24CT216558

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

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

☐ Check if Supplement is Attached

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

Juvenile: 1 | N

ADMINISTRATIVE

OBTS Number:

Agency ORI Number: FL0 5 0 0 0 0 0 | Agency Name: PALM BEACH COUNTY SHERIFF'S OFFICE | Agency Report Number: 06-24-031872 ( )

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): S Military Tr / Hypoluxo Rd , Lake Worth 33463

Location of Offense (Business Name, Address): S Military Tr / Hypoluxo Rd Lake Worth 33463

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
02/06/2024	0312					

DEFENDANT

Name (Last, First, Middle): Mccreery, Madeline, Hope

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	F	1/20/1997	5'10	110	Grn	Blk	Fair	Thin

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

Marital Status: Single | Religion: CHRISTIAN | Indication of: Alcohol Influence (Y ☒ N ☐ Unk ☐) Drug Influence (Y ☐ N ☐ Unk ☒)

Local Address (Street, Apt. Number) (City) (State) (Zip): 2801 Somerset Rd, Lantana, FL 33462 | Mobile Phone: (561) 602-2429 | 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: Batender

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
M266548975200, FL	[redacted]		Lantana, FL	USA

CO-DEF

Co-Defendant (Last, First, Middle) | Race | Sex | Date of Birth | ☐ 1. Arrested ☐ 2. At Large | ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile

Co-Defendant (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) 355-6511) 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 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 #	Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
Driving Under the Influence		☐Y ☐N	316.193(1A)		N	N		24-031872		

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #	Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
		☐Y ☐N								

FILED PBC - GUN CLUB 24 FEB 1 AM 7:00

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #	Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
		☐Y ☐N								

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #	Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
		☐Y ☐N								

NOTICE TO APPEAR

Location (Court, Room Number, Address): South County Courthouse, Courtroom #1, 200 W. Atlantic Ave., Delray Beach, FL 33444 - Ph: (561) 355-2996

Court Date and Time: Month March Day 05 Year 2024 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

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 | Signature of Arresting Officer: X | Name Verification (Printed by Arrestee) (PRINT)

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other: | Name of Arresting Officer (Print): D/S Jaime A Ramirez | I.D. #: 26733

Intake Deputy: G. Nunez (7266) I.D. # | Pouch # | Transporting Officer: D/S Jaime A Ramirez | I.D. #: 26733 | Agency: PBSO | 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)

05469881

3732

NOT A CERTIFIED COPY

PROBABLE CAUSE AFFIDAVIT

OBTS Number:

1 Arrest 2 NTA 3 Request for Warrant 4 Request for Capias: 1

Juvenile:

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FLO 5 0 0 0 0 0	PALM BEACH COUNTY SHERIFF'S OFFICE	24-031872

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
Mccreery, Madeline, Hope		W	F	1/20/1997

CHARGES

Charge Description	Charge Description
DUI 316.193(1)	
Charge Description	Charge Description

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
, ,			

Local Address (Street, Apt Number) (City) (State) (Zip)	Phone	Address Source
,	( )	
Business Address (Name, Street) (City) (State) (Zip)	**Phone**	**Occupation**
	( )	

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.

☐ 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 committed the below acts, resulting from my (described) investigation.

On the 6 day of February 20 24 at 0235 ☒ A.M ☐ P.M (Specifically include facts constituting cause for arrest.)

PROBABLE CAUSE STATEMENT

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

I responded to a 911 call of a female passed out behind the wheel of a gray Mazda. Upon my arrival, I observed a gray Mazda SUV in the northbound lanes of S Military Trail at the intersection of Hypoluxo Rd. The vehicle was stopped within two lanes of travel. I observed a white female sitting the driver's seat of the vehicle. The vehicle was running and in drive with the driver's foot on the brake. The female was slumped over the center console and passed out. I opened the driver's side door and put the vehicle into park, turn the engine off, and removed the vehicle's keys from the ignition.

I attempted to wake up the driver by verbally telling her to wake up, however she did not respond. I then gently shook her left arm, again, she did not respond. I then more aggressively shook her by her shoulder and she began to wake up. She was extremely groggy.

She told me she was at the intersection of Congress and Hypoluxo. [redacted]. Her speech was extremely slurred and thick. As she spoke, I could smell a strong odor of an unknown alcoholic beverage coming from her breath. Her eyes were red and glassy.

I requested her driver license and she looked for it but was unable to provide it. She looked in the same backpack numerous times for her driver license and was unable to locate it.

Deputy J. Ramirez #26733 responded and conducted a DUI investigation.

