23CF16162

☐ **Marcy's Law CVI** FL. Const. Art. 1 § 16(b)

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

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

ADMINISTRATIVE

OBTS Number	Agency ORI Number	Agency Name	Agency Report Number
	FLO 5 0 2 6 0 0	PALM BEACH GARDENS POLICE DEPARTMENT	78 - 23004538

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

Weapon Seized / Type: 2 (1. Yes 2. No) | Multiple Clearance Indicator:

Location of Arrest (Including Name of Business)	Location of Offense (Business Name, Address)
INTERSTATE 95 SB JNO HOOD RD, PALM BCH GDNS, FL 33410	PGA BLVD/LAKE VICTORIA GARDENS AV, PALM BEACH GARDENS, FL, 33410

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
09/07/2023	23:23					KAUFF'S TOWING AND RECOVERY 4701 EAST AVENUE, WPB, FL 33407

DEFENDANT

Name (Last, First, Middle): **SELAH, HUSEYIN, ERKAN** | Alias (Name, DOB, Soc. Sec. #, Etc.)

Race (W - White I - American Indian B - Black 0- Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	M	03/09/1957	5'5	165	BRO	BRO	MED	MED

Scars, Marks, Tatoos, Unique Physcal Features (Location, Type, Description) | Marital Status: MARRIED | Religion: NOT STATED | Indication of: Alcohol Influence Y ☑ N ☐ Unk. ☐; Drug Influence Y ☐ N ☐ Unk. ☑

Local Address (Street, Apt. Number) (City) (State) (Zip): 8990 CARRINGTON AV, PARKLAND, FL 33076 | Phone: (561) 713-3372 | Residence Type: 3 (1. City 2. County 3. Florida 4. Out of State)

Permanent Address (Street, Apt. Number) (City) (State) (Zip): 8990 CARRINGTON AV, PARKLAND, FL 33076 | Phone | Address Source: VERBAL

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

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
763542517 NY	—		ISTANBAL, TURKEY	TRK

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 ☐ Legal Custodian ☐ Other: 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 Dept. and Released. 2. TOT HRS / DYS 3. Incarcerated

Released To: (Name) | Relationship | Date | Time

The above address provided by ☐ defendant and / or ☐ defendant's parents The child and / or parent was told to keep the Juvenile Court Clerk (Phone 355-2526) informed of any change of address. ☐ Yes, by: (Name) ☐ No: (Reason) | 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. 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. Synthetics U. Unknown Z. Other

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
DRIVING UNDER THE INFLUENCE	1	☐Y ☒N	316.193(1)(A)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
N	N				O R

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐Y ☐N		

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐Y ☐N		

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐Y ☐N		

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond

FILED IN OPEN COURT
2023 SEP 07 AM 10:37

NOTICE TO APPEAR

Location (Court, Room Number, Address): **NORTH COUNTY COURTHOUSE, 3188 PGA BOULEVARD, PALM BEACH GARDENS, FL 33410 - PH: (561) 662-6700**

Court Date and Time: Month OCTOBER Day 11 Year 2023 Time 1000 AM X PM

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

SEP 0 2023

Signature of Defendant (or Juvenile and Parent /Custodian) | Date Signed: 09/07/2023

ADMIN

HOLD for other Agency Name: | Signature of Arresting Officer X | Name Verification (Printed by Arrestee) (PRINT)

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other | Name of Arresting Officer (Print): A. FLINK | I.D. #: 514

Inside Deputy: [illegible] I.D. #: 7905 | Pouch # | Transporting Officer: OFC. FLINK | ID #: 514 | Agency: PBGPD | Witness here if subject signed with an -X"

PAGE 1 of 1

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05432411

3265

PROBABLE CAUSE AFFIDAVIT

ADMIN

OBTS Number:

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 FL0502600	Palm Beach Gardens Police Department	7 | 8 | 23-004538

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)	Alias	Race	Sex	Date of Birth
SELAH, HUSEYIN ERKAN		W	M	03/09/1957

CHARGES

Charge Description	Charge Description
316.193(1)(A) DUI - NORMAL FACULTIES IMPAIRED	
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 7 day of September, 2023 at 23:08 (Specifically include facts constituting cause for arrest.)

