0549095 24CT8273 SB 1915

ARREST / NOTICE TO APPEAR

1. Arrest (No Warrant) 3. Request for Warrant
6. Arrest (Warrant) 4. Request for Capias
2. N.T.A. 5. Juvenile Referral

1 JUVENILE

ADMINISTRATION

OBTS Number

Agency ORI Number	Agency Name	Agency Report Number (N.T.A.'s only)
0500200	Boca Raton Police Department	3 2 2024-005326

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

NH

Location of Arrest (Including Name of Business)	Location of Offense (Business Name, Address)
333 ESPLANADE, BOCA RATON, FL 33432	333 ESPLANADE, BOCA RATON, FL 33432

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
05/04/2024	23:41	05/04/2024	23:51	05/05/2024	00:27	EMERALD TOWING

DEFENDANT

Name (Last, First, Middle): MORALES, IHALY

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

Race (W - White, I - American Indian, B - Black, O - Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	F	04/16/1992	5'05	140	BROWN	BLACK	LIGHT	Medium

Scars, Marks, Tatoos, Unique Physical Features (Location, Type, Description): TATT M BACK / BLUE BUTTERFLY

Marital Status: S

Religion: NONE

Indication of Alcohol Influence: ☒ Yes ☐ No ☐ Unk. Drug Influence: ☐ ☐ ☒

Local Address (Street, Apt. Number) (City) (State) (Zip): 2910 NE 8TH AVE, POMPANO BEACH, FL 33064

Phone: (954) 242-0672

Residence Type: 1. City 2. County 3. Florida 4. Out of State: 3

Permanent Address (Street, Apt. Number) (City) (State) (Zip): 2910 NE 8TH AVE, POMPANO BEACH, FL 33064

Phone: (954) 242-0672

Address Source: DOF.

Business Address (Name, Street) (City) (State) (Zip): INVESTMENTS LIMITED,

Phone:

Occupation:

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
M642400926360 / FL	[redacted]		LOS ANGELES, CA, US	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

1562

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. 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. Opium/Deriv. P. Paraphernalia/ Equipment S. Synthetic U. Unknown Z. Other

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #
DUI - ENHANCED	316.193(4)	

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		

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		

FILED
2024 NOV 5 AM 7:12
CLERK

INTAKE

Health / Apparent Physical Condition of Defendant: TALKATIVE

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
HARRISON	PBCJ	OWNER

Transported By	Date Transported	Time Transported	Other
HARRISON	05/05/2024	01:01	

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): South County 200 W Atlantic Ave Delray Beach, FL 33444

Court Date and Time: 06/03/2024 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) | Date Signed

No Photo Available

ADMIN

HOLD for Other Agency

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other

Intake Deputy | I.D. # | Pouch #

Signature of Arresting Officer

Name of Arresting Officer (Print): HARRISON, D. M. | I.D. #: 856

Transporting Officer: HARRISON | I.D. #: 856 | Agency: BRPD

Name Verification (Printed by Arrestee)

(PRINT) NOV 5 AM 3:15

Witness here if subject signed with an "X".

PAGE 1 OF 1

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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 FL0500200	BOCA RATON POLICE DEPARTMENT	3 | 2 | 2024-005326

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
MORALES, IHALY		W	F	04/16/1992

CHARGES

Charge Description	Charge Description
316.193(4) DUI - ENHANCED	
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 4 day of May, 2024 at 23:41 (Specifically include facts constituting cause for arrest.)

On 05/04/2024 at approximately 2308 hours, I responded to the area of 333 Esplanade near Via de Palmas, Boca Raton in reference to a two-vehicle accident.

Upon arrival, I met with Ofc. Posset, who was conducting an accident investigation (HSMV#25900044). I stood by while Ofc. Posset conducted his investigation. While standing by, I observed the female involved who was the driver of the white Toyota SUV bearing FL 88BMBS, identified by her FL DL to be Ihaly Morales. Morales was slurring her speech, her eyes were bloodshot glassy, she was swaying and using her vehicle to support her, and I could smell a strong odor of an unknown alcoholic beverage emanating from her breath and person. After she handed me some documents I asked for the accident, she afterwards asked me if I needed those exact documents I had in my hand. Based on my observations, I became concerned that Morales had been operating a motor vehicle while under the influence of alcohol and/or a chemically controlled substance. At one point, she got back into her vehicle in the driver seat, and I saw the brake lights come on, so I became concerned she would attempt to drive away while possibly under the influence of alcohol and/or a chemically controlled substance. I then asked her to remain outside her vehicle while Ofc. Posset concluded the investigation. Once Ofc. Posset handed Morales her documents and advised he was done with his accident investigation, Morales advised she understood. Ofc. Posset also obtained a sworn wheel witness statement from the other driver, Christopher Nelson, who observed Morales, being the sole occupant, in the driver seat operating her vehicle with the keys in the ignition following the crash.

