0397019 50-2023-CF-002241 AMB

970

ARREST / NOTICE TO APPEAR

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

1 JUVENILE

ADMINISTRATION

OBTS Number

Agency ORI Number	Agency Name	Agency Report Number (N.T.A.'s only)
0501700	Jupiter Police Department	5 4 23-001089

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: 1

Location of Arrest (Including Name of Business)	Location of Offense (Business Name, Address)
2399 S ALT A1A JUPITER, FL 33477	2399 S ALT A1A/ADMIRALS COVE BLVD, JUPITER, FL 33477

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
03/11/2023	20:14	03/11/2023	20:24			

DEFENDANT

Name (Last, First, Middle): SMITH, JOSHUA RANDALL — Alias (Name, DOB, Soc. Sec. #, Etc.): Alias:

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	01/01/1990	5'08	140	BROWN	BROWN	MEDIUM	SMALL

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

Marital Status: S — Religion: NONE

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

Local Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Residence Type: 1. City 2. County 3. Florida 4. Out of State
50 BEACH RD 302, TEQUESTA, FL 33469					1

Permanent Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Address Source
50 BEACH RD 302, TEQUESTA, FL 33469					DHSMV

Business Address (Name, Street)	(City)	(State)	(Zip)	Phone	Occupation
				(561) 346-6033	

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
S530436900010 / FL	[redacted]		KEY WEST, FL	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) NONE — Date — Time — JUVENILE DISPOSITION 1. Handled/Processed within Department and Released 2. TOT JAC 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 355-2526) informed of any change of address.

School Attended — Grade

Property Crime? ☐ Yes ☒ No — Description of Property — Value of Property

☐ Yes, by: ☐ No:

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	Statute Violation Number	Violation of ORD #
DUI - CAUSING SERIOUS BODILY INJURY	316.193(3)(C)2	

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		

INTAKE

Health / Apparent Physical Condition of Defendant

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

FILED PBC - CLERK CIRCUIT COURT 23 MAR 12 AM 8:21

Transported By — Date Transported — Time Transported — Other

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): To Be Assigned By

Court Date and Time

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.

FELONY - TO BE SERVED

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

No Photo Available

23 MAR 12 AM 8:20

ADMIN

HOLD for Other Agency: ☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other

Signature of Arresting Officer: 1185

Name of Arresting Officer (Print): YOCHUM, CRAIG — I.D. #: 1185

Name Verification (Printed by Arrestee) (PRINT)

Intake Deputy — I.D. # — Pouch #

Transporting Officer: OFC. C. YOCHUM — I.D. #: 1185 — Agency: JPD

Witness here if subject signed with an "X".

PAGE 1 OF 1

☐ COURT ☐ STATE ATTORNEY ☒ AGENCY ☐ CENTRAL RECORDS ☐ JAIL ☐ CRIME ANALYSIS ☐ P.I.G. ☐ DEFENDANT

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PROBABLE CAUSE AFFIDAVIT

OBTS Number:

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

JUVENILE:

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FL 0501700	JUPITER POLICE DEPARTMENT	5 | 4 23-001089

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

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
SMITH, JOSHUA RANDALL		W	M	01/01/1990

CHARGES

Charge Description	Charge Description
316.193(3)(C)2 DUI - CAUSING SERIOUS BODILY INJURY	

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
MARIUS, NESTOR	B	M	01/06/1960

Local Address (Street, Apt. Number) (City) (State) (Zip)	Phone	Address Source
3120 CONGRESS PARK DR 1214, LAKE WORTH, FL 33461		

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 KEVIN DALY who told OFC. YOCHUM 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 11 day of March, 2023 at 20:14 (Specifically include facts constituting cause for arrest.)

On 03/11/2023 at approximately 1933 hours, I responded to S.R. 811 (S Alternate A1A) and Admiral`s Cove Blvd. in the Town of Jupiter, Palm Beach County, Florida in reference to a motor vehicle crash with injuries.

Dispatch advised several callers stated there were at least 3 vehicles involved and could hear a significant amount of screaming in the background.