On 09/07/2023 at approximately 2308 hours, this Officer arrived in the area of Interstate 95 south bound, just north of Hood Rd, PBG, FL, to assist Ofc Lovett 523 with a traffic stop. Body worn camera and in car video were used.

Ofc Lovett said he stopped the vehicle, a Mercedes CLA (33DGMY/FL), for an expired decal, which was dated 05/19/2023. Ofc Lovett stated he first observed the vehicle at PGA Blvd and Lake Victoria Gardens Av, PBG, FL and attempted a traffic stop on same prior to the freeway entry ramp. Ofc Lovett said the vehicle continued onto the freeway then slow rolled before coming to a complete stop in the outside through lane. At this location, there was no shoulder, as the concrete jersey barriers came right up to the outside fog line. Had the vehicle continued another approximately 150 feet, there was a wide shoulder to stop.

This Officer made contact with the driver, identified via New York Driver License photo, Huseyin Selah (OF), while he was still in actual physical control of same. Selah had glassy watery eyes, flushed red face, slurred speech and the obvious odor of an unknown alcoholic beverage emanating from his breath at conversational distance. Selah said he was coming from Fire Fin Grill and was on his way to Parkland. This Officer asked Selah to exit the vehicle to speak by the barriers since the present location was extremely perilous to Selah and all Officers. Selah appeared uneasy on his feet as he walked to the rear of the vehicle. Selah admitted to consuming two alcoholic beverages on this night and denied consuming narcotics and/or Cannabis.

This Officer expressed concern to Selah that he was under the influence and asked him to participate in Standardized Field Sobriety Exercises, to which he complied. Selah said he did not have any medical conditions which would affect the exercises performed.

The first exercise conducted, was the Horizontal Gaze Nystagmus. The stimulus used was

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SCANNED SEP 13 2023

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

S. O'Neal

NOTARY PUBLIC / CLERK OF COURT / OFFICER F.S.S. 117.10)

09/08/2023

DATE

SHARI L. O'NEAL
Notary Public - State of Florida
Commission # GG 972080
My Comm. Expires Jun 25, 2024
Bonded through National Notary Assn.

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

FLINK, ANDREW S (514)

NAME OF OFFICER (PLEASE PRINT)

09/08/2023

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 FL0502600	Palm Beach Gardens Police Department	7 | 8 | 23-004538

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Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
SELAH, HUSEYIN ERKAN		W	M	03/09/1957

PROBABLE CAUSE STATEMENT

a Streamlight Stylus with an illuminated red tip. Selah had a lack of smooth pursuit in both eyes and sustained involuntary jerking in both eyes at maximum deviation. Selah also had the onset of Nystagmus in both eyes prior to 45 degrees. Throughout the exercise, this Officer had to remind Selah to properly follow the instructions. Selah was swaying back and forth during the exercise.

The second exercise to be conducted, was the Walk and Turn. The line was a strip of yellow tape placed upon the pavement by this Officer. Selah said he had a medical condition which affected his legs, thus the exercise was concluded.

The second exercise conducted, was the Finger to Nose. When told to begin Selah had to be reminded to tilt his head and close his eyes. First command of Left, he double touched his nose and was told to lower his hand. First command of Right, he moved his head toward his finger and had to be told to lower his hand. Second command of Left, he was told to lower his hand. Second command of Right, he touched under his nose and was told to lower his hand. Third command of Right, he used his left hand and had to be told to lower his hand. Final command of Left he had to be told to lower his hand.

The third exercise conducted, was the Palm Pat. When told to begin, Selah did not count aloud. Selah also had to be told to speed up. Selah doubled patted and stopped counting aloud when he sped up.

The final exercise conducted, was the Hand Coordination. During Task 1, Selah rolled his hands. During Task 3, Selah counted "five, six, eight", and did not return his left hand to his chest since his count was incorrect his right hand was closer but did not touch his chest. Task 4, Selah placed his hands by his sides not in his lap.

Based on this Officer's observations, Selah was placed under arrest at 2323 hours. During an inventory of the vehicle, Ofc Lovett located two beverages in the back seat. Behind the driver seat was a clear cup with a yellow-gold liquid which had the strong odor of an unknown alcoholic beverage. Behind the passenger seat was another, similar beverage.