I then informed Morales that I was now conducting a criminal DUI investigation to see if she had been operating a motor vehicle while under the influence of alcohol and/or chemically controlled substance. Morales advised she understood. I then read Morales her Constitutional Rights from a preprinted card issued by BRPD. Morales advised she understood and agreed to speak with me. According to Morales, she has no physical injuries, no medical issues, she is not diabetic, she has no issues with her eyes, and

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

CARNEY, DANIEL CHARLES
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

05/05/2024
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

HARRISON, DANIELLE MARIE (856)
NAME OF OFFICER (PLEASE PRINT)

05/05/2024
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: FL FL0500200	Agency Name: BOCA RATON POLICE DEPARTMENT	Agency Report Number: 3 | 2 | 2024-005326		
	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
	MORALES, IHALY		W	F	04/16/1992

PROBABLE CAUSE STATEMENT

she understood all my instructions. At this point, Morales began to cross her arms in an unusual manner. I then asked Morales if she would be willing to participate in field sobriety tasks to dispel my alarm that she is under the influence of alcohol and/or chemically controlled substance. Morales agreed to participate in the tasks.

I then guided Morales over to a solid white line on a flat, dry and well-lit surface. I asked Morales to point to the white line and state its color. She pointed to the line and stated it was, "white." I afforded Morales the opportunity to participate in the tasks with her shoes on or off, and she chose to perform the tasks barefoot. I explained and demonstrated each task before she performed them.

The first task was the Horizontal Gaze Nystagmus. I asked Morales to remove her glasses, to which she complied. I asked Morales if she was able to see the tip of my pen for this task, and she replied she was able to. After explaining the instructions, I asked her if she understood. She replied yes. I then asked if she had any questions, and she replied no. I noticed equal pupil size in both eyes. While performing the task, Morales moved her head despite me telling her not to. Once she kept she head still, I then observed lack of smooth pursuit in both eyes, distinct and sustained nystagmus at maximum deviation in both eyes, and nystagmus prior to 45 degrees in both eyes. Morales was swaying the entire time.

The next task was the Walk and Turn. Before explaining the instructions, I asked Morales to stand in the starting position. I showed her how to get into the starting position multiple times and gave her ample time and opportunity, however, she was unable to properly get in the starting position. Instead, she began spreading her feet and squatting down. After giving her ample time, I advised Morales that we would move on to the next task. Morales ignored me and would not look at me to provide her further instructions. I then informed her that if she did not cooperate and follow my clear and basic directions, she would be refusing to perform the tasks. I then informed Morales of her Florida Taylor Warnings, to include that if she did not participate in the voluntary field sobriety tasks, I would be forced to make an arrest decision based on my observations thus far, and her refusal can be used against her in court as evidence. Morales advised she understood. I then asked her if she wished to participate with the tasks. She ignored me, continued to straddle, and then lied down on the ground. I informed Morales that I would give her 30 seconds to inform me if she wished to continue. After 30 seconds, Morales remained silent and lying on the ground. She therefore refused to continue with the tasks. I then asked Morales to stand up and put her hands behind her back, to which she complied.

