24CT3454

0547386

1205

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

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

OBTS Number | 1 | Juvenile: N

ADMINISTRATIVE

Agency ORI Number: FLO 5 0 2 6 0 0
Agency Name: PALM BEACH GARDENS POLICE DEPARTMENT
Agency Report Number: 78 - 24000992

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

Weapon Seized / Type: 1. Yes 2. No

Multiple Clearance Indicator:

Location of Arrest (Including Name of Business): 11566 US HIGHWAY 1, PBG FL 33410

Location of Offense (Business Name, Address): 11566 US HIGHWAY 1, PBG FL, 33410

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
02/26/2024	12:39					Kauff's towing

DEFENDANT

Name (Last, First, Middle): LOWREY, MATTHEW, THOMAS

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	M	11/22/1973	505	130	brown	brown	light	small

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

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)	Phone	Residence Type: 1. City 2. County 3. Florida 4. Out of State
2059 N Suzanne Cir	North Palm Beach	FL	33408	(561) 351-9345	2

Permanent Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Address Source
2059 N Suzanne Cir	North Palm Beach	FL	33408		FL DL

Business Address (Name, Street)	(City)	(State)	(Zip)	Phone	Occupation
					Self Employed

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
L600558734220 FL	[redacted]		Staton Island, NY	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. 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
				☐ 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 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

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 I Capias Number	Bond
N	N		24000992		1000

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 I 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): NORTH COUNTY COURTHOUSE, 3188 PGA BOULEVARD, PALM BEACH GARDENS, FL 33410 - PH: (561) 662-6700

Court Date and Time: Month February Day 26 Year 2024 Time 10:30 AM ✓ 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 (for Juvenile and Parent /Custodian) — Date Signed: 02/26/2024

ADMIN

HOLD for Other Agency Name: [illegible]

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other:

Intake Deputy I.D. # Pouch #

Signature of Arresting Officer: X

Name of Arresting Officer (Print): Ofc. Butzbach I.D. # 507

Transcribing Officer: Ofc ~~Butzbach~~ ID # ~~507~~ 556 Agency PBGPD

Name Verification (Printed by Arrestee) (PRINT)

Witness here if subject signed with an -X"

PAGE 1 OF 1

DISTRIBUTION: WHITE - COURT COPY GREEN - STATE ATTORNEY YELLOW - AGENCY PINK - AGENCY GOLD - DEFENDANT (N.T.A.'s ONLY)

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PBG - GEN CLER... 24 FEB 27 ... 09

PROBABLE CAUSE AFFIDAVIT

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

ADMIN

OBTS Number

Agency ORI Number: FL FL0502600 | Agency Name: Palm Beach Gardens Police Department | Agency Report Number: 7 8 24-000992

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
LOWREY, MATTHEW THOMAS		W	M	11/22/1973

CHARGES

Charge Description	Charge Description
316.193(1)(A) DUI - NORMAL FACULTIES IMPAIRED	
Charge Description	Charge Description

VICTIM

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

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 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 _____ 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 26 day of February, 2024 at 15:24 (Specifically include facts constituting cause for arrest.)

On Monday, February 26, 2024, at approximately 11:43a.m. I responded to 11566 US Highway 1, Palm Beach Gardens, Florida, in reference to a parking lot crash. My department issued body-worn camera was used during this investigation.

Upon arrival I made contact with both parties in the crash. The driver of vehicle 1 was Matthew Lowrey and the driver of vehicle 2 was Keith Stewart. Stewart advised that they were northbound through the parking lot almost to Publix and he was behind vehicle 1. Vehicle 1 stopped in the roadway and sat there for 10-15 seconds. The driver then rolled his window and waved him to go around. As he went to pass, vehicle 1 drove forward and crashed into the side of his car. They pulled right to the right of where the crash occurred and waited for Police to arrive. While they were waiting, the driver of vehicle 1 went into Publix and came back out. Stewart advised the other driver did not come back out with any Publix bags or appear to buy anything. Stewart also advised that he believed the other driver to be under the influence and could smell the alcohol while talking to him.