Upon arrival, I observed a black Infiniti SUV bearing FL tag # 688QPQ stopped on the west shoulder of S.R. 811, approximately 100 feet north of the intersection with Admiral`s Cove Blvd. The Infiniti had extensive front-end damage to the entire front bumper and engine compartment of the vehicle. In front of the Infiniti, I observed a blue Chrysler van bearing FL tag # ITZI65 stopped obstructing the outside southbound through lane of S.R. 811. The Chrysler had extensive disabling damage to the entire rear of the vehicle (rear bumper had been pushed all the way to the third row rear seating), and front bumper. Additionally, I observed a white Cadillac SUV bearing FL tag # CDDC64 stopped (facing south) in the outside through lane with disabling damage to the rear bumper.

As I approached the scene, I made contact with the registered owner of the Infiniti who I identified to be the registered owner: Joshua Smith (w/m; 01/01/1990). Smith was standing on the driver side of the Infiniti between the Infiniti and the Chrysler. As I approached Smith, I noted he was on the phone and was staggering around. I made contact with Smith and observed he had bloodshot/glassy eyes, slurred speech, a flushed face, and I could smell the odor of an unknown alcoholic beverage on his breath which intensified as he spoke. Smith appeared to have an injury to his right ankle and I advised him to sit in his vehicle so he did not exacerbate the injury. After I advised Smith to sit, he began walking forward (towards me) pointing to the other two crashed vehicles in an attempt to check on the welfare of the other parties. As Smith walked

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

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

03/11/2023
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

YOCHUM, CRAIG (1185)
NAME OF OFFICER (PLEASE PRINT)

03/11/2023
DATE

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

ADMIN

OBTS Number	PROBABLE CAUSE AFFIDAVIT SUPPLEMENT	1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias	1	JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL 0501700	JUPITER POLICE DEPARTMENT	5 | 4 | 23-001089

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

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
SMITH, JOSHUA RANDALL		W	M	01/01/1990

PROBABLE CAUSE STATEMENT

towards me, his arm hit me and he walked right into me which gave the appearance that he was unaware of his surroundings and very uncoordinated.

I then made contact with Palm Beach County Fire Rescue personnel who were loading the driver of the Chrysler [Nestor Marius (b/m; 01/06/1960)] into the back of an ambulance. I was advised by PBCFR that Marius had a bad break to his humerus (the bone between his elbow and shoulder). PBCFR further advised me that, due to the severity of the crash, Marius` injury, and Marius` age (63 years old) that they were declaring him a trauma patient and transported him to the St. Mary`s Trauma Center.

I made contact with two witnesses to the crash: Jeremy Serrano (w/m; 05/16/1998) and Kevin Daly (w/m; 08/14/1993). Serrano advised he was traveling southbound on S.R. 811, approaching the intersection with Admiral`s Cove Blvd. Serrano advised he heard tires screeching and observed the front of the Infiniti slam into the rear end of the Chrysler. Serrano further advised the traffic control signal at the intersection for southbound traffic was solid red when the crash occurred. Serrano advised he exited his vehicle and observed Smith standing by the driver side of his car, rummaging through documentation giving Serrano the impression that Smith was the driver of the vehicle. Serrano identified Smith to me on scene. I collected a BWC sworn statement from Serrano on scene.

Witness Daly advised he observed the Infiniti traveling southbound in the outside through lane of S.R. 811 at a high rate of speed. Daly stated the Infiniti passed him on the passenger side and approached the stopped vehicles at the intersection with Admiral`s Cove Blvd. Daly advised the Infiniti crashed into the back of the Chrysler at the traffic light. Daly exited his vehicle and approached the crashed vehicles to check the welfare of the occupants. Daly advised, when he approached, Smith was seated inside the Infiniti and was searching through documentation immediately after the crash occurred. Daly identified Smith to me as the driver of the Infiniti. See sworn BWC statement from Daly.

I completed the crash investigation and approached Smith. I advised Smith that my crash investigation was over and I was starting a criminal DUI investigation. I then advised Smith of his Miranda Warnings and confirmed he understood each one. Post-Miranda, Smith advised he was the only person in his vehicle at the time of the crash. Smith stated he was coming from a friends house in Hobe Sound and was traveling back to his residence in North Palm Beach. Smith stated he ran into the back of the vehicles at the traffic light.

