50-2023-CT-014335AMB

C 5412555

2 of 1

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

☐ Check if Supplement is Attached

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

OBTS Number:

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

Juvenile: N

ADMINISTRATIVE

Agency ORI Number	Agency Name	Agency Report Number
FL0 5 0 0 0 0 0	PALM BEACH COUNTY SHERIFF'S OFFICE	0 6 -| 23099086 ( )

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:

Multiple Clearance Indicator: 0 1

Location of Arrest (including Name of Business)	Location of Offense (Business Name, Address)
Military Trail / Summit Blvd, West Palm Beach, FL. 33415	Military Trail / Summit Blvd, West Palm Beach, FL. 33415

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
08/13/2023	0501					Garden's Towing

DEFENDANT

Name (Last, First, Middle): Gomez Garcia, Jose, Alvaro

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

Race (W - White, B - Black, I - American Indian, O - Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	M	5/23/1982	5'8"	150	Brown	Black	Med	Med

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

Marital Status: Married — Religion: NONE — Indication of: Alcohol Influence / Drug Influence: Y ☒ N ☐ Unk ☒

Local Address (Street, Apt. Number) (City) (State) (Zip): 235 COURTNEY LAKES CIR APT 201, WEST PALM BEACH, FL. 33401

Mobile Phone: (320) 334-3985

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

Permanent Address (Street, Apt. Number) (City) (State) (Zip): ,

Phone: ( )

Address Source: Verbal

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

Phone: ( )

Occupation: Construction

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
,			Bogota, Columbia	No

CO-DEF

Co-Defendant (Last, First, Middle)	Race	Sex	Date of Birth	
				☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile
				☐ 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) 355-6511) informed of any change of address. — School Attended — Grade

☐ Yes, by: (Name) ☐ No (Reason)

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. Synthetic 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		23099086		

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

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

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

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

NOTICE TO APPEAR

Location (Court, Room Number, Address): Criminal Justice Complex, 3228 Gun Club Road, West Palm Beach, FL 33406 - Ph: (561) 688-4600

FILED PBC - GUN CLUB - '23 AUG 14 AM 7:23

Court Date and Time: Month September Day 7 Year 2023 Time 0830 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: 08/13/2023

I consent to receive text reminders of court date(s) and times for this case by automated technology to the mobile number identified above. I understand that standard text message rates may apply, and that I may revoke this consent via the text message system if I choose. Signature

ADMIN

HOLD for other agency

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other:

Intake Deputy I.D. # Pouch #

Signature of Arresting Officer: X

Name of Arresting Officer (Print): D/S D. Snelgrove I.D. # 38872

Transporting Officer: D/S D. Snelgrove I.D. # 38872 Agency: PBSO

Name Verification (Printed by Arrestee) (PRINT)

Witness here if subject signed with an "X"

PAGE 1 OF 1

PBSO #0148 REV. 11/22 DISTRIBUTION: COURT COPY STATE ATTORNEY AGENCY AGENCY DEFENDANT (N.T.A.'s ONLY)

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D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 13 DAY OF August 20 23, AT 0403 ✓AM PM

SUBJECT: Gomez Garcia, Jose, Alvaro CASE NUMBER: 23099086

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: D/S D. Snelgrove

PERSONAL CONTACT

DRIVING PATTERN: Actual physical control (physical evidence or statements putting def. behind wheel of vehicle)

I was called to the scene of a traffic stop at the intersection of Military Trail and Summit Blvd, in unincorporated West Palm Beach, Palm Beach County, Florida. I arrived at the scene at approximately 0430 hrs.

D/S V. Hylton #32393 told me, in a signed sworn PC Supplement, I observed a dark four door sedan - Honda Civic traveling northbound on South Military Trail in the number two lane at a very high rate of speed. I had to travel in excess of 90 mph to catch up with said vehicle, which came to a stop at Summit Blvd and S. Military Trail. Upon getting the green light, the operator took off again at a very high rate of speed. I attempted to catch up with it and when I did, I conduct a traffic stop in the 500 block of S. Military Trail.
The vehicle was being operated by a white male, who was later identified by Columbian passport and Columbian driver license as being Jose A. Gomez Garcia. I was able to determine that he was in fact operating a blue Honda Civic, bearing bearing Florida tag (HHGJ84). I was unable to explain to Mr. Gomez the reason for the traffic stop as there was a language barrier. A PBSO Spanish speaking deputy later arrived to assist with the traffic stop.(See Sup pc for further)