Based on my observations made, I developed probable cause to arrest Ihaly Morales with DUI pursuant to F.S.S. 316.193(1)(a). I handcuffed Morales, checked for tightness and proper fit. I conducted a search of her person and placed her into my marked patrol vehicle. I then transported Morales to BRPD booking facility to obtain a sample of her

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

CARNEY, DANIEL CHARLES
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

05/05/2024
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

HARRISON, DANIELLE MARIE (856)
NAME OF OFFICER (PLEASE PRINT)

05/05/2024
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 FL0500200	BOCA RATON POLICE DEPARTMENT	3 | 2 | 2024-005326

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
MORALES, IHALY		W	F	04/16/1992

PROBABLE CAUSE STATEMENT

breath. Ofc. Madotta responded as the BAT tech operator. Upon arrival, a 20-minute observation was conducted and then Morales was taken into the BAT room. I asked Morales to provide a breath sample for the purposes of determining its alcohol content. Morales agreed to provide a breath sample. She provided two breath samples of 0.228 and 0.224. I then read her Constitutional Warnings again, and she advised she understood and agreed to answer my questions. See DUI Influence report.

Ihaly Morales is being charged with DUI (Enhanced) pursuant to F.S.S. 316.193(4). I issued Morales a DUI citation (#AG4636E). Morales` vehicle was towed by Emerald Towing. Morales was medically cleared at Boca Raton Regional Hospital and then transported to Palm Beach County Jail without incident.

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

CARNEY, DANIEL CHARLES
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

05/05/2024
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

HARRISON, DANIELLE MARIE (856)
NAME OF OFFICER (PLEASE PRINT)

05/05/2024
DATE

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

2024-005326
IHely Morales
M642-900-92-636-0
4/16/92
515-2341 hours
Start 0000 hours
End 0020 hours

DUI INFLUENCE REPORT

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BOCA RATON POLICE SERVICES DEPARTMENT
100 NW 2nd Avenue
Boca Raton, FL 33432

Revised: July 9, 2018

BOCA RATON POLICE SERVICES DEPARTMENT

DUI INFLUENCE REPORT – PART I

On the 5 day of May at 0000 AM/PM:

Subject: Morales, Ihaly Case Number: 2024-005326

PERSONAL CONTACT

Driving Pattern: _____

Observation of Driver: CPC

Driver's Statement: _____

Odors: _____

GENERAL OBSERVATIONS

Speech: _____

Attitude: _____

Clothing: _____

Medical Problems: CPC

Medications: _____

Other: _____

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Horizontal Gaze Nystagmus:

☐ Left eye does not follow smoothly ☐ Right eye does not follow smoothly

☐ Left eye jerks at 45 degrees angle or less ☐ Right eye jerks at 45 degrees angle or less

☐ Distinct jerking left eye maximum deviation ☐ Distinct jerking right eye maximum deviation

Can not do, Why? _____

Walk and turn: _____

CPC

Can not do, Why? _____

One leg stand: _____

Can not do, Why? _____

Finger to nose: _____

Can not do, Why? _____

Alphabet (speech pattern): _____

Can not do, Why? _____

Breath/Blood test results: 0.228 / 0.224

State of Florida, County of Palm Beach,
Sworn and subscribed before me this 5 (date) by May 2024

842 5/5/24

Notary/Clerk of Court/ Officer (FSS 117.10) Date

D. Hansen

Signature of Arresting Officer Name of Officer (print)

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ARRESTING OFFICER: Harrison

Name: Aaron Posset Phone # _____ Work # BPD

Address: 100 NW 2nd Ave

Can testify to: Traffic accident / SFSTs

Name: Ofc. Madotta Phone # _____ Work # _____

Address: _____

Can testify to: Breath Tech

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

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-END OF PART ONE-

BOCA RATON POLICE SERVICES DEPARTMENT
DUI INFLUENCE REPORT – PART II

To be filled out at testing facility

Agency Case # 2024-005326

I. INTRODUCTION (Instrument Operator faces video camera)

A. The day is Sunday (day), 5 May (month), 5 (date), 2024 (year).

B. The time is now approximately 1231 (AM)/PM.

C. The following is in reference to case number 2024-005326.

D. Present at this time is ofc Harrison (Officer's Name) of the Boca Raton Police Department.

E. Officer Harrison, have you arrested Ihaly Morales (Defendant's name) in violation of Florida State Statute 316.193?

F. Did this violation occur within the City of Boca Raton, Palm Beach County, Florida? Yes

G. Mr./Mrs./(Ms.) Morales, I am required to inform you these proceedings are being video recorded.

Operator Note: *Video record breath request, breath sample, and interview.*

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II. AT THIS TIME THE ARRESTING OFFICER WILL REQUEST A BREATH SAMPLE.