I then requested Smith perform Standardized Field Sobriety Tasks (SFSTs). Due to his apparent injury to his ankle, I advised Smith that I would request he perform the Seated Battery of SFSTs. Smith refused. I advised Smith that his refusal would force me to base a decision on the evidence I had so far and his refusal could be used as evidence

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

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

03/11/2023
DATE

SIGNATURE OF ARRESTING/INVESTIGATING OFFICER

YOCHUM, CRAIG (1185)
NAME OF OFFICER (PLEASE PRINT)

03/11/2023
DATE

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

ADMIN	OBTS Number	PROBABLE CAUSE AFFIDAVIT SUPPLEMENT	1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias	1	JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL 0501700	JUPITER POLICE DEPARTMENT	5 | 4 | 23-001089

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

Special Notes:

DEF	Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
	SMITH, JOSHUA RANDALL		W	M	01/01/1990

PROBABLE CAUSE STATEMENT

against him in court. Smith advised he understood. I briefly explained each of the Seated Battery of SFSTs to Smith so he would know what he was refusing to perform. Smith refused to perform the Horizontal Gaze Nystagmus task, Hand Coordination task, Palm Pat task, and the Finger to Nose task.

Additionally, Officers on scene located a black cooler approximately 20 feet in front of the Infiniti Smith was driving at the edge of the grass shoulder and wooded area. Inside the cooler was Smith`s Passport and three Smirnoff Vodka shooter bottles (single shot servings). Two of the Vodka bottles appeared to be completely full and one Vodka bottle was completely empty.

I placed Smith under arrest for DUI and transported him to the Jupiter Medical Center while I applied for a search warrant for Smith`s blood. Upon receipt of the search warrant, I requested Smith provide a lawful sample of his blood for the purpose of determining the alcohol content and the presence of chemical and/or controlled substances. Smith refused. I read Smith Implied Consent (excluding the sentence that if he had a prior refusal to submit he would be charged with a misdemeanor), confirmed his understanding and again requested he provide a blood sample. Smith requested a few moments to think and ultimately refused to provide a blood specimen at 2146 hours.

I advised Smith I had secured a search warrant for his blood and read the search warrant to him. Smith requested to look over the search warrant and I allowed him to do so. After reading over the warrant, I advised Smith that I was legally authorized to draw his blood and that his refusal to submit would be noted. Smith understood and RN Joshua Cook with the Jupiter Medical Center drew Smith`s blood at 2156 hours. I immediately took possession of the vials and sealed them. The blood vials were later submitted to JPD Evidence for toxicological analysis.

Based on the aforementioned facts resulting from my investigation, I believe Probable Cause exists to charge Joshua Smith with DUI - Causing Serious Bodily Injury because he drive a vehicle while under the influence of alcoholic beverages, or chemical substances as set forth in Florida Statute 877.111, or any substance controlled under Chapter 893 or any combination thereof, to the extent that his normal faculties were impaired, and by reason of such operation, did cause or contribute to causing serious bodily injury to the person of Nestor Marius, contrary to Florida Statute 316.193(3)(a),(b) and (c)(2).

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

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

03/11/2023
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

YOCHUM, CRAIG (1185)
NAME OF OFFICER (PLEASE PRINT)

03/11/2023
DATE

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

23-001089

STATE OF FLORIDA
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BLOOD TEST

I, **Officer Craig Yochum # 1185**, a duly certified Law Enforcement or Correctional Officer, am a
(Name of Officer reading Implied Consent Warning)

member of **Jupiter Police Department**, and I do swear
(Name of Law Enforcement Agency)

or affirm that on or about the **11th** day of **March**, 20 **23**, at **8:44** ☑P.M. ☐A.M.

DRIVER **Joshua** **Randall** **Smith**,
FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL # **S-530-436-90-001-0**, state of **Florida**, appeared for treatment at a hospital, clinic, or other medical facility pursuant to s. 316.1932(1)(c), Florida Statutes, and a breath or urine test was impossible or impractical.

That on or about the **11th** day of **March**, 20 **23**, at **9:46** ☑P.M. ☐A.M.

in **Palm Beach** County,

I requested that the driver submit to a **BLOOD** test for the purpose of determining its alcohol content and/or the presence of chemical or controlled substances. I informed the driver that refusal to submit to a blood test 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. Nonetheless, the driver refused to submit to the test requested.

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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 **23**,

by **Officer Craig Yochum # 1185**,

who is personally known to me or who has produced **Personally Known** as identification.

