3/30/2025 8:40 AM IN OFFICE OF TIFFANY M. RUSSELL, CLERK OF COURTS, ORANGE CO. FL

Orange County — ICJIS Arrest Affidavit

Arrested ☑ At- Large ☐ JRA ☐ | Document #: 1107666 | Division #: A | Court Case #: 25CT402138

Document Date: 03/29/2025

Location of Defendant Vehicle: JOHNSONS WRECKER SERVICE	Date-Time Booked: 03/29/2025 05:36	Agency Case Number: 2025-00112574	
(ORI) : FL0480400	Agency Name: Orlando Police Department	FCIC/NCIC Check: ☑	Date-Time of Arrest: 03/29/2025 03:43
Address of Arrest: WALL STREET AND ORANGE AVE			

DEFENDANT

Adult ☑	Juvenile ☐	Jacket Number:	Inmate Number: 25008645	Language: ENGLISH	
NAME (L,F,M): NIEWOEHNER, NATHANIAL VITALIY			A.K.A.:	Race: W / Sex: M / DOB: 11/19/2003 / Age: 21	
Height: 5'11"	Weight: 180	Hair: BRO	Eyes: BRO	POB City: STAFFORD	POB State: VA
POB Country: US					
RES Street#: 17 STATEHOUSE LN				Citizenship: US	
City: STAFFORD	State: VA	Zip: 22554	Home Phone:	Other Phone:	
Scars/Tattoos:				Ethnicity: NON HISPANIC	
Driver's License/ State ID No: A67350595	State: VA	Year Expires: 2026		SSN #:	
Business and Occupation:				Bus Phone:	
Bus Street#:	City:	State:	Zip:		
Next of Kin Name:				Phone:	
Next of Kin Street #:	City:	State:	Zip:		

AGGRAVATORS: Firearm ☐ | Weapon ☐ | Mask ☐ | Vest ☐ | Convicted Sex Batterer ☐ | Hate Crime ☐ | Special Victim: | Domestic Violence? N

OFFENSES: Felony ☐ | Misd. ☐ | ORD. ☐ | Traffic ☑ | Out of County ☐ | Court Location: TRAFFIC#1 | Originating State/County: FL/ORANGE

No.	GOC Code	Description	Count	Bond Amt $ / Status	FSS/ORD	FDLE Rec#	Drug Name	Citation Number
1		DUI - DRIVING WHILE UNDER THE INFLUENCE 316.193(1)-2	1	2,000.00	316.193.1a	8825		A10EQ0P

DCF Notified?	By Whom?	On Probation?	Miranda Warning?	By Whom?	Invoked?
N		N	N		N

Sworn to (or affirmed) and subscribed before me by means of ☐ physical presence or ☐ online notarization, this ____ day of ____ year ____

by SEE ATTACHED JURAT

Notary Public ☐ Law Enforcement or Corrections Officer ☐

Personally Known ☐ Produced Identification ☐

Type of Identification ____

Notary Signature ____

I swear or affirm the above statements are correct and true

Officer's Signature SEE ATTACHED JURAT

Officer's Bus. Phone No.

ROSARIO, EDWIN / 38092

Officer's Name/ID

[redacted]

Notary Name

/

Notary Commission # / Exp. Date

Orange County **ICJIS Arrest Affidavit** (continued)

Arrested ☑ At- Large ☐ JRA ☐ **Document #:** 1107666 **Division #:**

Document Date: 03/29/2025 **Court Case #:**

Defendant's Name NIEWOEHNER, NATHANIAL VITALIY **Agency Case Number:** 2025-00112574

NARRATIVE: The undersigned has probable cause to believe the above-named defendant on the, 29 of March 2025 at 3:43 at WALL ST AND ORANGE AVE (**Zone:** DELTA) in Orange County did

This is a preliminary report only; the following details are in summary, not verbatim; please see the incident report for more details.

On March 29, 2025, at approximately 0300 hours, Officer A. Gioielli #38893 conducted a traffic stop on a gray Kia bearing Virginia Tag ULW5950 which was traveling the wrong way on a one way road on Orange Avenue, the vehicle failed to maintain its lane as it was driving into on coming traffic. Due to the risk the vehicle presented to public safety Officer Gioielli conducted a traffic stop, please see his supplemental report for more details.

During the traffic stop a open carry firearm was observed in the passenger area of the vehicle and responding officers detained the driver, later identified as Nathanial Vitaliy Niewoehner (W/M/D.O.B 11/19/03) in handcuffs. Please see Officer G. Duque's supplemental report for more details.

Due to Niewoehner's driving behavior and officers' observations of his overall physical condition I was called on scene to conduct a DUI investigation.