Note: Read only the paragraph applicable to the type of test you are requesting.

A. I am now requesting that you submit to a lawful test of your **BREATH** for the purpose of determining its alcohol content.

B. 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.

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

IMPLIED CONSENT WARNINGS

Note: Read only if the subject does not comply with your request.

I am _____ of the _____.

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 Signature: _____

Note: Also read for CDL holders:

IN ADDITION, your refusal to submit will result in the loss of your commercial privileges for one year from today. If this is your SECOND REFUSAL, you will be permanently disqualified from operating a commercial motor vehicle.

Note: After reading the implied consent warning, the arresting officer must request a breath sample again.

(IF REFUSAL THEN)

At this time Mr./Mrs./Ms. _____ has refused to submit to a breath test.

The date is _____ (month), _____ (day), _____ (year), and the time is _____AM/PM.

A refusal form will be completed by the arresting officer.

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BOCA RATON POLICE SERVICES DEPARTMENT

JUVENILE CONSTITUTIONAL WARNINGS

Rights of suspects prior to custodial questioning.
Identify yourself and state:

I am required to warn you before you make any statement that you have the following Constitutional rights:

(1) You have the right to remain silent and not answer any questions. *Tell me in your own words what you think this means.*
(You do not have to talk to me or answer any questions about this offense. You can be quiet if you want.)

(2) Any statement you make must be freely and voluntarily given. *Tell me in your own words what you think this means.*
(If you do talk to me it has to be because you want to and not because anyone is forcing you to speak.)

(3) You have a right to the presence and representation of a lawyer of your choice before you make any statement and during any questioning. *Tell me in your own words what you think this means.*
(You can talk to a lawyer before we ask you any questions and you can have him/her with you now, during our questioning.)

(4) If you cannot afford a lawyer, you are entitled to the presence and representation of a court appointed lawyer before you make any statement and during any questioning. *Tell me in your own words what you think this means*
(If you do not have money for a lawyer and you want one, a lawyer will be given to you for free.)

(5) If at any time during the interview you do not wish to answer any questions, you are privileged to remain silent. *Tell me in your own words what you think this means.*
(If you decide to talk to me then change your mind, you can stop answering my questions at any time.)

(6) I can make no threats or promises to induce you to make a statement. This must be of your own free will. *Tell me in your own words what you think this means*
(I am not allowed to threaten you or make you any promises to get you to talk to me. If you decide to talk, it must be because you want to.)

(7) Any statement can be and will be used against you in a court of law. *Tell me in your own words what you think this means*
(Anything you say to me can and will be told to the judge or a jury in court. A judge is a person who decides if you have done something wrong. Sometimes a group of people called a jury decide this, but the Judge is the person who decides what punishment you get.)

(8) Do you understand these rights as I have read them to you, and do you wish to speak to me?

Signed: _____ Date: _____ Time: _____

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BOCA RATON POLICE SERVICES DEPARTMENT

TESTING FACILITY TASK REPORT

SUBJECT: Morales, Italy

CASE #: 2024-005326 DATE: 5/5/24

BREATH TEST RESULTS

1) TIME 0.228/00:35 (AM)/PM 2) TIME 0.224/0038 (AM)/PM

3) TIME _____ AM/PM 4) TIME _____ AM/PM

BREATH OPERATOR: L. Madotta 842

MAINTENANCE TECHNICIAN: Ofc. Crawford

TESTING OFFICER'S OBSERVATIONS

SPEECH: _____

ATTITUDE: _____

CLOTHING: _____

MEDICAL CONDITION: _____

OTHER: _____

_____

COMMENTS: _____

_____

_____

_____

_____

_____

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Identify yourself and state:

I am required to warn you before you make any statement that you have the following Constitutional rights:

(1) You have the right to remain silent and not answer any questions.
(2) Any statement you make must be freely and voluntarily given.
(3) You have a right to the presence and representation 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 and representation of a court appointed lawyer before you make any statement 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 be and will be used against you in a court of law.
(8) Do you understand these rights as I have read them to you, and do you wish to speak to me?