OBSERVATION OF DRIVER:

I observed the defendant, Jose Gomez Garcia, who was wearing a gray shirt and blue pants with white shoes. The defendant was sitting inside the vehicle. I asked the defendant to walk over to the front of my vehicle and speak with me. While walking over to my vehicle, the defendant was unsteady on his feet. While standing stationary the defendant swayed in an orbital pattern. I could see the defendants' eyes were bloodshot and glossy. He had an obvious odor of an unknown alcoholic beverage emitting from his breath that grew stronger as he spoke. The defendant's speech was slow and slurred.

DRIVER'S STATEMENTS:

The defendant said he did not have any physical defects or preexisting injuries, diabetes, wear glasses or receive a bump on the head. The defendant said he had 2 beers to drink. The defendant said he was unsure where he was coming from and going to his sister's house in emerald dunes. He said he was driving the vehicle. I asked the defendant to submit to voluntary roadside field sobriety tasks to which he agreed.

ODORS:

Unknown Alcoholic Beverage

GENERAL OBSERVATIONS

SPEECH: **Slow**

ATTITUDE: **Calm, Compliant, Repetitive**

CLOTHING: **Disheveled**

MEDICAL/OTHER: **Possible**

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STATE OF FLORIDA
COUNTY OF PALM BEACH

D/S D. Snelgrove
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 13 day of August 2023 by D/S D. Snelgrove

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced Personally Known

Joshua Bell (#8656)
Notary Public, Clerk of Court, Officer (F.S.S 117.10)

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

SUBJECT: Gomez Garcia, Jose, Alvaro CASE NUMBER 23099086

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

- [x] LT EYE-LACK OF SMOOTH PURSUIT
- [x] RT EYE-LACK OF SMOOTH PURSUIT
- [x] LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION
- [x] RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION
- [x] LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES
- [x] RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

Other Observations:
See PC

WALK & TURN:
The task was explained and demonstrated. The defendant stated he understood the instructions. During the task the defendant failed to maintain the instructional stance. The defendant swayed while standing stationary. The defendant stepped off the line, stopped to regain balance, took the incorrect number of steps, made an improper turn, did not count out loud on the return, and his steps were not heel-to-toe.

ONE LEG STAND:
The task was explained and demonstrated. The defendant stated he understood the instructions. The defendant swayed while standing stationary. During the task the defendant put his foot down multiple times before 30 seconds elapsed and swayed while performing the task.

FINGER TO NOSE:
The task was explained and demonstrated. The defendant stated he understood the instructions. The defendant swayed while standing stationary. During the task the defendant left his finger on his nose until reminded to put it down, smashed his pad into the tip of his nose on every attempt, searched during every attempt, and missed the tip of his nose.

ROMBERG ALPHABET:
The task was explained and demonstrated. The defendant stated he understood the instructions. The defendant swayed while standing stationary. During the task the defendant was able to recite the Spanish alphabet from A - U; however, went from U to J then to Z.

BREATH TEST RESULTS: .108 .119

NOT A CERTIFIED COPY

STATE OF FLORIDA
COUNTY OF PALM BEACH

D/S D. Snelgrove
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 13 day of August 2023 by D/S D. Snelgrove

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced Personally Known

Joshua Bell (#8656)
Notary Public, Clerk of Court, Officer (F.S.S 117.10)

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

PROBABLE CAUSE AFFIDAVIT

OBTS Number | 1 Arrest 2 NTA 3 Request for Warrant 4 Request for Capias | 1 | Juvenile | N

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FLO, 5 , 0 , 0 , 0 , 0 , 0	PALM BEACH COUNTY SHERIFF'S OFFICE	23099086

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
Gomez Garcia, Jose, Alvaro		W	M	5/23/1982

CHARGES

Charge Description	Charge Description
Driving Under the Influence 316.193(1)	
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 I have just and reasonable grounds to believe, and do believe that the above named Defendant committed the listed violation(s) of law.
The Person taken into custody:

☐ committed the below acts in my presence.
☐ was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.
☐ confessed to _____ admitting to the below facts.
☒ was found to have committed the below acts, resulting from my (described) investigation.