At PBSO BAT, this Officer conducted the 20 minute observation period, noting no issues. This Officer requested Selah provide a breath sample for the purpose of determining its alcohol content, to which he asked what would happen if he refused. This Officer read Florida Implied Consent to Selah to which he acknowledged and consented. At 0020 hours, he blew .031 and at 0023 hours, he blew .030. This Officer requested Selah provide a urine sample for the purpose of detecting the presence of chemical and/or controlled substance, to which he consented and provided at 0031 hours.

Based on the results of the investigation and all the facts and circumstances, this Officer has probable cause to charge Huseyin Selah with driving under the influence,

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

SCANNED SEP 08 2023

SHARI L. O'NEAL
Notary Public - State of Florida
Commission # GG 972080
My Comm. Expires Jun 25, 20[illegible]
Bonded through National Notary Assn.

NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S. 92.50)

09/08/2023
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

FLINK, ANDREW S (514)
NAME OF OFFICER (PLEASE PRINT)

09/08/2023
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
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Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
SELAH, HUSEYIN ERKAN		W	M	03/09/1957

PROBABLE CAUSE STATEMENT

with an unlawful breath alcohol content, in violation of FSS 316.193(1)(A).

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

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

09/08/2023
DATE

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09/08/2023
DATE

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

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

Instrument Type: Intoxilyzer 8000
Instrument Registered To: PALM BEACH CO SO
Instrument Serial Number: 80-006029 Software: 8100.27
Date of Test: 09/08/2023

Date of Last Agency Inspection: 08/11/2023
Observation Period Began: 23:45
Subject's Name: HUSEYIN E SELAH DOB: 03/09/1957 Sex: M

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	00:17
Air Blank	0.000	00:18
Control Test	0.079	00:18
Air Blank	0.000	00:18
Subject Sample #1	0.031	00:20
Air Blank	0.000	00:20
Air Blank	0.000	00:22
Subject Sample #2	0.030	00:23
Air Blank	0.000	00:23
Control Test	0.079	00:24
Air Blank	0.000	00:24
Diagnostics Check	OK	00:24

Cylinder Lot: 15922080A3
Exp: 08/05/2024

State of Florida, County of Palm Beach,

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 SHARI L O'NEAL, 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: S. O'Neal Date: 09-08-23
Signature

Sworn to (or affirmed) before me this 08 day of September, 2023

Signature of Notary Public-State of Florida

Ofc. Flink #514
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

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PALM BEACH GARDENS POLICE DEPARTMENT
DUI TESTING FACILITY INFORMATION SHEET

PBSO Case #: 23-107992 PBSO Zone: 3-13

Agency Case #: 23004538 Crash Case #: _____

Incident Information:

Time of Stop/Crash: 2300 Date of Incident: 09/07/2023 Day: THURSDAY

Location of Incident: PGA BLVD/LAKE VICTORIA GARDENS AV, PALM BEACH GARDENS, FL, 33410

Arrest Information:

Time of Arrest: 23:23 Date of Arrest: 09/07/2023 Day: THURSDAY

Location of Arrest: INTERSTATE 95 SB JNO HOOD RD, PALM BCH GDNS, FL 33410

Subject's Name: (L) SELAH, (F) HUSEYIN, (M) ERKAN

DOB: 03/09/1957 Race: W Sex: M Height: 5'5 Weight: 165 Hair BRO Eye BRO

Address: 8990 CARRINGTON AV, PARKLAND, FL 33076 Phone: (561) 713-3372

Arresting Officer's Name: A. FLINK ID#: 514

Agency: PBGPD Division: TRAFFIC UNIT ☐ Marcy's Law CVI FL. Const. Art. 1 § 16(b)

Breath Results

1) .031 at 00:20 hrs.
2) .030 at 00:23 hrs.
3) Urine at Pending hrs.
4) _____ at _____ hrs.