Notary Public _____

Title **Police Officer**

Date **03/11/2023**

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.

EFFECTIVE OCTOBER 1, 2021

WITNESS LIST

CASE NUMBER: 23-001089

ARRESTING OFFICER: Craig Yochum

ADDRESS: 196 Military Trl. Jupiter, FL 33458

PHONE NUMBERS (HOME): _____ (WORK) 561-746-6201

CAN TESTIFY TO: PC

NAME: Kevin Daly

ADDRESS: 5811 Keith Rd. Jupiter, FL 33458

PHONE NUMBERS (HOME) _____ (WORK) 561-603-9733

CAN TESTIFY TO: BWC Sworn Statement

NAME: Jeremy Serrano

ADDRESS 7 Fortune Rd. W Middletown, NY 10941

PHONE NUMBERS (HOME) _____ (WORK) 646-708-6117

CAN TESTIFY TO: BWC Sworn Statement

NAME: Nestor Marius

ADDRESS 3120 Congress Park Dr. Apt 1214 Lake Worth, FL 33461

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: Victim of Crash (broken humerus)

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: _____

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PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

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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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IN THE COUNTY/CIRCUIT COURT
OF THE 15TH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

SEARCH WARRANT

THE STATE OF FLORIDA
COUNTY OF PALM BEACH

IN THE NAME OF THE STATE OF FLORIDA, TO ALL AND SINGULAR:

The Sheriff of PALM BEACH County, Florida, and the Sheriff's deputies, any police officer in PALM BEACH County, Florida, within whose jurisdiction the Property to be searched is found, and the Commissioner of the Florida Department of Law Enforcement, and any of his duly constituted Agents.

WHEREAS, a complaint on oath and in writing, supported by affidavit of a credible witness has this day been presented to me, and upon examination of the affidavit and application for this search warrant, I am satisfied that probable cause exists that the Premises located in PALM BEACH County, Florida described as: 1210 S Old Dixie Hwy , Jupiter, FL, 33458.

From the Jupiter Police Department (196 Military Trail Jupiter, Florida 33458): Travel south on Military Trail for 0.59 miles. Turn left (east) onto Jupiter Lakes Boulevard and travel for 0.54 miles. Turn left (north) and enter the parking lot of the Jupiter Medical Center (1210 South Old Dixie Highway Jupiter, Florida 33458). Follow the parking lot signs directing traffic to the Emergency Room. The suspect is currently being held in police custody in Jupiter Medical Center ER room number 27.

Joshua Randall Smith (date of birth 01/01/1990, social security number [redacted] is a 33 year old white male. Smith is approximately five feet eight inches tall and weighs approximately one hundred forty pounds. Smith has brown hair and brown eyes.

Herein after referred to as the "Premises",

Being the Premises of, or occupied by, or under the control of:

The suspect is Joshua Randall Smith (white male, date of birth 01/01/1990, social security number [redacted]. Smith is 33 years old, is approximately five feet eight inches tall, and weighs approximately one hundred forty pounds. Smith has brown hair and brown eyes.

Now has certain Property contained therein, particularly described as:

A blood withdrawal (tubes of blood) specifically and only pertaining to Joshua Randall Smith (white male, date of birth 01/01/1990, social security number [redacted]. These blood samples would indicate whether Joshua Randall Smith was impaired while operating a motor

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Agency Name: Jupiter Police Department	Warrant No.: JUP 2023 000033
Agency Case No.: 23-001089	Reviewing Prosecutor:Amy Berkman

vehicle in reference to this case (JPD Case Number 23-001089) and was under the influence of alcohol or any chemical/controlled substances on 03/11/2023, the date this incident occurred.

Herein after referred to as "Property,"

which constitutes evidence relevant to proving that a felony has been committed, to wit:

1 Count of 316.193(3)(c)(2)--DUI Causing Serious Bodily Injury-- (FELONY)

NOW THEREFORE, the Sheriff of PALM BEACH County, Florida, and all of his deputies, any police officer in PALM BEACH County, Florida within whose jurisdiction the aforesaid Property to be searched is found, the Commissioner of the Florida Department of Law Enforcement, and any of his duly constituted Agents, are hereby commanded with lawful and proper assistance as may be necessary in the name of the State of Florida, to enter and search the Premises hereinbefore specified and all of its spaces where the Property might be kept and any person thereon reasonably believed to be connected with the illegal activity; making the search in the daytime or the nighttime, as the exigencies may demand or require, or on Sunday, and if the Property is found there, to seize it, arrest all persons unlawfully possessing it, and to bring the same before a court of competent jurisdiction.

