50-2023-mm-007237 ANB

ARREST / NOTICE TO APPEAR

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

1 JUVENILE

ADMINISTRATION

OBTS Number	Agency ORI Number	Agency Name	Agency Report Number (N.T.A.'s only)
	0501700	Jupiter Police Department	5 4 23-003450

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: UNARMED

Multiple Clearance Indicator:

Location of Arrest (Including Name of Business)	Location of Offense (Business Name, Address)
S ALT A1A/DONALD ROSS RD	2999 S ALT A1A/E FREDERICK SMALL RD, JUPITER, FL

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
08/29/2023	22:40	08/29/2023	22:50			

DEFENDANT

Name (Last, First, Middle): NELSON, HOLLY JEANNE — Alias:

Alias (Name, DOB, Soc. Sec. #, Etc.)

Race (W - White, B - Black, I - American Indian, O - Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	F	12/22/1991	5'08	140	BROWN	BLONDE /	LIGHT	Medium

Scars, Marks, Tatoos, Unique Physical Features (Location, Type, Description):

Marital Status: S — Religion: OTHER — Indication of: Alcohol Influence ☒ Yes ☐ No ☐ Unk; Drug Influence

Local Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Residence Type (1. City 2. County 3. Florida 4. Out of State)
2117 21ST CT, JUPITER, FL 33477				(561) 657-7177	

Permanent Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Address Source
2117 21ST CT, JUPITER, FL 33477				(561) 657-7177	

Business Address (Name, Street)	(City)	(State)	(Zip)	Phone	Occupation
,					

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
N425330919620 / FL	[redacted]		, United States Of	US

CO-DEF

Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile

Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile

JUVENILE

☐ Parent ☐ Other: ☐ Legal Custodian — 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 ☐ defendant and/or ☐ 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.
☐ Yes, by: ☐ No:

School Attended — Grade

Property Crime? ☐ Yes ☒ No — Description of Property — Value of Property

CODE

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

Charge Description	Statute Violation Number	Violation of ORD #
DUI - NORMAL FACULTIES IMPAIRED	316.193(1)(A)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N	/		1	☐ Y ☒ N		

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #
RESIST/OBSTRUCT OFFICER W/O VIOLENCE	843.02	

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N	/		1	☐ Y ☒ N		

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
		/			☐ Y ☐ N		

INTAKE

Health / Apparent Physical Condition of Defendant — Any knowledge of the following: ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deformities ☐ Injuries — Explain:

Check which applies: ☐ Released O.R. ☐ Released to Parent/Guardian ☐ T.O.T. County Jail ☐ Posted Bond ☐ South County Mental Health

PROPERTY - Received By	Released By	Released To

Transported By	Date Transported	Time Transported	Other
	/ /	: :	

FILED PBC - GUN CLUB--
'23 AUG 30 AM 7:40

NOTICE TO APPEAR

☒ INSTRUCTION NO. 1 - Mandatory appearance in court
☐ 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: 10/04/2023 08:30:00

No Photo Available

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) — Date Signed

ADMIN

HOLD for Other Agency

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other

Intake Deputy — I.D. # — Pouch #

Signature of Arresting Officer

Name of Arresting Officer (Print): FERGUSON, RYAN — I.D. #: 1202

Transporting Officer: R. FERGUSON — I.D. #: 1202 — Agency: JPD

Name Verification (Printed by Arrestee) (PRINT)

Witness here if subject signed with an "X".

PAGE 1 OF 1

☐ COURT ☐ STATE ATTORNEY ☒ AGENCY ☒ CENTRAL RECORDS ☐ JAIL ☒ CRIME ANALYSIS ☒ P.B.S.O. ☐ DEFENDANT

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PROBABLE CAUSE AFFIDAVIT

OBTS Number:

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

JUVENILE:

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FL 0501700	JUPITER POLICE DEPARTMENT	5 | 4 | 23-003450

Charge Type: Check as many as apply. ☐ 1. Felony ☒ 3. Misdemeanor ☐ 5. Ordinance ☐ 2. Traffic Felony ☒ 4. Traffic Misdemeanor ☐ 6. Other

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
NELSON, HOLLY JEANNE		W	F	12/22/1991

CHARGES

Charge Description	Charge Description
316.193(1)(A) DUI - NORMAL FACULTIES IMPAIRED	843.02 RESIST/OBSTRUCT OFFICER W/O VIOLENCE
Charge Description	Charge Description

VICTIM

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

PROBABLE CAUSE STATEMENT

The undersigned certifies and swears that he/she has just and resonable 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.