NOT A CERTIFIED COPY

ADMINISTRATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

Sgt. A. Soloway
(Signature of Arresting /Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 6 day of February 20 23 by Sgt. A. Soloway

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

DS J Ramirez 26733
Notary Public, Clerk of Court, Officer (F.S.S.) 117.10(1)

DISTRIBUTION WHITE – Court Copy GREEN – State Attorney YELLOW – Agency PINK – Agency

PBSO #0004 REV. 04/22

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	24-031872

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

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
Mccreery, Madeline, Hope		W	F	1/20/1997

CHARGES

Charge Description		Charge Description	
Driving Under the Influence	316.193(1A)		
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**
	( )	

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.

☐ 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 committed the below acts, resulting from my (described) investigation.

On the 6 day of February 20 24 at 0312 ☐ A.M ☐ P.M (Specifically include facts constituting cause for arrest.)

PROBABLE CAUSE STATEMENT

☐ 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. The area appeared flat and even to the naked eye well-lit and clear of any large debris. It wascold and not windy. The area was dry. The tasks were recorded on my Body Worn Camera and the Dash Cam in my PBSO patrol vehicle.

Horizontal Gaze Nystagmus (HGN)

I placed the defendant with their feet together and hands down by their side. I instructed the defendant to await the instructions' completion before beginning the task, which the defendant understood. I then instructed the defendant on the task, which the defendant understood . I placed my stimulus (a pen) in front of the defendant and asked if she could see it, to which she said, "Yes." Upon commencing the task, the defendant kept her head and eyes still and did not follow my stimulus. I again instructed her to follow the stimulus with only her eyes to which she stated she understood. Upon commencing the task again she moved her head and eyes to follow the stimulus. I again instructed her to follow the stimulus with her eyes only which she stated she understood. During the task, I observed the defendant had equal pupil size and did not exhibit resting nystagmus. The defendant's eyes tracked equally. I observed a lack of smooth pursuit in both of the defendant's left and right eyes. I observed a distinct and sustained nystagmus while I held the stimulus maximum deviation in both the defendant's left and right eyes. I observed the onset of nystagmus with the stimulus held at/or prior to 45 degrees in both of the defendant's left and right eyes.
I checked the defendant for Vertical Gaze Nystagmus (V.G.N.). I observed nystagmus in both of the defendant's left and right eyes.

NOT A CERTIFIED COPY

ADMINISTRATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

29733 D/S Jaime A Ramirez
(Signature of Arresting /Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 6 day of February 20 24 by D/S Jaime A Ramirez

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

Madelin Gonzalez (#40577)
Notary Public, Clerk of Court, Officer (F.S.S). 117.10

MADELIN GONZALEZ
Notary Public
State of Florida
Comm# HH225716
Expires 2/7/2026

PAGE 1 OF 2

PBSO #0004 REV. 12/22

DISTRIBUTION: STATE ATTORNEY AGENCY AGENCY DEFENDANT (N.T.A.'S ONLY)

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 6 DAY OF February 20 24, AT 0312 AM PM

SUBJECT: Mccreery, Madeline, Hope CASE NUMBER: 24-031872

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: D/S Jaime A Ramirez

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 near the intersection of S Military Tr and Hypoluxo Rd, in unincorporated Lake Worth, Palm Beach County to conduct a possible DUI investigation. I arrived at the scene at approximately 0245 hrs. On arrival I made contact with Sgt Soloway who informed me of the following:
I responded to a 911 call of a female passed out behind the wheel of a gray Mazda. Upon my arrival, I observed a gray Mazda SUV in the northbound lanes of S Military Trail at the intersection of Hypoluxo Rd. The vehicle was stopped within two lanes of travel. I observed a white female sitting the driver's seat of the vehicle. The vehicle was running and in drive with the driver's foot on the brake. The female was slumped over the center console and passed out. I opened the driver's side door and put the vehicle into park, turn the engine off, and removed the vehicle's keys from the ignition.
I attempted to wake up the driver by verbally telling her to wake up, however she did not respond. I then gently shook her left arm, again, she did not respond. I then more aggressively shook her by her shoulder and she began to wake up. She was extremely groggy.
She told me she was at the intersection of Congress and Hypoluxo. [redacted]. Her speech was extremely slurred and thick as she spoke, I could smell a strong odor of an unknown alcoholic beverage coming from her breath. Her eyes were red and glassy.

I requested her driver license and she looked for it but was unable to provide it. She looked in the same backpack numerous times for her driver license and was unable to locate it.

OBSERVATION OF DRIVER:

Driver appeared unsteady on her feet. She had glassy eyes and appeared nervous.

DRIVER'S STATEMENTS:

She said she was coming home from work. She initially said she was on Boynton Beach, then looked at the street sign and said she was on S Military Tr. When I asked how much she'd had to drink she said she hadn't drank anything. I asked why she was asleep in the intersection and she said she was not asleep. I told her my supervisor had found her asleep at the wheel and she said that did not happen.

