0544129

23 CT-18410 ANB

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

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

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

ADMINISTRATIVE

OBTS Number				Juvenile
			1	N

Agency ORI Number	Agency Name	Agency Report Number
FLO 5 0 2 6 0 0	PALM BEACH GARDENS POLICE DEPARTMENT	78 - 23005180

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

Weapon Seized / Type: 2 (1. Yes 2. No) | Multiple Clearance Indicator:

Location of Arrest (Including Name of Business)	Location of Offense (Business Name, Address)
SHADY LAKES/PGA BLVD, PALM BEACH GARDENS, FL, 33410	SHADY LAKES/PGA BLVD, PALM BEACH GARDENS, FL, 33410

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle KAUFF'S TOWING AND RECOVERY
10/11/2023	20:21					4701 EAST AVENUE, WPB, FL 33407

DEFENDANT

Name (Last, First, Middle): PETRON, MARY, T — Alias (Name, DOB, Soc. Sec. #, Etc.)

Race (W - White I - American Indian B - Black 0- Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	F	10/22/1939	507	185	BROWN	BROWN	LIGHT	MEDIUM

Scars, Marks, Tatoos, Unique Physcal Features (Location, Type, Description): NONE

Marital Status: Widowed — Religion: CATHOLIC

Indication of: Alcohol Influence ☑ Y ☐ N ☐ Unk. — Drug Influence ☐ Y ☐ N ☑ Unk.

Local Address (Street, Apt. Number) (City) (State) (Zip)	Phone	Residence Type: 1. City 2. County 3. Florida 4. Out of State
110 GREEN POINTE CIR, PALM BEACH GARDENS, FL, 33410	(561) 762-1886	/

Permanent Address (Street, Apt. Number) (City) (State) (Zip)	Phone	Address Source
SAME AS LOCAL	(561) 762-1886	FL DL

Business Address (Name, Street) (City) (State) (Zip)	Phone	Occupation
		INTERIOR DESIGNER

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
P365598398820 FL	[redacted]		EAST ORANGE, NJ	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
				☐ 1. ☐ 2.	☐ 3. ☐ 4. ☐ 5.
Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	1. Arrested 2. At Large	3. Felony 4. Misdemeanor 5. Juvenile
				☐ 1. ☐ 2.	☐ 3. ☐ 4. ☐ 5.

JUVENILE

☐ Parent ☐ Legal Custodian ☐ Other: Name (Last) (First) (Middle) — Residence Phone

Address (Street, Apt. Number) (City) (State) (Zip) — Business Phone

1 - OK
2 - OK

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 provided by ☐ defendant and / or ☐ defendant's parents The child and / or parent was told to keep the Juvenile Court Clerk (Phone 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 — 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. Synthetics — U. Unknown Z. Other

CHARGE (1)

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
DUI - NORMAL FACULTIES IMPAIRED	1	☐ Y ☒ N	316.193(1)(A)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant I Capias Number	Bond
N	N		23005180		

CHARGE (2)

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
DUI - DAMAGE TO PERSON/PROPERTY	1	☐ Y ☒ N	316.193(3)(C)(1)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
N	N		23005180		

CHARGE

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

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

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

FILED PBC GUN CLUB
23 OCT 12 AM 7:21

NOTICE TO APPEAR

Location (Court, Room Number, Address): NORTH COUNTY COURTHOUSE, 3188 PGA BOULEVARD, PALM BEACH GARDENS, FL 33410 - PH: (561) 662-6700

Court Date and Time: Month NOVEMBER Day 15 Year 2023 Time 1000 AM X PM

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: 10/11/2023

ADMIN

HOLD for other Agency Name: — Signature of Arresting Officer: X

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other:

Name of Arresting Officer (Print): N.BADOLATI — I.D. #: 552

Name Verification (Printed by Arrestee) (PRINT) — OCT 12 AM 8:14

Intake Deputy	I.D. #	Pouch #	Transporting Officer	ID #	Agency
	1932		N.BADOLATI	552	PBGPD

Witness here if subject signed with an X

PAGE 1 OF 1

SCANNED
OCT 12 2023

2235

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PROBABLE CAUSE AFFIDAVIT

ADMIN

OBTS Number:

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 FL0502600	Palm Beach Gardens Police Department	7 | 8 | 23-005180

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
PETRON, MARY T		W	F	10/22/1939

CHARGES

Charge Description	Charge Description
316.193(1)(A) DUI - NORMAL FACULTIES IMPAIRED	316.193(3)(C)(1) DUI - DAMAGE TO PERSON/PROPERTY
Charge Description	Charge Description

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
DIXON, NORMAN BART	W	M	03/17/1955

Local Address (Street, Apt. Number) (City) (State) (Zip)	Phone	Address Source
209 ANDOVER I, WEST PALM BEACH, FL 33417	(908) 809-2862	
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 . . .