☐ confessed to _____ admitting to the below facts.

☐ was observed by _____ who told _____ that he/she saw the arrested person committ the below acts.

☒ was found to have committed the below acts, resulting from my (described) investigation.

On the 30 day of August, 2023 at 01:33 (Specifically include facts constituting cause for arrest.)

My Department issued Axon Body Worn Camera was utilized for the following incident:

On August 29th, 2023 at approximately 2208 hours, I was patrolling the area of S Alt A1a/W Frederick Small Rd. I observed a 2011 4dr Nissan bearing FL tag BXUG87 driving southbound from S Alt A1a/W. Frederick Small Rd. The vehicle passed me traveling at a fast rate of speed in the inner lane. I conducted a traffic stop on the vehicle and it stopped in the left turning lane to go eastbound at the intersection of S Alt A1a/Donald Ross Rd.

I made contact with the driver and sole occupant of the vehicle, Holly Jeanne Nelson (W/F - 12/22/1991). Nelson appeared sweaty and confused. As I was speaking with Nelson a passerby driving southbound in the middle lane yelled to me advising the vehicle I stopped almost ran him off the road. I asked Nelson did she know how fast she was going and she admitted to driving 85mph. It should be noted; the roadway has a speed limit for 50mph. She advised she was leaving a restaurant and was on her way to her residence. Nelson advised she was on her period and had to get to her residence. I asked Nelson for her driver`s license, registration and insurance to which she gave me.

I conducted a computer check on Nelson utilizing the F/NCIC database and it was discovered Nelson`s Florida driver`s license was suspended indefinitely since 12/22/2022. As I walked back to her vehicle, she had had her window rolled up. I asked her to lower the window and she lowered it approximately an inch lower. I informed Nelson her Florida driver`s license was suspended and she is not allowed to be operating a motor vehicle. I asked Nelson to step out of the vehicle and she refused. Nelson raised the driver side window fully up and the doors were locked. I knocked on the driver side window and gave verbal lawful commands for Nelson to get out of the vehicle. Nelson became highly irate, argumentative and she lowered the driver side window approximately four inches. She continued to disobey officers verbal lawful commands to

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

PICARD, RONNIE (1240)
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

08/30/2023
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

FERGUSON, RYAN (1202)
NAME OF OFFICER (PLEASE PRINT)

08/30/2023
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

ADMIN

OBTS Number	PROBABLE CAUSE AFFIDAVIT SUPPLEMENT	1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias	1	JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL 0501700	JUPITER POLICE DEPARTMENT	5 | 4 | 23-003450

Charge Type: Check as many as apply. ☐ 1. Felony ☒ 3. Misdemeanor ☐ 5. Ordinance ☐ 2. Traffic Felony ☒ 4. Traffic Misdemeanor ☐ 6. Other

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
NELSON, HOLLY JEANNE		W	F	12/22/1991

PROBABLE CAUSE STATEMENT

open the door and step out the vehicle. I was able to hit the unlock button from inside the vehicle and open the driver side door.

I gave verbal lawful commands for Nelson to exit the vehicle to which she continued to refuse and disobey. I extracted Nelson from the driver side seat and Officer Waltenburg and I, escorted her towards the ground (See Officer Waltenburg Supplement). Nelson continued to resist being arrested while on the ground. She would tense and pull her arms away from being handcuffed. Nelson was ultimately placed into handcuffs which were double locked and checked for tightness.

Officer Picard arrived on scene to conduct a search of Nelson. (See Officer Picard Supplement). Nelson was placed in the back of my patrol vehicle and was transported to the Jupiter Police Department for processing.

I read Nelson her Miranda Warnings from a pre-printed card. Nelson was highly irate and I explained to Nelson her Miranda Warnings. I attempted to ask Nelson`s questions; however, she continued to yell and scream. Nelson had a mild smell of an unknown alcoholic beverage coming from her person. Due to officers on scene and my observations of Nelson, I asked her if she would like to perform the Standardized Field Sobriety Tasks to which she advised no.

