50-2026-CT-000007 ASB
0348209

P# 2239

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

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

1 Juvenile N

ADMINISTRATION

OBTS Number

Agency ORI Number: FL0500300

Agency Name: BOYNTON BEACH POLICE DEPT.

Agency Report Number: 34-25-096940

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

If Weapon Seized Enter Type

Multiple Clearance Indicator

Location of Arrest (Including Name of Business): 3925 W BOYNTON BEACH BLVD BOYNTON BEACH, FL 33436

Location of Offense (Business Name, Address): 3200 W BOYNTON BEACH BLVD BOYNTON BEACH, FL

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
12/31/2025	23:23					

DEFENDANT

Name (Last, First, Middle): BANKO, JOHN, NICHOLAS

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

W - White I - American Indian B - Black O - Oriental / Asian

Race	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	M	09/26/1985	6'0	220	BLUE	BROWN	LIGHT	LARGE

Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)

Marital Status: SINGLE

Religion: CHRISTIAN

Indication of: Y N Unk.
Alcohol Influence ☒ ☐ ☐
Drug Influence ☐ ☐ ☐

Local Address (Street, Apt. Number) (City) (State) (Zip) Phone ( ) -

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

Permanent Address (Street, Apt. Number): 7946 AZTEC COURT (City): GREENACRES (State): FL (Zip): 33463 Phone: (561)312-5949 Address Source: DEFENDANT

Business Address (Street, Apt. Number) (City) (State) (Zip) Phone ( ) - Occupation: BARTENDER

D/L Number, State: FL, B520474853460 Soc. Sec. Number: [redacted] INS Number Place of Birth: BROWARD, FL Citizenship: U.S.A.

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 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 561-355-2526) 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 D. Deliver E. Use K. Dispense/ Distribute M. Manufacture Produce/ Cultivate Z. Other

Drug Type: N. N/A A. Amphetamine B. Barbituate C. Cocaine E. Heroin H. Hallucinogen M. Marijuana O. Opium/Deriv. P. Paraphernalia/ Equipment S. Synthetic U. Unknown Z. Other

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD#
DUI	1	☐Yes ☒No	316.193(1A)	

Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number	Bond
N	N		25-096940		1000

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD#
DUI FIRST REFUSAL TO SUBMIT TO TESTING	1	☐Yes ☒No	316.1939(1D)	

Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number	Bond
N	N		25-096940		250

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD#
		☐Yes ☐No		

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

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD#
		☐Yes ☐No		

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

NOTICE TO APPEAR

☐ Instruction No. 1 Mandatory Appearance in Court
☐ Instruction No. 2 You need not appear in Court but must Comply with instruction on reverse side.

Location (Court, Room Number, Address): South County Courthouse, 200 West Atlantic Ave, Delray Beach, FL 33444

FILED PBC - CIRCUIT 06 JAN 1 AM 7:24

Court Date and Time: Month 2 Day 2 Year 2026 Time 8:30 ☒ A.M. ☐ P.M.

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.

Signature of Defendant (or Juvenile and Parent/Custodian) Date Signed

ADMIN.

HOLD for other Agency Name:

Signature of Arresting Officer

Name Verification (Printed by Arrestee) (PRINT)

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other:

Name of Arresting Officer (Print): LONDONO I.D. #: 1169

BU#

Intake Deputy I.D. #: D.J.S.R. Ro/6 2511 Pouch #

Transporting Officer: LONDONO I.D. #: 1169 Agency: BBPD

Witness here is subject Signed with an X

Page 1 OF 1

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D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 31 **DAY OF** December **2025 AT** 2258 ☐ **A.M** ☒ **P.M.**

CASE #: 25-096940 **DEFENDANT:** JOHN NICHOLAS BANKO

PERSONAL CONTACT/DRIVING PATTERN/OBSERVATION OF DRIVER:

On December 31, 2025, at approximately 2258 hours during proactive patrol, I observed a 2017 Nissan Pathfinder bearing FL Tag HVNX50 stopped at a solid red traffic control signal in the right lane on Boynton Beach Blvd and Congress AVE, set to travel westbound. The traffic control signal changed from a steady red light to a steady green light. The aforementioned vehicle then began to travel westbound in the right lane. Upon the vehicle traveling westbound, it reached the intersection of Boynton Beach Blvd and Winchester Park Blvd during which, upon the vehicle passing the intersection, the right tires of the vehicle traveled into the bike lane. Shortly after, the vehicle accelerated to a high rate of speed at which time I paced the vehicle with my marked BBPD vehicle at the 3200 block of W Boynton Beach Blvd at 62MPH in a Posted 45MPH zone.