Signed: Reading Cancer Date: 5/5/24 Time: 0040

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QUESTIONS AND ANSWERS

Were you operating a motor vehicle at the time of the accident/stop? No

Where were you going? Home

What street or highway were you on? middle of Mizner parking lot

Direction of travel? /

Where did you start driving from? Trying to go home

What city (county) were you stopped in? Boca Palm Beach County

What time did you start? / AM/PM What time is it now? 10pm

What is today's date? May 4-5, 2024 What day of the week is it? Saturday

When did you last eat? Saturday lunch - 12:30-1pm What did you eat? Sushi

What have you been doing the past three hours prior to this stop/accident? Waiting to be seated at Yakitori

How much do you weigh? 130 lbs Have you been drinking? Yes What were you drinking? beer

How much? 2 beers Where? Yakitori With whom were you drinking? friends

When did you have your first drink? Idk AM/PM When did you stop drinking? Idk AM/PM

How did you consume your last two drinks? Drank Slowly

Are you under the influence of alcohol now? ☐ Yes ☒ No

Can you feel the effects of alcohol? ☐ Yes ☒ No

Have you consumed alcohol since the accident? ☐ Yes ☒ No

Can you feel the effects of alcohol? ☐ Yes ☐ No

Have you consumed alcohol since the accident? ☐ Yes ☐ No How much? _____

What? _____ Where? _____

What line of work are you in? real estate

When did you last work? Saturday - finished at 2pm

Do you have any physical defects or injuries? ☐ Yes ☒ No If yes, explain:

_____

Are you sick or injured? ☐ Yes ☒ No If yes, explain:

_____

Do you limp? ☐ Yes ☒ No Did you get a bump on the head? ☐ Yes ☒ No

Were you in an accident today? No

Have you taken any drugs or smoked marijuana today? NO

What? _____ When? _____

Have you seen a doctor or dentist today? ☐ Yes ☒ No Who? _____

Are you taking any prescription medications? ☐ Yes ☒ No What? _____ When? _____

Do you have: Epilepsy? ☐ Yes ☒ No Inner ear trouble? ☐ Yes ☒ No

Glass eye? ☐ Yes ☒ No Ear infection? ☐ Yes ☒ No

False teeth? ☐ Yes ☒ No Diabetes? ☐ Yes ☒ No

Any problems not correctable by glasses or contact lenses? NO

Do you take insulin? ☐ Yes ☒ No If yes, when was your last injection? _____

Have you ever had a driver's license in any other state? NO

I am now ending this video recording. The time is now approximately 0046 (AM)/PM.

The date is May (month), 5 (day), 2024 (year).

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

Instrument Type: Intoxilyzer 8000
Instrument Registered To: BOCA RATON PD
Instrument Serial Number: 80-006622 Software: 8100.27
Date of Test: 05/05/2024

Date of Last Agency Inspection: 04/16/2024
Observation Period Began: 00:00
Subject's Name: IHALY MORALES DOB: 04/16/1992 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	00:33
Air Blank	0.000	00:34
Control Test	0.078	00:34
Air Blank	0.000	00:35
Subject Sample #1	0.228	00:35
Air Blank	0.000	00:36
Air Blank	0.000	00:38
Subject Sample #2	0.224	00:38
Air Blank	0.000	00:39
Control Test	0.078	00:39
Air Blank	0.000	00:40
Diagnostics Check	OK	00:40

Cylinder Lot: 29122080A2
Exp: 12/05/2024

State of Florida, County of Palm Beach,

Personally appeared before me the undersigned authority, who (X) is personally known to me or (__) produced Harrison as identification, and who after being placed under oath, states:

I LIONEL A MADOTTA, 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: _____ 842 Date: 5/5/24
Signature

Sworn to (or affirmed) before me this 5 day of May, 2024

_____ _____
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

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Palm Beach County Sheriff's Office

Florida State Statute Exemption Sheet

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	☐	119.071(4)(c)	Undercover personnel	
	☐	119.071(2)(e)	Confession	
Public Info. Exemptions	☐	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)	
	☐	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	
	☐	119.0712(2)	Personal information contained in a motor vehicle record	
	☐	316.650(11)	Driver information contained in a uniform traffic citation	
	☐	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	☒	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers	2
	☐	(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	☐			
	☐			
	☐			
	☐			

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REVIEW COMPLETED BY

Booking Number: 2024012084	**Date:** 5/5/2024
	Specialist Name/ID#: ANGELA PINKNEY/7796