☒ 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 committ the below acts.
☒ was found to have committed the below acts, resulting from my (described) investigation.

On the 11 day of October, 2023 at 19:39 (Specifically include facts constituting cause for arrest.)

On Wednesday, October 11, 2023, at approximately 1939hrs I, Ofc. Badolati #552 responded to 11000 Shady Lakes Dr and PGA Blvd, Palm Beach Gardens FL, reference to a report of a traffic crash. My department issued body worn camera was utilized during this investigation.

Upon arrival, I made contact with both drivers involved in the crash, Mary T Petron (W/F DOB 10/22/1939) and Norman B Dixon (W/M DOB 03/17/1955). I observed Dixon standing outside his vehicle and Petron seated in the front driver seat of her vehicle. At this time, Ofc. Smith #489 arrived on scene to assist with the investigation. Ofc. Smith conducted a traffic investigation where he concluded that Petron was heading northbound on Shady Lakes Dr in the opposite lane of travel and her front bumper collided into Dixon`s front bumper, causing minor damage to both vehicles. See Ofc. Smiths crash report for further.

I then approached the silver BMW 320i bearing Florida registration EU22T, where I observed Petron in actual physical control of her vehicle. I read Petron her Miranda Warnings off my department issued Miranda card, to which she stated she understood. I informed Petron that at this time the investigation would be switching from a crash investigation into a DUI investigation. I asked Petron where she was coming from and if she had anything to drink this evening, to which she replied, "I am coming from Prezzo and I had two Martinis". While speaking to Petron, I observed her to have glassy blood-shot eyes, a slow slurred speech, the inability to follow simple tasks, and the odor of an unknown alcoholic beverage emitting from her breath that grew stronger as she spoke. Petron stated she would participate in Standardized Field Sobriety Exercises, exited her vehicle, and advised me she had a hip replacement and a bad back, but it would not affect her performing the exercises.

The first exercise conducted was the Horizontal Gaze Nystagmus. The stimulus used was a

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

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

10/11/2023
DATE

Notary Public State of Florida
Renee Ragin
My Commission GG 966418
Expires 03/05/2024

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

BADOLATI, NICHOLAS (552)
NAME OF OFFICER (PLEASE PRINT)

10/11/2023
DATE

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

SCANNED
OCT 12 2023

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 FL0502600	Palm Beach Gardens Police Department	7 | 8 | 23-005180

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
PETRON, MARY T		W	F	10/22/1939

PROBABLE CAUSE STATEMENT

ball point pen. I observed equal tracking and a lack of smooth pursuit in both eyes. I observed Petron have involuntary jerking in both eyes at maximum deviation and the onset of nystagmus in both eyes prior to 45 degrees. During onset of nystagmus prior to 45 degrees, Petron failed to follow the tip of the pen with her eyes and stated she wanted to look at me. Additionally, while completing onset of nystagmus prior to 45 degrees, Petron lost her balance and fell backward toward the side of her vehicle where she was assisted back up by officers on scene. Petron was also instructed more than once to not move her head and only follow the tip of the pen with her eyes and observed to have an orbital sway during the exercise.

The second exercise conducted was the Walk and Turn. The line used for the walk and turn was a yellow strip of tape. I informed Petron of the instructions and advised her to stay in the starting position until told to begin the exercise. Petron was unable to maintain the starting position and while explaining the instructions to her, she began the exercise. At this time, Petron stated that due to her hip replacement and bad back she was unable to perform the exercise. I informed Petron that we would conduct different exercises that did not involve her walking.

The third exercise conducted was the Finger to Nose. I informed Petron of the instructions and advised her to not begin the exercise until told to start. During the first left, Petron lifted her left arm straight out, bent her arm at her elbow, and failed to touch the tip of her nose with the tip of her index finger. During the first right, Petron failed to touch the tip of her nose with the tip of her index finger and had to be told to keep her eyes closed. During the next left, right, right, and left, Petron failed to touch the tip of her nose with the tip of her index finger. During the exercise, Petron had to be told during each left and right to return her arms back to her side.