Based on the above infraction and observation of the vehicle, I conducted a traffic stop at 3925 BOYNTON BEACH BLVD BOYNTON BEACH, FL 33436. I then made contact with the driver and sole occupant, who identified himself with a Florida Driver's license as JOHN NICHOLAS BANKO, and upon making contact, I immediately detected a strong odor of an unknown alcoholic beverage emanating from his breath, watery eyes, and slurred speech. I then asked Banko where he was coming from, to which he replied he was watching a football game at The Boulevard (a local bar where alcoholic beverages are served). I asked Banko if he was drinking any alcoholic beverages during his watch, to which he advised that he drank 3 Modelo beers. Based on my suspicion, I asked Banko to exit the vehicle.

While outside the vehicle, I asked Banko if he is diagnosed with any medical problems or have any disabilities. Banko advised that he is not diagnosed with any medical condition. As I continued to speak with Banko I asked him on a scale from 1 to 10, 1 being sober and 10 being intoxicated, how he would rank himself on this scale. Banko replied by stating he is a 3. I then asked Banko if he would consent to performing Standardized Field Sobriety Exercises (SFSTs) for the purpose of determining if he was impaired while operating a motor vehicle. Banko at first refused to perform SFSTs. I then read Taylor Warnings to Banko, at which time he elected to perform SFSTs. After the conclusion of SFSTs, coupled with my signs of impairment exhibited by Banko and his vehicle in motion, Probable Cause was established for DUI. Banko was handcuffed and searched (double locked and searched for fitness). Ofc. Redondo arranged for Banko's vehicle to be towed by Beck's Towing.

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HORIZONTAL GAZE NYSTAGMUS:

- ☒ Left eye does not follow smoothly
- ☐ Left eye prior to 45 degrees
- ☐ Distinct jerking in left eye at maximum deviation
- ☐ Vertical Nystagmus in left eye
- ☒ Right eye does not follow smoothly
- ☐ Right eye prior to 45 degrees
- ☐ Distinct jerking in right eye at maximum deviation
- ☐ Vertical Nystagmus in right eye

WALK AND TURN:
This task was explained and demonstrated to Banko which he stated he understood. As I was explaining this task to Banko he advised that his right foot is swollen; in addition, he was unable to maintain his balance during the instruction phase. As Banko was performing this task, he steps off the line multiple times, uses his arms for balance, and after he completed the first walk, he did not turn around to walk back.

ONE LEG STAND:
This task was explained and demonstrated to Banko which he stated he understood. Upon Banko performing this task, he placed his foot down before 30 seconds.

FINGER TO NOSE:
This task was explained and demonstrated to Banko which he stated he understood. Banko did not keep his eyes closed, and the index of his finger did not touch the tip of his nose.

ROMBERG/ALPHABET:
This task was explained and demonstrated to Banko which he understood. Upon Banko performing this task, he failed to keep his eyes closed.

After Banko was placed under Arrest, I transported Banko to Palm Beach County Breathalyzer. Upon my arrival at 2354 hours, I completed the required 20-minute observation. I then requested Banko to provide a sample of his breath. Banko advised he would provide a sample of his breath. Shortly after as the breath technician was entering information into the instrument, Banko advised he refused to provide a sample of his breath. Implied consent was read and again Banko refused.

A F/NCIC search revealed Banko does not have a prior refusal for chemical testing.