ODORS:

There was an obivous odor of an unknown alcoholic beverage, based on my training and life experiences, which intensified as the defendant spoke to me.

GENERAL OBSERVATIONS

SPEECH: **Slurred**

ATTITUDE: **Nervous**

CLOTHING: **Blue shorts, pink top, grey sweater**

MEDICAL/OTHER: **None**

NOT A CERTIFIED COPY

TATE OF FLORIDA
'OUNTY OF PALM BEACH

D/S Jaime A Ramirez
ignature of Arresting/Investigative Officer)

ne foregoing instrument was sworn to or affirmed and subscribed before me this 6 day of February 2024 by D/S Jaime A Ramirez

rint name of Arresting/Investigative Officer), who is personally known to me and/or produced identification Type of identification produced Known LEO

Madelin Gonzalez (#40577)
otary Public, Clerk of Court, Officer (F.S.S. 117.10)

MADELIN GONZALEZ
Notary Public
State of Florida
Comm# HH225716
Expires 2/7/2026

SUBJECT: Mccreery, Madeline, Hope **CASE NUMBER** 24-031872

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

)ther Observations:
See PC

WALK & TURN:

With the assistance of another deputy, I placed an approximately 2" wide piece of yellow on the ground. I had the defendant stand at the end of the yellow tape. I asked the defendant if she knew their left from high right, which she did. I asked the defendant if she could see the line, and the defendant stated she could. I asked the defendant what color the line was, and the defendant stated yellow. I instructed the defendant to place her left foot on the line with her righ foot in front of the left, heel to toe, and her hands down by her side. I instructed the defendant to remain in the position throughout my instructions and demonstration and not to start the task prior to me telling her to begin. The defendant acknowledged and stated she understood my instructions. I instructed the defendant on the task, which I also demonstrated. The defendant stated that she understood the instructions for the task. The defendant swayed during my instructions. The defendant came out of the stance and was re-instructed to get into the instruction stance. Once the defendant was told to begin the task, she missed heel to toe, stepped off the line, made an improper turn, walked the incorrect number of steps, and slowed/stopped to balance/steady herself, and spontaneously stopped prior to completing the task. The defendant did not count out loud as instructed and swayed throughout completing the task.

ONE LEG STAND:

I instructed the defendant to stand with her feet together and her hands down by his side and to remain in the position throughout the instructions and demonstration. The defendant stated she understood. The defendant swayed while in the instructional position and came out of the instructional position. After being told to begin, the defendant put her foot down prior to being told to stop, used her arms for balance and swayed. The defendant did not count in the manner instructed. The defendant did not poin her toe and look at her toe as instructed. The defendant spontaneously stopped the task prior to being instructed to stop.

FINGER TO NOSE:

I instructed the defendant to stand with her feet together and their hands down by their side. I instructed the defendant to remain in the position throughout the instructions and demonstration until I gave the indicator to begin, which she stated she understood. The defendant swayed while in the instructional position. I instructed the defendant on the task and demonstrated the task, which the defendant understood. The defendant proceeded to miss/search for the tip of her nose with the tip of her finger, started with the wrong hand, and did not bring her hand immediately back as instructed. The defendant did not keep her head tilted back and opened her eyes during the task. The defendant swayed throughout the task.

ROMBERG ALPHABET:

I instructed the defendant to stand with feet together and hands down by her side and to remain in the position throughout the instructions and demonstration. The defendant stated that she understood. The defendant swayed while in the instructional position. The defendant stated that she knew her English alphabet from A to Z and could count in English from 0 to 100. I instructed and demonstrated the task to the defendant, which she stated she understood. The defendant then proceeded to misstate their alphabet while attempting numerous times. The defendant at one point recited the alphabet in a rhythmic manner after being instructed not to do so. The defendant did not keep her head tilted back and opened her eyes during the task.

3REATH TEST RESULTS: | 1) **Refused** | 2) **Refused** | 3) | 4) |

TATE OF FLORIDA
'OUNTY OF PALM BEACH

D/S Jaime A Ramirez
Signature of Arresting/Investigative Officer)

ne foregoing instrument was sworn to or affirmed and subscribed before me this 6 day of February 20 24 by D/S Jaime A Ramirez

'rint name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced Known LEO

Madelin Gonzalez (#40577)
otary Public, Clerk of Court, Officer (F S.S 117 10)

MADELIN GONZALEZ
Notary Public
State of Florida
Comm# HH225716
Expires 2/7/2026

NOT A CERTIFIED COPY

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	3,5
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	7
	☐	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	☐			
	☐			
	☐			
	☐			

NOT A CERTIFIED COPY

REVIEW COMPLETED BY

Booking Number: 2024003350	**Date:** 2/7/2024
	Specialist Name/ID#: ANGELA PINKNEY/7796