I spoke with the driver of vehicle 1 Matthew Lowrey and he advised the following; He was yielding trying to get out of the plaza. He was trying to make a right out of the plaza onto US Highway 1. He was stopped on the red and tried to go right but people were still going forward. Vehicle 2 went to go around him and crashed into him. I informed him that there is obvious damage from the crash including the missing pieces of his headlight in the exact spot where they other driver advised the crash happened. He disagreed and advised that the crash never happened there and that all the plastic from his headlight fell out there after the fact when he was driving past that area. I further questioned the location of the crash and he advised that he made a U-turn on PGA Boulevard and came back into the plaza where they parked to call police. He again contradicted himself and advised he was coming to publix not leaving. While talking Lowrey, there was a strong odor of an unknown alcoholic beverage emanating off of his

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

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

2-26-2024
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

BUTZBACH, WILLIAM (507)
NAME OF OFFICER (PLEASE PRINT)

02/26/2024
DATE

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

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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 24-000992

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
LOWREY, MATTHEW THOMAS		W	M	11/22/1973

PROBABLE CAUSE STATEMENT

person, his eyes were red and watery, and his speech was slurred.

I completed the crash investigation and informed Lowrey that I was conducting a changing of the hats and was now conducting a DUI investigation. I read Lowrey his Miranda Warnings from a department issued Miranda card, he advised he understood his rights. Lowrey advised he Myopia in his eyes, he is able to wear contacts to see and can pass the driving test to see and obtain his drivers license. I requested Lowrey perform several Standardized Field Sobriety Task (SFST) to make sure he was able to drive. He was hesitant and was read his Taylor Warnings. He advised he understood and would perform the task, the following is the results:

Horizontal Gaze Nystagmus (HGN) - Lowrey had a hard time staying in the starting position. I held up my pen style hand cuff key approximately 12 inches away from his face and told him to follow it with his eyes and his eyes only, not moving his head. He advised he did not understand the instructions and I had to repeat them several times. He advised that I did not have a pen and was questioning as to why I would have him follow a pen when it was not a pen. I changed it to a pen, and he then would not follow the pen cause he could not see it.

When I attempted to conduct the walk and turn he advised he had back knees, ankles, and joints from the wear and tear of life and was unable to complete the task. He was trying to get into the starting position and advised he could not do this sober, I asked him to infer and he said he could not do this sober. The walk and turn task was not performed.

Rhomberg Alphabet - during the instruction phase he kept putting his head back and closing his eyes without me telling him to start the task. I had to remind him several times to no close his eyes until I told him to. Lowrey advised he understood the instructions. He tilted his head back, closed his eyes, and said the alphabet very fast, no following instructions.

Modified Rhomberg - during the instruction phase he advised he has a different perception of 30 seconds than I do. He completed the task in less than 30 seconds.

During the tasks, Lowrey was very argumentative, had a hard time completing task and following instructions. There was a very strong odor of an unknown alcoholic beverage emanating off his breath. Based on the totality of the circumstances, I determined the defendant was impaired and could not operate a motor vehicle safely on the state`s roadways. I placed the defendant under arrest for driving a motor vehicle under the influence of alcohol and/or chemical substance. From here on, Lowrey will be referred to as the defendant.

The defendant was transported to the Palm Beach County Breath Alcohol Testing Center

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME 2024

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

2-26-2024
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

BUTZBACH, WILLIAM (507)
NAME OF OFFICER (PLEASE PRINT)

02/26/2024
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 FL0502600	Palm Beach Gardens Police Department	7 | 8 24-000992

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
LOWREY, MATTHEW THOMAS		W	M	11/22/1973

PROBABLE CAUSE STATEMENT

(BAT). The defendant was observed for 20 minutes and did not ingest anything or vomit. I brought the defendant on camera and asked her to submit to a breath test to determine her BAC. I asked the defendant if she would be willing to provide a breath sample, he advised no. I read the defendant implied consent from the State of Florida Implied consent form, and he again refused to provide a breath sample.