At this time, due to the above-mentioned information, I have Probable Cause to charge Banko with 1 count of DUI pursuant to FSS 316. 193(1A) and 1 count of DUI first time refusal pursuant FSS 316.1939(1D).

The following instrument was sworn to before me this 1 day of January 2026

By: LONDONO

Notary/Police Officer (F.S.S. 117.10)

Signature of Arresting Officer

JOSHUA BELL
Notary Public - State of Florida
Commission # HH 418882
My Comm. Expires Jul 9, 2027
Bonded through National Notary Assn.

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25-096940

FLORIDA DUI UNIFORM TRAFFIC CITATION AHPWGUE

COUNTY OF: PALM BEACH	☐ (1) F.H.P ☑ (2) P.D ☐ (3) S.O ☐ (4) OTHER			
CITY (IF APPLICABLE): BOYNTON BEACH	AGENCY NAME: BOYNTON BEACH POLICE DEPARTMENT			
	AGENCY #: 0634			

IN THE COURT DESIGNATED BELOW THE UNDERSIGNED CERTIFIES THAT HE/SHE HAS JUST AND REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT ON — ABSTRACT OF COURT RECORD FOR STATE LICENSING AUTHORITY REPORT OF DISPOSITION

DAY OF WEEK	MONTH	DAY	YEAR	TIME
THU	1	1	2026	2:35:00 AM

NAME (PRINT) FIRST	MIDDLE	LAST
JOHN	NICHOLAS	BANKO

STREET: 6340 COUNTRY FAIR CIR — IF DIFFERENT THAN ONE ON DRIVER LICENSE "A" HERE ☐

CITY	STATE	ZIP CODE
BOYNTON BEACH	FL	33437

TELEPHONE NUMBER	DATE OF BIRTH MO	DAY	YR	RACE	SEX	HGT
	9	26	1985	W	M	6' 00"

DRIVER LICENSE NUMBER	STATE	CLASS	CDL LICENSE	YR LICENSE EXP	COMMERCIAL VEHICLE
B 5 2 0 4 7 4 8 5 3 4 6 0	FL	E	☐ Y ☑ N	2027	☐ YES ☑ NO

YR VEHICLE	MAKE	STYLE	COLOR	PLACARDED HAZARDOUS MATERIAL
2017	NISS	UT	SIL	☐ YES ☑ NO

VEHICLE LICENSE NO	TRAILER TAG NO	STATE	YEAR TAG EXP	2-16 PASSENGERS
HVNX50		FL	2026	☐ YES ☑ NO

UPON A PUBLIC STREET OR HIGHWAY, OR OTHER LOCATION, NAMELY: SR 804 657 FEET E FROM LAWRENCE RD 26.527364 -80.104560

MOTORCYCLE ☐ YES ☑ NO

CONSECUTIVE CITATIONS ☐ YES ☑ NO

FT _____ MILES _____ ☐ N ☐ S ☑ E ☐ W OF NODE _____

DID UNLAWFULLY COMMIT THE OFFENSE OF DRIVING UNDER THE INFLUENCE OF ALCOHOLIC BEVERAGES,CHEMICAL OR CONTROLLED SUBSTANCES; DID DRIVE OR WAS IN ACTUAL PHYSICAL CONTROL OF A VEHICLE, WHILE UNDER THE INFLUENCE OF AN ALCOHOLIC BEVERAGE/CHEMICAL SUBSTANCE/CONTROLLED SUBSTANCE TO THE EXTENT NORMAL FACULTIES WERE IMPAIRED, OR WITH A BLOOD OR BREATH ALCOHOL LEVEL OF .08 OR ABOVE OF _____

COMMENTS PERTAINING TO OFFENSE: (Only one offense each citation) DUI - (MISDEMEANOR) — RE-EXAM ☐ YES ☑ NO

AGGRESSIVE DRIVER	PASSENGER < 18 YEARS	STATE STATUTE	SECTION	SUB SECTION
☐	☐ YES ☑ NO		316.193	(1)

CRASH	DAMAGE TO OTHER PROPERTY	INJURY TO ANOTHER	SERIOUS BODILY INJURY TO ANOTHER	FATAL
☐ YES ☑ NO	☐ YES $ _____ ☑ NO	☐ YES ☑ NO	☐ YES ☑ NO	☐ YES ☑ NO

THIS IS A CRIMINAL VIOLATION, COURT APPEARANCE REQUIRED, AS INDICATED BELOW.