On the 13 day of August 20 23 at 0403 ☒ A.M ☐ P.M (Specifically include facts constituting cause for arrest.)

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

I conducted the Standardized Field Sobriety Tasks (SFSTs) in front of my PBSO patrol vehicle using the in car video system with the following results. The area appeared flat and even to the naked eyed, well lit, and clear of any large debris. It was humid and warm. The area was dry.

Horizontal Gaze Nystagmus (HGN)

The defendant was placed with their feet together and hands down by their side. The defendant was instructed to await the completion of the instructions prior to beginning the task. The defendant acknowledged that they clearly understood my instructions. I then instructed the defendant on the task. The defendant stated that they clearly understood my instructions for the task. I placed my stimulus in front of the defendant and ask the defendant if they could see it to which he said "yes." I asked the defendant what color the stimulus was to which they answered "red". Upon commencing the task, the defendant moved their head side to side instead of following with their eyes only and anticipated the stimulus. I had to re-instruct the defendant multiple times during the task to follow the stimulus with their eyes only. During the task, I observed that the defendant's eyes had a lack of smooth pursuit, had a distinct and sustained nystagmus at maximum deviation, and had an onset of nystagmus prior to 45-degrees.

NOT A CERTIFIED COPY

ADMINISTRATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

D/S D. Snelgrove
(Signature of Arresting /Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 13 day of August 20 23 by D/S D. Snelgrove
(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced. Personally Known

Joshua Bell (#8656)
Notary Public, Clerk of Court, Officer (F.S.S). 117.10)

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

PAGE 1 OF 1

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PBSO #0004 REV. 04/22

PROBABLE CAUSE AFFIDAVIT

OBTS Number:

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

Juvenile: N

ADMIN

Agency ORI Number: FLO 500000

Agency Name: PALM BEACH COUNTY SHERIFF'S OFFICE

Agency Report Number: 06- 23099086

Charge Type: Check as many as apply. 1. Felony 2. Traffic Felony 3. Misdemeanor [x] 4. Traffic Misdemeanor 5. Ordinance 6. Other

Special Notes: SUPPLEMENTAL PROBABLE CAUSE

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
GOMEZ GARCIA, JOSE, A		W	M	05/23/1982

CHARGES

Charge Description	Charge Description
DUI	
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 reasonable grounds to believe, and does believe that the above named Defendant committed the following violation of law.
The Person taken into custody

[x] 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 commit the below acts.

[ ] was found to have commited the below acts, resulting from my (described) investigation.

On the 13 day of AUGUST 2023 at 0530 [x] A.M. [ ] P.M. (Specifically include facts constituting cause for arrest.)

On Sunday, August 13, 2023 at at approximately 0400 hours, I was patrolling in the 1900 block of South Military Trail, in unincorporated West Palm Beach, Palm Beach County, Florida 33415, when I observed a dark four door sedan - Honda Civic traveling northbound on South Military Trail in the number two lane at a very high rate of speed. I had to travel in excess of 90 mph to catch up with said vehicle, which came to a stop at Summit Blvd and S. Military Trail. Upon getting the green light, the operator took off again at a very high rate of speed. I attempted to catch up with it and when I did, I conduct a traffic stop in the 500 block of S. Military Trail.

The vehicle was being operated by a white male, who was later identified by Columbian passport and Columbian driver license as being Jose A. Gomez Garcia. I was able to determine that he was in fact operating a blue Honda Civic, bearing bearing Florida tag (HHGJ84). I was unable to explain to Mr. Gomez the reason for the traffic stop as there was a language barrier. A PBSO Spanish speaking deputy later arrived to assist with the traffic stop.

While Mr. Gomez was speaking, I was able to smell a strong odor of suspected alcohol coming from his breath, coupled with what appears to be slurred speech and bloodshot eyes. He was removed from the vehicle and detained pending further investigation for possibly DUI.

