054 (REV. 03/03) S