02/02/2026 (COURT DATE) 08:30 AM (TIME) AHPWGUE

SOUTH COUNTY COURT HOUSE

200 WEST ATLANTIC AVE (COURT AND LOCATION) DELRAY BEACH 33444 FL

ARREST DELIVERED TO _____ DATE _____

I AGREE AND PROMISE TO COMPLY AND ANSWER TO THE CHARGES AND INSTRUCTIONS SPECIFIED IN THIS CITATION. WILLFUL REFUSAL TO ACCEPT AND SIGN THE CITATION MAY RESULT IN ARREST. I UNDERSTAND MY SIGNATURE IS NOT AN ADMISSION OF GUILT OR WAIVER OF RIGHTS. IF YOU NEED REASONABLE FACILITY ACCOMMODATIONS TO FULLY WITH THIS CITATION CONTACT THE CLERK OF THE COURT.

X _____ X SIGNATURE OF VIOLATOR

EFFECTIVE IMMEDIATELY, YOUR DRIVING PRIVILEGE IS SUSPENDED/DISQUALIFIED FOR :

☐ DRIVING WITH AN UNLAWFUL BLOOD OR BREATH ALCOHOL LEVEL. THIS SUSPENSION IS FOR A PERIOD OF SIX MONTHS IF THIS IS THE FIRST VIOLATION OR ONE YEAR IF PREVIOUSLY SUSPENDED FOR DRIVING WITH AN UNLAWFUL BLOOD OR BREATH ALCOHOL LEVEL. IF YOU HOLD A CDL OR YOU ARE OPERATING A CMV, YOUR COMMERCIAL DRIVER LICENSE/PRIVILEGE WILL ALSO BE DISQUALIFIED FOR ONE YEAR FOR THE FIRST OFFENSE OR PERMANENTLY DISQUALIFIED FOR A SUBSEQUENT OFFENSE

☑ REFUSAL TO SUBMIT TO LAWFUL BREATH BLOOD OR URINE TEST SECTION 322.2615, F. S. THIS SUSPENSION IS FOR A PERIOD OF ONE YEAR IF THIS IS A FIRST REFUSAL OR 18 MONTHS IF PREVIOUSLY SUSPENDED FOR THIS OFFENSE. IF YOU HOLD A CDL OR YOU ARE OPERATING A CMV, YOUR COMMERCIAL DRIVER LICENSE/PRIVILEGE WILL ALSO BE DISQUALIFIED FOR A PERIOD OF ONE YEAR FOR A FIRST REFUSAL OR PERMANENTLY DISQUALIFIED FOR A SUBSEQUENT REFUSAL.

LICENSE SURRENDERED? ☑ YES ☐ NO REASON _____

ELIGIBLE FOR PERMIT? ☑ YES ☐ NO REASON _____

UNLESS INELIGIBLE, THIS CITATION SHALL SERVE AS A TEMPORARY DRIVER LICENSE AND WILL EXPIRE AT MIDNIGHT ON THE 10TH DAY FOLLOWING THE DATE OF SUSPENSION.

WITHIN 10 DAYS AFTER THE DATE OF SUSPENSION, YOU MAY REQUEST A REVIEW OF THE SUSPENSION BY FLHSMV BUREAU OF ADMINISTRATIVE REVIEWS OR TO DETERMINE ELIGIBILITY FOR A RESTRICTED LICENSE IF THIS IS YOUR FIRST DUI RELATED OFFENSE. SEE REVERSE SIDE.