---BAT Use---

BAT Notified:	YES
Arrival Time at BAT:	2345
Subject Arrest Time:	23:23

Breath Test Operator: ONEAL 6212
PBSO

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TESTING FACILITY TASK REPORT

AGENCY: PBG OFC. FLINK #514

SUBJECT: SELAH, HUSEYIN

CASE NUMBER: 23-107992

DATE: 09-07-23/09-08-23

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 00:11 HRS

ENDING TIME: 00:29 HRS

BREATH TESTS RESULTS: 1) .031 TIME 00:20 A.M.☒ P.M.☐ 2) .030 TIME 00:23 A.M.☒ P.M.☐

3) TIME A.M.☐ P.M.☐ 4) TIME A.M.☐ P.M.☐

BREATH OPERATOR: S. O'NEAL #6212

MAINTENANCE TECHNICAN: J. KARLECKE #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: ACCENT, MUMBLED

ATTITUDE: CALM, COOPERATIVE

CLOTHING: SHIRT- NAVY BLUE & WHITE/PRINT PANTS- NAVY BLUE

MEDICAL CONDITIONS: HEART ISSUSES/ HIGH BLOOD PRESSURE

MEDICATIONS: YES

OTHER:

EYES: A LITTLE RED, GLASSY

COMMENTS:

20 MIN. OBSERVATION CONDUCTED BY FLINK #514

A/O REQUESTED THE BREATH TEST.
D WAS ASKING QUESTIONS ABOUT THE BREATH TEST.
A/O READ THE IMPLIED CONSENT ON CAMERA.
D WAS A LITTLE INDECISIVE ABOUT THE TEST.
D DECIDED TO SUBMIT AFTER THE I/C WAS READ AND BROKEN DOWN TO HIM.
D COMPLETED THE TEST CORRECTLY, EXPLAINED THE RESULTS TO HIM.
A/O REQUESTED URINE ON CAMERA, D SUBMITTED TO THE URINE REQUEST.
IMPLIED CONSENT READ ON CAMERA AGAIN.
D REFUSED THE Q&A.

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PALM BEACH COUNTY
SHERIFF'S OFFICE
RIC L. BRADSHAW, SHERIFF

TOXICOLOGY ANALYSIS REQUEST

This Form Must Be Included With the Property Receipt and Accompany the Evidence Submitted for Toxicology Analysis
PRINT LEGIBLY OR TYPE

Agency: *PALM BEACH GARDENS POLICE DEPARTMENT* Case #: **23004538**

Officer: **A. FLINK** ID#: **514** Email: **AFLINK@pbgfl.com**

Specimen Collected By: **A. FLINK** Date: **September 8, 2023** Time: **0031**

Specimen Collected From: **SELAH, HUSEYIN, ERKAN** Age: **66** Sex: **M** Hgt: **5'5** Wgt: **165**

Specimen Type: ☐ Blood ☑ Urine ☐ Beverage ☐ Other-Describe

Type of Case: ☐ Traffic Crash ☐ Fatality ☑ DWI/DUI ☐ Other Date: 9/7/23 Time: 2323

Potential Felony? ☐ Yes ☑ No

Was any medication administered by medical personnel prior to sample being drawn: ☐ Yes ☑ No

If yes, name of Medication(s): N/A

Subject Arrested: ☑ **Yes** ☐ **No**

Breath Test Performed? ☑ Yes ☐ No Results: .031 .030

Tests requested: ☐ Blood Alcohol ☐ Blood Drug Screen ☑ Urine Drug Screen

NOTE: Blood Alcohol analysis is performed on all DUI blood specimens. Requested Blood Drug Screen may not be performed based on the laboratory protocol. If you have any questions, please contact the Toxicology Unit at 561-688-4814 or toxicologyrequest@pbso.org.

DRE exam performed: ☐ Yes ☑ No DRE Officer: **N/A** Agency:

DRE Opinion: DRE Email:

Drug History and Signs of Impairment (Please list any drugs, medications, or prescriptions the subject may have taken or were in his/her possession.)

HEART CONDITIONS, PRIOR STROKE

SELAH HAD DELAYED REACTION TO BEING PULLED OVER.
SELAH HAD GLASSY EYES, FLUSHED RED FACE AND SLURRED SPEECH.
SELAH HAD NYSTAGMUS INDICATORS. SELAH DID NOT PROPERLY FOLLOW FINGER TO NOSE INSTRUCTIONS. SELAH EXHIBITED MULTIPLE INDICATORS ON PALM PAT AND HAND COORDINATION.

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SUBJECT:_____ CASE NUMBER:_____

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 _____ 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 <or> NO Do you still refuse to submit to this test? YES <or> 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 <or> NO Do you still refuse to submit to this test? YES <or> NO

SUBJECTS SIGNATURE: (X)_____

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)_____

NOT A CERTIFIED COPY

SCANNED
SEP 0

SUBJECT: _____ CASE NUMBER: _____

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: _____

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