The defendant was taken to Palm Beach Gardens JFK Midtown Emergency room for medical clearance. The defendant was very difficult with the medical staff. He advised that he drinks 2-3 drinks every day and he last drank yesterday around 7pm. He also informed the nurse that he took Ativan (lorazepam) and smokes marijuana. Lowrey was given full medical clearance from the car crash to be booked into the Palm Beach County Jail.

Based on the totality of circumstances and my investigation, I found Matthew Lowrey to be in actual physical control of and operate a vehicle in and on the streets of Palm Beach Gardens, Florida, while under the influence of an alcoholic beverage and/or controlled substance and in violation of F.S.S. 316.193(1)(A) - Driving under the influence. The defendant was booked into the Palm Beach County Jail without any incident. The defendants car was removed by Kauff's Towing. No further information.

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

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

2-26-2024
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

BUTZBACH, WILLIAM (507)
NAME OF OFFICER (PLEASE PRINT)

02/26/2024
DATE

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

TESTING FACILITY TASK REPORT

AGENCY: PBG

SUBJECT: Lowrey, Matthew T.

CASE NUMBER: 24-038045

DATE: Feb 26, 2024

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 13:43

ENDING TIME: 13:46

BREATH TESTS RESULTS: 1) Refused TIME 13:45 A.M.☐ P.M.☒ 2) N/A TIME ——— 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: Slurred

ATTITUDE: Calm, cooperative, loud

CLOTHING: Tan shorts, white t-shirt, black flip-flops

MEDICAL CONDITIONS: SDS

MEDICATIONS: Fofran,Ativan

REFUSED

OTHER:

Eyes are glassy & red
odor of unknown alcoholic beverage on breath

COMMENTS:

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

Subject refused to perform breath test.

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

Subject refused to take test.

A/O read rights on scene.
Subject stated he understood rights.

No Q&A conducted.

REFUSED

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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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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: _____

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STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH AND/OR URINE TEST

I, W. Butzbach, 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 26th day of February, 2024, at 13:39 (R) ☒P.M. ☐A.M.
DRIVER Matthews Thomas Lowrey,
FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME
DL # L600558734220, state of Florida, was placed under lawful arrest for
the offense of DUI - 316.193(1)(A) by W. Butzbach and
(Name of Arresting Officer)
issued citation # _____.

That on or about the 26th day of February, 2024, at 13:45 ☒P.M. ☐A.M.
in Palm Beach County,

I requested that the driver submit to a ☒**breath and/or** ☐**urine** test to determine his or her blood alcohol level and/or the presence of chemical or controlled substances. I informed the driver that the refusal to submit to such test(s) 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. Additionally, I informed the driver that if he or she holds a Commercial Driver's License (CDL), or was operating a commercial motor vehicle, refusal will result in the disqualification of the CDL for a period of one (1) year in the case of a first refusal or permanently if he or she has previously been disqualified as a result of a refusal to submit to any such lawful test. Nonetheless, the driver refused to submit to the test(s) 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

(NOTARY SEAL)

The foregoing instrument was sworn and subscribed before me this 26 day of Feb, 20 24, by Butzbach, 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.

HSMV-BAR1001 (REV. 09/2021)

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PALM BEACH GARDENS POLICE DEPARTMENT
DUI TESTING FACILITY INFORMATION SHEET

PBSO Case #: 24-038045 PBSO Zone: 3-13

Agency Case #: 24000992 Crash Case #: 24000992

Incident Information:

Time of Stop/Crash: 11:43 Date of Incident: 02/26/2024 Day: MONDAY

Location of Incident: 11566 US HIGHWAY 1, PBG FL, 33410

Arrest Information:

Time of Arrest: _____ Date of Arrest: 02/26/2024 Day: MONDAY

Location of Arrest: 11566 US HIGHWAY 1, PBG FL 33410

Subject's Name: LOWREY, MATTHEW, THOMAS DOB: 11/22/1973

Race: W Sex: M Height: 505 Weight: 130

Arresting Officer's Name: Ofc. Butzbach ID#: 507

Agency: PBGPD Division: TRAFFIC

---BAT Use-

BAT Notified: Y

Arrival Time at BAT: 13:05

Subject Arrest Time: 12:39

Breath Results

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

Breath Test Operator: 16877

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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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