RANK-SIGNATURE OF OFFICER	BADGE NO	ID NO	TROOP UNIT
J	1169	1169 LONDONO	

HSMV 75804 (Rev 09/19) ELECTRONIC REPORT

FLORIDA DUI
UNIFORM TRAFFIC CITATION REPORT OF DISPOSITION
ABSTRACT OF COURT RECORD FOR
FLORIDA HIGHWAY SAFETY AND MOTOR VEHICLES
MUST BE REPORTED WITHIN 10 DAYS AFTER FINAL ADJUDICATION

I. COURT ACTION

DEFENDANT'S PLEA: (CHECK ONE) ☐ GUILTY ☐ NOT GUILTY ☐ NOLO CONTENDERE

TRIAL: ☐ 1. JURY ☐ 2. NON-JURY

☐ 1. DEFENDANT REPRESENTED BY COUNSEL ☐ 2. DEFENDANT WAIVED COUNSEL

TOTAL FINE AMOUNT _____ TOTAL COURT COSTS _____

VERDICT

CHECK ONLY ONE:

☐ 1 GUILTY
☐ 6 ESTREATED OR FEITED BOND
☐ 9 ADJUDGED DELINQENT (JUVENILE ONLY)
☐ 2 NOT GUILTY
☐ 3 DISMISSED
☐ 8 NOLLE PROSEQUI
☐ A ADJUDICATION WITHHELD BY JUDGE
☐ B OTHER _____ EXPLAIN

SENTENCE

CHECK ONLY WHEN VERDICT IS GUILTY OR ADJUDICATION WITHHELD BY JUDGE.

☐ 1 SERVED TIME
☐ 2 SENTENCE WITHHELD, DEFERRED OR SUSPENDED
☐ 3 PROBATION
☐ 4 TRAFFIC SCHOOL
☐ 5 FINE AND/OR COSTS
☐ 6 LICENSE ACTION ONLY
EXPLAIN BELOW
☐ 7 OTHER _____ EXPLAIN
☐ 8 COMMUNITY SERVICE
☐ 9 INCARCERATION (AFTER DISPOSITION)

II.

IF ORIGINAL CHARGE IS CHANGED, ENTER CHARGE OF WHICH VIOLATOR WAS CONVICTED. DO NOT MAKE ANY ADDITIONAL CHANGES ON FRONT OR BACK OF THIS CITATION.

ORIGINAL DUI CHARGE CHANGED PER STATE ATTORNEY ☐ YES ☐ NO

III. LOCATION

COUNTY _____

CITY _____ LOCATION OF TRIAL COURT

PRESIDING JUDGE _____

TYPE OF COURT (CHECK BOX)
☐ 1 COUNTY
☐ 2 CIRCUIT

IV. LICENSE ACTION

☐ COURT RECOMMENDS THE DEPARTMENT SUSPEND DRIVING PRIVILEGE

LENGTH _____

VIOLATIONS CARRYING MANDATORY REVOCATIONS

COURT MAY SPECIFY LENGTH _____ OR CHECK ONE:

☐ MINIMUM ☐ MAXIMUM

☐ LICENSE PICKED UP BY COURT AND ATTACHED TO THIS REPORT AS REQUIRED BY F.S. 322.25.

☐ VIOLATOR'S ABILITY TO DRIVE IS QUESTIONABLE AND COURT RECOMMENDS RE-EXAMINATION.

V. THE DATES BELOW MUST BE ENTERED ON ALL DISPOSITIONS

FINAL ADJUDICATION OR ACTION ON _____ DATE

SUBMITTED TO FLHSMV ON _____ DATE

SIGNATURE OF INDIVIDUAL SUBMITTING REPORT

10 A CERTIFIED COPY

CASE #: 25-096940 **DEFENDANT:** JOHN NICHOLAS BANKO

Arresting Officer: LONDONO
Address: 2100 HIGH RIDGE ROAD, BOYNTON BEACH, FL 33426
Phone Numbers: Home: _____ **Work:** (561) 742-6100

Name: _____
Address: _____
Phone Numbers: Home: _____ **Work:** _____
Can testify to: _____

Name: _____
Address: _____
Phone Numbers: Home: _____ **Work:** _____
Can testify to: _____

Name: _____
Address: _____
Phone Numbers: Home: _____ **Work:** _____
Can testify to: _____