The fourth exercise conducted was the Rhomberg Alphabet with Recitation. I informed Petron of the instructions and advised her to not begin the exercise until I tell her to start. While maintaining the starting position, Petron had an orbital sway that was more than 2 inches in any direction and failed to keep her eyes closed. I advised Petron to begin, and she tilted her head back, opened her eyes, and began to recite the alphabet in a fast, non-rhythmic manner. Petron paused after the letter K and recited L, M, N, O, P in a very fast, non-rhythmic manner. Additionally, Petron incorrectly recited the alphabet by stating the following, "S, T, U, V, S, T, U, V, W, X, Y, Z".

Based on the totality of the circumstances, I placed Mary T Petron under arrest at 2021hrs. Petron`s vehicle was towed by Kauff`s towing.

I then transported Petron to PBSO BAT, to conduct the breath test. At PBSO BAT, I asked Petron if she was willing to submit a lawful test of her breath to determine its alcohol content, to which she asked if she had too. I then read Petron the Florida Implied

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICIAL (F.S.S. 90.80)

Notary Public State of Florida
Kathleen Ragin
My Commission GG 966418
Expires 03/05/2024

10/11/2023
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

BADOLATI, NICHOLAS (552)
NAME OF OFFICER (PLEASE PRINT)

10/11/2023
DATE

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

SCANNED
OCT 12 2023

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 FL0502600	Palm Beach Gardens Police Department	7 | 8 | 23-005180

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
PETRON, MARY T		W	F	10/22/1939

PROBABLE CAUSE STATEMENT

Consent, to which she acknowledged and agreed to provide a breath sample. At 2140hrs, Petron blew a volume not met reading (BAC 0.165) due to her not able to blow for 10 seconds. At 2145hrs, Petron again blew a volume not met reading (BAC 0.169) due to her not able to blow for 10 seconds. Based on Petron`s two volume not met readings, I took the breath test as a refusal at 2146hrs.

Based on the results of this investigation, I established probable cause showing Mary T Petron was in actual physical control of a motor vehicle, in the state of Florida, while under the influence of alcohol, to the extent her normal faculties were impaired, in violation of F.S.S 316.193 (1)(A). Petron was also in actual physical control of a motor vehicle, in the state of Florida, while under the influence of alcohol, and caused damage to property, in violation of 316.193(3)(C)(1).

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

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

10/11/2023
DATE

Notary Public State of Florida
Renee Ragin
My Commission GG 966418
Expires 03/05/2024

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

BADOLATI, NICHOLAS (552)
NAME OF OFFICER (PLEASE PRINT)

10/11/2023
DATE

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

SCANNED
OCT 12 2023

PALM BEACH GARDENS POLICE DEPARTMENT
DUI TESTING FACILITY INFORMATION SHEET

PBSO Case #: 23-118577 PBSO Zone: 3-13

Agency Case #: 23005180 Crash Case #: 23005180

Incident Information:

Time of Stop/Crash: 19:39 Date of Incident: 10/11/2023 Day: WEDNESDAY

Location of Incident: SHADY LAKES/PGA BLVD, PALM BEACH GARDENS, FL, 33410

Arrest Information:

Time of Arrest: 20:21 Date of Arrest: 10/11/2023 Day: WEDNESDAY

Location of Arrest: SHADY LAKES/PGA BLVD, PALM BEACH GARDENS, FL, 33410

Subject's Name: (L) PETRON, (F) MARY, (M) T

DOB: 10/22/1939 Race: W Sex: F Height: 507 Weight: 185 Hair BROWN Eye BROWN

Address: 110 GREEN POINTE CIR, PALM BEACH GARDENS, FL, 33410 Phone: (561) 762-1886

Arresting Officer's Name: N.BADOLATI ID#: 552

Agency: PBGPD Division: PATROL ☐ Marcy's Law CVI FL. Const. Art. 1 § 16(b)

Breath Results

1) _____ at _____ hrs.
2) _____ at _____ hrs.
3) _____ at _____ hrs.
4) _____ at _____ hrs.