NOT A CERTIFIED COPY

ADMINISTRATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

_____
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 13 day of AUGUST 2023 by D/S V. HYLTON

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced _____

D. Snelgrove #38872

Notary Public, Clerk of Court, Officer (F.S.S. 117.10)

PBSO #0004 REV. 04/01 DISTRIBUTION: WHITE - COURT COPY GREEN - STATE ATTORNEY YELLOW - AGENCY PINK - AGENCY

WITNESS LIST

CASE NUMBER: 23099086

ARRESTING OFFICER: D/S D. Snelgrove

ADDRESS: 3228 Gun Club Road, WPB. FL. 33406

PHONE NUMBERS (HOME): 561-688-3000 (WORK)

CAN TESTIFY TO: DUI Investigation

NAME: D/S V. Hylton

ADDRESS: 3228 Gun Club Road, WPB. FL. 33406

PHONE NUMBERS (HOME) 561-688-3000 (WORK)

CAN TESTIFY TO: Traffic Stop, Signs of Impairment

NAME: D/S C. Byrne

ADDRESS 3228 Gun Club Road, WPB. FL. 33406

PHONE NUMBERS (HOME) 561-688-3000 (WORK)

CAN TESTIFY TO: Back-Up / Scene Safety

NAME: Agent J. Alvarez

ADDRESS 3228 Gun Club Road, WPB. FL. 33406

PHONE NUMBERS (HOME) 561-688-3000 (WORK) 0

CAN TESTIFY TO: Spanish Interpretation

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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PHONE NUMBERS (HOME) (WORK)

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CAN TESTIFY TO:

NAME:

ADDRESS

PHONE NUMBERS (HOME) (WORK)

CAN TESTIFY TO:

NAME:

ADDRESS

PHONE NUMBERS (HOME) (WORK)

CAN TESTIFY TO:

NOT A CERTIFIED COPY

TESTING FACILITY TASK REPORT

AGENCY: PBSO

SUBJECT: Gomez Garcia, Jose A.

CASE NUMBER: 23-099086

DATE: Aug 13, 2023

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 05:42

ENDING TIME: 06:03

BREATH TESTS RESULTS: 1) .108 TIME 05:47 A.M.☒ P.M.☐ 2) .119 TIME 05:50 A.M.☒ P.M.☐

3) N/A TIME ——— A.M.☐ P.M.☐ 4) N/A TIME ——— A.M.☐ P.M.☐

BREATH OPERATOR: R. Ragin #16877

MAINTENANCE TECHNICAN: Jason Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: Spanish Speaking, Slurred

ATTITUDE: Calm, cooperative, talkative, fidgety

CLOTHING: Blue pants, gray polo shirt, gray sneakers

MEDICAL CONDITIONS: None

MEDICATIONS: None

OTHER:

Eyes are glassy & bloodshot
odor of unknown alcoholic beverage on breath
Translated by Inv.Torres PBSO ID#24971 Subject stated in Q&A he had 3 Beers

COMMENTS:

Arrived at center A/O started 20 minute observation period at 05:13 hrs.

Subject agreed to perform breath test.

A/O read rights.
Subject stated he understood rights

A/O read breath test results.
Subject stated he understood breath test results.

A/O conducted Q&A.
Subject answered Q&A.

NOT A CERTIFIED COPY

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)_____

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

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: _____

NOT A CERTIFIED COPY



PALM BEACH COUNTY SHERIFF'S OFFICE
DUI TESTING FACILITY
INFORMATION SHEET

PBSO CASE # **23099086** PBSO ZONE **District 1**

AGENCY CASE # _____ CRASH CASE # _____

TIME OF STOP/CRASH **0403** DATE **08/13/2023** DAY **Sunday**

SUBJECT'S NAME **Gomez Garcia, Jose, Alvaro** RACE **W** SEX **M**

HGT **5'8"** WGT **150** DOB **5/23/1982**

LOCATION **Military Trail / Summit Blvd, West Palm Beach, FL. 33415**

ARRESTING OFFICER'S NAME & ID **D/S D. Snelgrove (38872)** AGENCY **Palm Beach County Sheriff's Office**

DIVISION: **Road Patrol**

NOTIFIED BY COMMO **YES**

ARRIVAL AT FACILITY **0513**

ARREST TIME **0501**

BREATH RESULTS:

.108
.119

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TESTING OFFICER'S ID **16877** PBSO VIDEOTAPE # N/A

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.	
	☐	(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	☒	316.650(b)	Other: Driver information contained in a uniform traffic citation	7
	☐		Other:	

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REVIEW COMPLETED BY

Booking Number: 2023021059	**Date:** 8/14/2023
	Specialist Name/ID: T.Howard/7185