Name: _____
Address: _____
Phone Numbers: Home: _____ **Work:** _____
Can testify to: _____

Name: _____
Address: _____
Phone Numbers: Home: _____ **Work:** _____
Can testify to: _____

Name: _____
Address: _____
Phone Numbers: Home: _____ **Work:** _____
Can testify to: _____

Name: _____
Address: _____
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
DUI TESTING FACILITY
INFORMATION SHEET

PBSO CASE # 26-021000 PBSO ZONE 6-12

AGENCY CASE # 25-096940 CRASH CASE # 25-096940

TIME OF STOP/CRASH 22:58 DATE 12/31/2025 DAY WEDNESDAY

SUBJECT'S NAME JOHN NICHOLAS BANKO RACE WHITE SEX MALE

HGT 6'0 WGT 220 DOB 09/26/1985

LOCATION 3200 W BOYNTON BEACH BLVD BOYNTON BEACH FL, 33436

ARRESTING OFFICER'S NAME & ID J. LONDONO 1169 AGENCY BBPD

DIVISION: ROAD PATROL

NOTIFIED BY COMMO

ARRIVAL AT FACILITY 23:54

BREATH RESULTS: Arrest Time 23:23

1.

2.

3.

4. REFUSED

TESTING OFFICER'S ID 8656

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

Instrument Type: Intoxilyzer 8000
Instrument Registered To: PALM BEACH COUNTY SO
Instrument Serial Number: 80-001741 Software: 8100.27
Date of Test: 01/01/2026

Date of Last Agency Inspection: 12/12/2025
Observation Period Began: 23:54
Subject's Name: JOHN N BANKO DOB: 09/26/1985 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	00:24
Air Blank	0.000	00:24
Control Test	0.081	00:24
Air Blank	0.000	00:25
Subject Sample #1	REF*	00:27
Air Blank	0.000	00:27
Control Test	0.081	00:27
Air Blank	0.000	00:28
Diagnostics Check	OK	00:28

*Subject Test Refused

Cylinder Lot: 19825080A2
Exp: 09/05/2027

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 JOSHUA J BELL, 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: _____ Date: 01/01/26
Signature

Sworn to (or affirmed) before me this 01 day of January, 2026

_____ OFC. J. Londono #1169
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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TESTING FACILITY TASK REPORT

AGENCY: BBPD

SUBJECT: BANKO, JOHN NICHOLAS

CASE NUMBER: 26-021000

DATE: Jan 1, 2026

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 0021

ENDING TIME: 0029

BREATH TESTS RESULTS: 1) R TIME 0027 A.M. ☒ P.M. ☐ 2) XX TIME XX A.M. ☐ P.M. ☐

REFUSED

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

BREATH OPERATOR: JOSHUA J BELL #8656

MAINTENANCE TECHNICAN: J. KARLECKE #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED

ATTITUDE: COOPERATIVE

CLOTHING: BLACK HOODIE, BLACK PANTS, BLACK SANDALS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES : GLASSY

ODOR OF UNKNOWN ALCOHOLIC BEVERAGE COMING FROM BREATH

COMMENTS:

ARRIVED AT DUI TESTING FACILITY AND BEGAN THE 20 MINUTE OBSERVATION AT 2354 HOURS

SUBJECT STATED HE WOULD TAKE BREATH TEST
AFTER BREATH TEST INSTRUCTIONS SUBJECT STATED HE CHANGED HIS MIND AND WOULD NOT TAKE BREATH TEST

A/O READ I.C AT 0025
SUBJECT STATED HE UNDERTSOOD I.C AND HE IS OK WITH IT

REFUSAL TIME 0027 HOURS

A/O READ RIGHTS
SUBJECT STATED HE UNDERSTOOD HIS RIGHTS

SUBJECT DECLINED TO ANSWER Q AND A

SUBJECT STATED HE WILL SIGN HIS CITATIONS

REFUSED

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STATE OF FLORIDA
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH TEST

I, Londono, a duly certified Law Enforcement or Correctional Officer, am a
(Name of Officer reading Implied Consent Warning)
member of Boynton Beach Police Department, and I do swear
(Name of Law Enforcement Agency)
or affirm that on or about the 31 day of December, 2025, at 2323 ☑P.M. ☐A.M.
DRIVER John Nicholas Banko,
FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME
DL # B520174853460, state of Florida, was placed under lawful arrest for
the offense of D.U.I. ☒ 316.193(1) by Londono and
(Name of Arresting Officer)
issued citation # AHPWGUE.