REFUSED

---BAT Use---

BAT Notified:	YES
Arrival Time at BAT:	21:09
Subject Arrest Time:	20:21

Breath Test Operator: 16877
PBSO

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SCANNED
OCT 12 2023

Case Number:
23005180

PALM BEACH GARDENS POLICE DEPARTMENT
DUI PACKET RECOMMENDATION AND ATTACHED DOCUMENTS

Sentencing Recommendation:

Additional Comments:

- [x] Filing Packet Information Form
- [x] Recommendation and Attached Documents Form
- [x] Arrest/Notice to Appear
- [x] Agency Probable Cause Affidavit
- [x] DUI Probable Cause Affidavit
- [x] DUI Witness List
- [x] Testing Facility Information Sheet
- [x] Testing Facility Task Report
- [x] Photograph of DL / DAVID Printout
- [x] Breath Alcohol Test Affidavit
- [x] Refusal Form
- [ ] FDLE Blood Withdrawal Certification Form
- [x] Implied Consent / Miranda Warnings Form
- [x] Question and Answer Sheet
- [x] Prisoner Property Receipt

Additional Items:

- [ ] _____
- [ ] _____
- [ ] _____
- [ ] _____

Attached Citations

DUI Citation(s):	UTC Citations:	Tracking Citations:
1) *AINN16E*	1)	1)
2) AINN17E	2)	2)
3)	3)	3)
4)	4)	4)
5)	5)	5)
6)	6)	6)

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SCANNED
OCT 12 2023

23005180

STATE OF FLORIDA
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH TEST

I, N.BADOLATI, a duly certified Law Enforcement or Correctional Officer, am a
(Name of Officer reading Implied Consent Warning)

member of PALM BEACH GARDENS POLICE DEPARTMENT, and I do swear
(Name of Law Enforcement Agency)

or affirm that on or about the 11 day of OCTOBER, 2023, at 20:21 ☐P.M. ☐A.M.

DRIVER MARY (FIRST NAME) T (MIDDLE OR MAIDEN NAME) PETRON (LAST NAME),

DL # P365598398820, state of FL, was placed under lawful arrest for

the offense of DUI - NORMAL FACULTIES IMPAIRED by N.BADOLATI and
(Name of Arresting Officer)

issued citation # AINN16E.

That on or about the 11 day of OCTOBER, 2023, at 21:46 ☑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, or for a period of eighteen (18) months if his or her driving privilege had been previously suspended, or if he or she had been previously fined under s. 327.35215, F.S., for refusing to submit to a breath, urine, or blood test. I also informed the driver that he or she commits a misdemeanor by refusing to submit to a lawful test as requested above if his or her driving privilege has been previously suspended, or if he or she has been previously fined under s. 327.35215, F.S., for refusal to submit to a lawful test of his or her breath, urine, or blood. 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.)

Notary Public State of Florida
Renee Ragin
My Commission GG 966418
Expires 03/05/2024
(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before me this 11 day of OCTOBER, 2023, by N.BADOLATI, who is personally known to me or who has produced _____ 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.

EFFECTIVE OCTOBER 1, 2021

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SCANNED
OCT 12 2023

TESTING FACILITY TASK REPORT

AGENCY: PBG

SUBJECT: Petron, Mary T.

CASE NUMBER: 23-118577

DATE: Oct 11, 2023

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 21:31

ENDING TIME: 21:52

BREATH TESTS RESULTS: 1) .VNM TIME 21:40 A.M.☐ P.M.☒ 2) .VNM TIME 21:45 A.M.☐ P.M.☒

3) Refused TIME 21:46 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: Slurred

ATTITUDE: Talkative, calm, cooperative, mood swimgs

CLOTHING: Blue jeans, white shirt, tan shoes

MEDICAL CONDITIONS: COPD, 2 hip replacement

MEDICATIONS: Inhaler

OTHER:

Eyes are glassy & red
odor of unknown alcoholic beverage on breath
Subject stated in Q&A she had 2 drinks .VNM.165/.VNM.169

COMMENTS:

Arrived at center A/O started 20 minute observation period at 21:09 hrs.

Subject ask if she refused to perform breath test and if she has too.

A/O read I/C and subject stated she understood I/C.

Subject agreed to take test.
Subject not following Tech instructions to blow for 10 sec. and keep a tone.

Again subject refused to keep a tone for 10 sec. A/O called refusal.

A/O read rights.
Subject stated she understood rights.

