50.2023-CT-001363ASB

0537690

Arrest Report

3146

FLORIDA HIGHWAY PATROL
P.O. BOX 540007, GREENACRES, FL 33454

Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
1/23/2023 05:55 AM	FHP99ARR817058	FHP23ON0038907 / RCC23IN0058952	M.W. MCDONOUGH

Originating Agency ORI	Occur Date Time Range	Jurisdiction
FL0509000	01/23/2023 05:02:08 -	

OBTS Number	Other Number	Clearance

Location of Occurrence

County	Location Type	Location Description
PALM BEACH	OTHER	NB INTERSTATE-95 (SR 9) EXIT TO SR 850

Street Number	Street	Apt/Lot/Bldg	City	State	Zip Code
	NB INTERSTATE-95		WEST PALM BEACH	FL	33403

Defendant

First Name	Middle Name	Last Name	Suffix	Race	Sex	Height	Weight	Hair	Eyes
JEFFREY	HEATH	MYRICK		WHITE	MALE	507	210	Brn	Grn

MNI #	SSN	Date of Birth	Age	ID Type	Drivers License or other ID	State	OCA / Agency ID
	[redacted]	07/10/1978	44	E	M620428782500	FL	

Place of Birth:	PINEHURST NC

Address
* RESIDENCE / 591 EVERNIA ST UNIT 2015 , WEST PALM BEACH, FL 33401 /

Arrest

Arrest Date/Time	Arrest Location Type	Arrest Location Description
1/23/2023 5:39:00 AM	OTHER	NB INTERSTATE-95 (SR 9) EXIT TO SR 850

Street Number	Street	Apt/Lot/Bldg	County	City	State	Zip Code
	NB INTERSTATE-95		PALM BEACH	PALM BEACH GARDENS	FL	

Charge : S

Counts	Charge	Bond Amount	
1	316.193.1a	$0.00	☐ No Bond

Charge Degree	Charge Level
S	MISDEMEANOR

General Offense Code	Arrest Offense Code
	DUI-UNLAW BLD ALCH

Charge Description
DUI INFLUENCE OF ALCOHOL OR DRUGS

Administrative Code - Description
-

OR

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7964

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Bond Set by Court

Bond Amount	☐ No Bond

Bond Type(s)

Probable Cause

On Monday January 23, 2023 while on patrol in Palm Beach County I was dispatched to a report of a white male driver passed out behind the steering wheel of a white Lexus IS 350 with Florida license tag " 50DBQW " on the northbound Interstate-95 (State Road 9) exit ramp to State Road 850 (Northlake Blvd). I identified Mr. Myrick by his Florida driver license M-620-428-78-250-0. Upon my arrival I observed a white Lexus with Florida tag " 50QBW " stopped in the right lane for westbound State Road 850 (Northlake Blvd) with it's registered owner Mr. Jeffrey Heath Myrick (FL DL # M-620-428-78-250-0) still behind the steering wheel in the driver's seat. My Myrick still had possession of the vehicle's key fob placing him in total control of the vehicle. Palm Beach Gardens Ofc. C. Martinez # 556 had placed his marked Palm Beach Gardens patrol vehicle directly in front of Mr. Myrick's vehicle.

Upon first speaking with Mr. Myrick I observed that he had bloodshot eyes, emitted an odor of alcohol from his breath and person, heavy droopy eyelids, and spoke with slow slurred speech. When I asked Mr. Myrick where he was headed he stated that he was going home to his residence in West Palm Beach, FL he had no idea that he was in Palm Beach Gardens. I asked what exit off Interstate-95 does he take to go home he stated SR 704 (Okeechobee Blvd). State Road 704 is south of State Road 850. When I asked where he was coming from he stated he was coming from a friends in the Ft. Lauderdale, FL area. As I was speaking to Mr. Myrick he kept looking down and falling asleep.

I asked Mr. Myrick if he had consumed any alcoholic drinks tonight where he stated that he did not drink any thing. When I asked him what time is was he had no idea. I then asked if takes any medication where he stated he takes Adderal and stated that he had not taken any medication tonight. I asked Mr. Myrick if he submit to roadside sobriety exercises he stated he did not know what I was asking. I then explained what the roadside exercises were. Mr. Myrick stated that he would not perform the exercises. I explained the exercises three other times and asked Mr. Myrick if he would submit to the exercises three more times. Mr. Myrick again stated that he would not perform the exercises. Based on observations of the indicators of possibility being under the influence I placed Mr. Myrick under arrest for driving under the influence at 5:39 am. All Florida Towing towed the vehicle from the scene and I transported Mr. Myrick to the Palm Beach County breath testing center located at the Palm Beach County Main jail.

I arrived at the breath testing center at 6:55 am and started a twenty minute observation period where Mr. Myrick did not itake any food or water by way of his mouth. After the twenty minute observation period was over Mr. Myrick went in front of a camera in the testing center where I asked if he would

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submit to a breath test sample. Mr. Myrick stated that he would not submit to the breath test sample that is when I read Florida's Implied Consent to Mr. Myrick. I then asked again if he would submit to the requested breath test sample. Mr. Myrick stated that he would not give a breath sample with a refusal time of 7:29am. Mr. Myrick was then booked into the Palm Beach County Main jail for the charge of driving under the influence.

Jail Booking Facility

Booking Date/Time	Booking County	Booking Facility	Booking Facility Phone

Booking Facility Location	Booking Number

Booking Comments

Court

Court County	Court Location
PALM BEACH	200 WEST ATLANTIC AVE. DELRAY BEACH, FL 33444

Court	Court Phone	Court Appereance Date / Time	Court Fine
PALM BEACH SOUTH COUNTY COURTHOUSE	561-274-1530	03/01/2023 900A	

Comments

Officer Name / Rank / ID #	Involvement On Report / Reporting Role	Officer Agency / Org/Unit
M.W. MCDONOUGH TPR 2772	REPORTING OFFICER	FLORIDA HIGHWAY PATROL FHPL\LWRCC\PALM BEACH\SR702 TO MARTIN LN

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the probable cause associated with this report:

Reporting Officer

Officer Name	Office Rank	Officer ID No	Sworn and subscribed before me, the undersigned authority
M.W. MCDONOUGH	TPR	2772	This the _____ day of _____, _____
Officer Agency			DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT
FLORIDA HIGHWAY PATROL			
Officer Signature: M. McD			

○ No Bill / Petition ○ Issue Warrant ○ Prosecution Approved

Signature of Assistant State Attorney Date

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

I, MARK MCDONOUGH, a duly certified Law Enforcement or Correctional Officer, am a
(Name of Officer reading Implied Consent Warning)

member of FLORIDA HIGHWAY PATROL, and I do swear
(Name of Law Enforcement Agency)

or affirm that on or about the 23 day of JANUARY, 2023, at 5:39 ☐P.M. ☑A.M.

DRIVER JEFFREY HEATH MYRICK.
FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL # M-620-428-78-250-0, state of FLORIDA, was placed under lawful arrest for

the offense of D.U.I. by MARK MCDONOUGH and
(Name of Arresting Officer)

issued citation # A76V6RE.

That on or about the 23 day of JANUARY, 2023, at 7:29 ☐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, 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. Additionally, I informed the driver that if he or she holds a Commercial Driver's License (CDL), or was operating a commercial motor vehicle, refusal will result in the disqualification of the CDL 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 (s. 117.10, F.S.)

The foregoing instrument was sworn and subscribed before me:

Signature of Attesting Officer

(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 _____

Title _____
Date _____

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. 09/2021)

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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: 2023002180	**Date:** 01/24/23
	Specialist Name/ID: T.Howard/7185