That on or about the 1 day of January, 2026, at 0027 ☐P.M. ☑A.M.
in Palm Beach County,

I requested that the driver submit to a **BREATH** test for the purpose of determining its alcohol content. I informed the driver that the refusal to submit to such test would result in the suspension of his or her driving privilege for a period of one (1) year for a first refusal, and that he or she commits a misdemeanor of the second degree by so refusing. Additionally, I informed the driver that the refusal to submit to such test would result in the suspension of his or her driving privilege 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, and that he or she commits a misdemeanor of the first degree by so refusing. Nonetheless, the driver refused to submit to the test requested.

Signature of Law Enforcement Officer or Correctional Officer

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

JOSHUA BELL
Notary Public - State of Florida
Commission # HH 418882
My Comm. Expires Jul 9, 2027
Bonded through National Notary Assn.

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before me this 01 day of January, 20 26, by Ofc. Londono, who is personally known to me or who has produced Known as identification.

Notary Public

The foregoing instrument was sworn and subscribed before me:

Signature of Attesting Officer

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.

NOT A CERTIFIED COPY

EFFECTIVE OCTOBER 1, 2025

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

DUI Breath Implied Consent

NOT APPLICABLE WITH VOLUNTARY CONSENT

DEFENDANT'S NAME: Banko, John Nicholas CASE NO: 25-096940

DATE OF ARREST: 12/31/25 TIME OF ARREST: 23:54

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

Will you take the test? YES_____ NO ✓

NOTE: *READ ONLY IF THE ANSWER TO THE ABOVE IS "NO"*

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. Additionally, if you refuse to take the test I have requested of you, you will be committing a misdemeanor of the SECOND DEGREE if this is your first refusal, in addition to any other penalties which can be imposed by law. 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, your driving privilege will be suspended for a period of eighteen (18) months. Additionally, you will be committing a misdemeanor of the FIRST DEGREE, 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 ✓ NO_____

Do you still refuse to submit to this test? YES ✓ NO_____

NOTE: *IF THE SUBJECT POSSESSES A COMMERCIAL DRIVER LICENSE (CDL), READ THE FOLLOWING, REGARDLESS OF WHETHER THE SUBJECT IS OPERATING A COMMERCIAL MOTOR VEHICLE (CMV)*

In addition, if you hold a Commercial Driver's License (CDL), or were driving a Commercial Motor Vehicle (CMV), your refusal to submit to testing will result in the loss of your commercial driving privileges for one year from today. If this is your second refusal, you will be permanently disqualified from operating a Commercial Motor Vehicle (CMV).

Do you understand what I have just read to you? YES_____ NO_____

Do you still refuse to submit to this test? YES_____ NO_____

Date read: 00:25 Time read: 01/01/26 Location read: PBSO BAT

LAW ENFORCEMENT OFFICER NAME (printed): J. LondoO ID: 1169

LAW ENFORCEMENT OFFICER SIGNATURE: [signature]

WHITE: STATE ATTY. YELLOW: DHSMV PINK: CENTRAL RECORDS GOLD: JAIL

FORM #0126BR REV 09/25

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SUBJECT: Banko, John Nicholas 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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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	☐			
	☐			
	☐	817.568	Criminal use of personal identification information. (INMATE PIN NUMBERS)	
	☐	415.107 (1)	ELDERLY NEGLECT ABUSE	

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REVIEW COMPLETED BY

Booking Number: 2026000026	**Date:** 1/1/2026
	Specialist Name/ID#: MTooks #8557