You are further commanded, in the event that you seize any of the said Property hereinbefore described, to make up, at the time and place of seizure, a full, true and itemized list and inventory of all things seized and taken, in duplicate, signed by you, and to then and there give and deliver the said duplicate copy thereof to the person from whom possession shall be taken, if taken from the possession of anyone, together with a duplicate copy of this warrant, and if not taken from the possession of anyone, then to any person in charge of said Premises and in the absence of any such person, to leave the same on or in the Premises.

The original of the warrant, together with the original inventory, shall be returned and filed with the Clerk of the Court as stated above within ten (10) days of the issuance of this warrant. Further, any Property seized or taken shall be impounded for use as evidence at any trial of any criminal or penal cause growing out of any subject having or possessing said Property.

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Saturday, March 11, 2023 21:24:47

Agency Name: Jupiter Police Department	Warrant No.: JUP_2023_000033
Agency Case No.: 23-001089	Reviewing Prosecutor:Amy Berkman

WITNESS MY HAND AND SEAL this 11 of March in the year 2023.

Carolyn Bell

Carolyn Bell
15TH Judicial Circuit
In and for PALM BEACH County, Florida
March 11 2023 09:24:47 PM

NOT A CERTIFIED COPY

Saturday, March 11, 2023 21:24:47

Agency Name: Jupiter Police Department	Warrant No.: JUP 2023 000033
Agency Case No.: 23-001089	Reviewing Prosecutor:Amy Berkman

JUPITER POLICE DEPARTMENT
INVENTORY AND RETURN

STATE OF FLORIDA
COUNTY OF PALM BEACH

Received this search warrant, Palm Beach County, Florida on the 11th day of March, 2023 and served on the 11th day of , March, 2023 by reading and delivering a copy to:

Joshua Randall Smith (w/m; 01/01/1990)

and making search as directed, upon which the following items were found:

Two (2) vials of blood specifically and only pertaining to Joshua Randall Smith (white male, Date of birth 01/01/1990, social security number [redacted]

NOT A CERTIFIED COPY

I, Officer Craig Yochum, the officer by whom this warrant was executed, do swear that the inventory contains a true and detailed account of all the property taken by the Jupiter Police Department under the authority of this warrant.

Sworn to and subscribed before me
The 11th day of, March, 2023.

1165
OFFICER'S SIGNATURE – I.D./EMP#

1205
Notary Public/Clerk of Court/Police Officer (F.S.S. 117.10)

Note: The original warrant application, search warrant, and the inventory return must be filed with the Clerk of the Court as stated in the Search Warrant within ten (10) days of the issuance of the warrant.

SUBJECT: **Smith, Joshua Randall** CASE NUMBER: **23-001089**

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 detecting the presence of chemical or controlled substances.

-OR-

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

NOTE: READ ONLY IF THE SUBJECT DOES NOT COMPLY WITH YOUR REQUEST

I am **Officer Craig Yochum # 1185** of the **Jupiter Police Department**

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.

SUBJECT'S SIGNATURE: **Read on Camea** **Smith, Joshua Randall**

CONSTITUTIONAL WARNINGS

I AM REQUIRED TO WARN YOU BEFORE YOU MAKE ANY STATEMENTS THAT YOU HAVE THE FOLLOWING RIGHTS:

You have the right to remain silent and not answer any questions.

Any statement must be freely and voluntarily given.

You have the right to the presence of a lawyer of your choice before you make any statement and during any questioning.

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.

If at any time during the interview you do not wish to answer any questions, you are privileged to remain silent.

I can make no threats or promises to induce you to make a statement. This must be of your own free will.

Any statement can and will be used against you in a court of law.

SUSPECT'S SIGNATURE: **Read on Camera** **Smith, Joshua Randall**

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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:	

NOT A CERTIFIED COPY

REVIEW COMPLETED BY

Booking Number: 2023006690	**Date:** 3/12/2023
	Specialist Name/ID: R.Castro/40259