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

REFUSED

REFUSED

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SCANNED
OCT 12 2023

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

Instrument Type: Intoxilyzer 8000
Instrument Registered To: PALM BEACH CO SO
Instrument Serial Number: 80-006240 Software: 8100.27
Date of Test: 10/11/2023

Date of Last Agency Inspection: 09/15/2023
Observation Period Began: 21:09
Subject's Name: MARY T PETRON DOB: 10/22/1939 Sex: F

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	21:35
Air Blank	0.000	21:36
Control Test	0.081	21:36
Air Blank	0.000	21:36
Subject Sample #1	VNM*	21:40
Air Blank	0.000	21:40
Air Blank	0.000	21:42
Subject Sample #2	VNM**	21:45
Air Blank	0.000	21:46
Control Test	0.079	21:46
Air Blank	0.000	21:47
Diagnostics Check	OK	21:47

*Volume Not Met (0.165 - Breath Sample Not Reliable to Determine Breath Alcohol Level)
**Volume Not Met (0.169 - Breath Sample Not Reliable to Determine Breath Alcohol Level)

Cylinder Lot: 15922080A5
Exp: 08/05/2024

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 RENEE M RAGIN, 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: 10/11/23
Signature

Sworn to (or affirmed) before me this 11 day of Oct., 2023

_____ Ofc. N. Badolati #552
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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SCANNED
OCT 12 2023

SUBJECT: Petroll, Mary T. CASE NUMBER: 23005180

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? Yes

WHERE WERE YOU GOING? Home

WHAT STREET OR HIGHWAY WERE YOU ON? Got to [illegible] lot

DIRECTION OF TRAVEL? _____ WHERE DID YOU START? _____

WHAT TIME DID YOU START? 7:00 WHAT TIME IS IT NOW? 9:50

WHAT IS TODAY'S DATE? [illegible] WHAT DAY OF THE WEEK IS IT? [illegible]

WHAT COUNTY AND CITY ARE YOU IN NOW? [illegible]

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? Yes WHAT? Mt. [illegible]

HOW MUCH? 2 WHERE? Frezo WITH WHOM? Sig [illegible]

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? NO WHAT'S WRONG? _____

DO YOU LIMP? Yes DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? NO

WERE YOU IN AN ACCIDENT TODAY? NO

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? NO WHEN? _____

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? NO WHO? _____ WHY? _____

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? _____ WHAT? _____ WHEN? _____

DO YOU HAVE:

EPILEPSY?	NO
GLASS EYE?	NO
FALSE TEETH?	NO
EAR INFECTION?	NO
INNER EAR TROUBLE?	NO
DIABETES?	NO

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? Glasses

DO YOU TAKE INSULIN? NO IF SO, WHEN WAS YOUR LAST INJECTION? _____

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? Yes WHERE? NJ

INTERVIEWER: N. FALCATI #552

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SUBJECT: Petroni, Mary T. CASE NUMBER: 23005180

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) Read on Camera

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) Read on Camera

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

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OCT 12 2023

23005180

DUI WITNESS LIST

Arresting Officer: N.BADOLATI 552 Email: NBADOLATI@pbgfl.com
Agency Address: 10500 N Military Trail, Palm Beach Gardens, FL 33410 Phone: (561) 799-4445
Can Testify To: Facts of Case

Backup Officers: R.SMITH #489, J.HENNESSY #409, G.BITZ #540
Agency Address: 10500 N Military Trail, Palm Beach Gardens, FL 33410 Phone: (561) 799-4445
Can Testify To: Facts of Case

Crash Investigator: R.SMITH #489 Email: RSMITH@PBGFL.COM
Agency Address: 10500 N MILITARY TRAIL, PALM BEACH GARDENS, FL 33410 Phone: (561) 799-4445

Breathalyzer Technician: RAGIN ID: 16877 Agency: PBSO

DRE: _____ ID# _____ Agency Case #: _____
Agency Address: _____ Phone: _____ Email: _____

Name: _____ Involvement: _____
Address: _____ Phone: _____
Can Testify To: _____ ☐ Wheel Witness

Name: _____ Involvement: _____
Address: _____ Phone: _____
Can Testify To: _____ ☐ Wheel Witness

Name: _____ Involvement: _____
Address: _____ Phone: _____
Can Testify To: _____ ☐ Wheel Witness

Name: _____ Involvement: _____
Address: _____ Phone: _____
Can Testify To: _____ ☐ Wheel Witness

Name: _____ Involvement: _____
Address: _____ Phone: _____
Can Testify To: _____ ☐ Wheel Witness

Name: _____ Involvement: _____
Address: _____ Phone: _____
Can Testify To: _____ ☐ Wheel Witness

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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	☐			
	☐			
	☐			
	☐			

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REVIEW COMPLETED BY

Booking Number: 2023026879	**Date:** 10/12/2023
	Specialist Name/ID#: C.Daniels 30347

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OCT 12 2023