I asked Nelson if she would like to submit her breath to which she refused. I read Nelson Implied Consent and asked her if she understood to which she stated no. I explained Implied Consent to her. I asked her again if she would like to submit her breath to which she stated no. Refusal time: 2325hrs.

I advised Nelson she was being placed under arrest for DUI and Resisting Arrest w/o Violence.

Nelson vehicle was towed by Kauffs Towing. A Blue Moon Vodka Seltzer was located in the center console. Nelson were issued citations for speeding, DUI and driving with suspended license w/o knowledge. Nelson was transported to the Jupiter Police Department for processing then transported to the Palm Beach County Jail without further incident.

Based on the totality of the circumstances and my investigation, I found probable cause to arrest Holly Jeanne Nelson for DUI F.S.S - 316.193(1)(A) and Resisting and Arrest w/o knowledge F.S.S 843.02.

BrAC: Refusal

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

PICARD, RONNIE 1240
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

08/30/2023
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

FERGUSON, RYAN (1202)
NAME OF OFFICER (PLEASE PRINT)

08/30/2023
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

23-003450

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

I, **R. Ferguson** (Name of Officer reading Implied Consent Warning), a duly certified Law Enforcement Officer or Correctional Officer,

am a member of **Jupiter Police Department** (Name of law enforcement agency), and I do swear

or affirm that on or about the **29th** day of **August**, 20 **23**, at **2208** ☑ P.M ☐ A.M.

DRIVER **Holly** (FIRST NAME) **J** (MIDDLE OR MAIDEN NAME) **Nelson** (LAST NAME) (Type or Print),

DL# **N-425-330-91-962-0**, state of **Florida**, was placed under lawful arrest for

the offense of **Driving Under the Influence** by **R. Ferguson** (Name of Arresting Officer) and

issued Citation # AHDGP5E.

That on or about the **29th** day of **August**, 20 **23**, at **2325** ☑ P.M ☐ A.M.

in **PALM BEACH** County,

I requested that the driver submit to a ✕ **breath and/or** **urine** test to determine his or her blood alcohol level and/or the presence of chemical or controlled substances. I informed the driver that the refusal to submit to such test(s) 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 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 for refusal to submit to a lawful test of his or her breath, urine, or blood. Additionally, I informed the driver that if he or she holds a CDL, or was operating a CMV, refusal will result in the disqualification of the Commercial Driver's License/driving privilege for a period of one (1) year in the case of a first refusal or permanently if he or she has previously been disqualified as a result of a refusal to submit to any such lawful test. Nonetheless, the driver refused to submit to the test(s) requested.

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:

1175

Signature of Attesting Officer

Title

Date

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before me this _____ day of _____, 20 _____, by **R. Ferguson**, 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.

HSMV-BAR1001 (REV. 10/2016)

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SUBJECT: **Nelson, Holly, J** CASE NUMBER: **23-003450**

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 **R. Ferguson** of the **Jupiter Police Department**

If you fail to submit to the test I have requested of you, your privilege to operate a motor vehicle will be suspended for a period of one (1) year for a first refusal, or eighteen 18 months if your privilege has been previously suspended as a result of a refusal to submit to a lawful test of your breath, urine or blood. Additionally, if you refuse to submit to the test I have requested of you and if your driving privilege has been previously suspended for a prior refusal to submit to a lawful test of your breath, urine or blood, you will be committing a misdemeanor. Refusal to submit to the test I have requested of you is admissible into evidence in any criminal proceeding.

SUBJECT'S SIGNATURE: **Read on BWC** **Nelson, Holly, J**

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 BWC** **Nelson, Holly, J**

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WITNESS LIST

CASE NUMBER: 23-003450

ARRESTING OFFICER: R. Ferguson

ADDRESS: 196 Military Trail, Jupiter FL 33458

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

CAN TESTIFY TO: Check P.C

NAME: M. Waltenburg

ADDRESS: 196 Military Trail, Jupiter FL 33458

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

CAN TESTIFY TO: Check P.C

NAME: R. Picard

ADDRESS 196 Military Trail, Jupiter FL 33458

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

CAN TESTIFY TO: Check P.C

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

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PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

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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: 2023022728	**Date:** 8/30/2023
	Specialist Name/ID: Chantel Daniels/30347