I, Officer E. Rosario #38092, arrived on scene wearing my Orlando Police uniform with "POLICE" clearly written on the front and back of my tactical carrier vest. I observed Niewoehner seated on the curb in handcuffs. Officers on scene informed me Niewoehner was driving at wrong way on the street, his face was flush red, and they smelled the impurities of an alcoholic beverage emanating from his exhaled breath. I then made contact with Niewoehner. I informed him I was conducting a DUI investigation, and he was still detained. I removed the handcuffs from him and asked him if he was willing to speak to me, Niewoehner agreed to speak to me and we continued our conversation on the side walk.

As I asked Niewoehner to stand to his feet he appeared to stumble, he had blood shot and glassy eyes and an orbital sway as he was standing. I asked Niewoehner was he was coming from and he said he was out eating with his friends. I asked Niewoehner where he ate at and he said a nearby restaurant but did not know the name. As Niewoehner spoke in my direction I smelled the odor of an alcoholic beverage and it intensified as he spoke in my direction. Niewoehner slurred his speech as he spoke and seemed unsure of his answers.
I asked Niewoehner if he had any medical conditions, and he said no. I asked him if he was under the care of a physician, and he said he was not. He was asked if he had traumatic brain injury, resting nystagmus, if he wore glasses or contacts and he said he did not. Niewoehner said he was overall fairly healthy and did not have any injuries.

I asked Niewoehner how many alcoholic beverages he had and he said 3 Modelo beers a the restaurant. I asked how long ago, and he said about an hour ago. I asked if he could tell me what time he thought it was without looking at his watch and he said about 0130 A.M, the time was approximately 0330 A.M. I asked Niewoehner on a scale from 0 -10 with 0 being completely sober and unimpaired and 10 being the most impaired he's ever been, how impaired he was he said he was about a 4. I asked him if he could taken an Uber home would he and he said yes.

I then asked Niewoehner if he was willing to submit to standardized field sobriety exercises and he agreed.
The exercise I administered was the Horizontal Gaze Nystagmus (HGN) exercise. I instructed Niewoehner to follow the tip of my blue light with his eyes only without moving his head. Niewoehner'a pupils were equal, did not show resting nystagmus, and his eyes tracked equally. While completing the HGN exercise, I observed Niewoehner to display a lack of smooth pursuit, distinct and sustained nystagmus at maximum deviation, and onset of nystagmus prior to forty-five degrees in Niewoehner's left and right eye. At the conclusion of the HGN

Sworn to (or affirmed) and subscribed before me
by means of ☐ physical presence or ☐ online notarization,
this _____ day of _____ year _____

by SEE ATTACHED JURAT

Notary Public ☐ Law Enforcement or Corrections Officer ☐
Personally Known ☐ Produced Identification ☐
Type of Identification _____

Notary Signature _____

I swear or affirm the above statements are correct and true

Officer's Bus. Phone No.

Officer's Signature SEE ATTACHED JURAT

ROSARIO, EDWIN / 38092
Officer's Name/ID

[redacted]

Notary Name

/
Notary Commission # / Exp. Date

Orange County | **ICJIS Arrest Affidavit** (continued)

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exercise, I observed Niewoehner to display six out of six clues.

The second exercise I administered was the Walk and Turn (W.A.T.) exercise. Niewoehner told me he was overall healthy and did not have any medical issues. I instructed Niewoehner to place his right foot in front of his left foot while touching heel to toe. Niewoehner had issues with maintaining his balance, and I had to explain them to him two times. I advised Niewoehner to take nine heel-to-toe steps, make a turn by taking small steps, and then continue to take nine more heel-to-toe steps. The rest of the instructions were explained to Niewoehner. During the WAT exercise, I observed Niewoehner to not be able to keep balance during the construction stage, start before instructions are finished, stop walking to steady, not touch heel-to-toe , turn incorrectly stopping and pivoting not taking small steps as instructed, loses balance while turning and steps off line on his return steps. At the conclusion of the exercise, I observed seven of eight clues.

The third exercise I administered was the One Leg Stand (OLS) exercise. I instructed Niewoehner to keep his arms at his sides with his feet together. I instructed Niewoehner to pick up the foot of his choice and count out loud until I told him to stop. During the OLS exercise, I observed Niewoehner sway while balancing, use his arms for balance, and put his foot down five times and hop. After completing the OLS exercise, I observed Niewoehner to display four out of four clues.

Niewoehner was transported to the Orange County DUI Testing Center, where a 20-minute observation period was observed. Niewoehner was read Implied Consent and provided a valid breath sample of .212. Niewoehner was issued DUI Citation A10EQ0P.

Johnson's Wrecker Service removed the vehicle from the scene.

My body-worn camera was active during this incident.

Sworn to (or affirmed) and subscribed before me
by means of ☐ physical presence or ☐ online notarization,
this _____ day of _____ year _____

by SEE ATTACHED JURAT

Notary Public ☐ Law Enforcement or Corrections Officer ☐
Personally Known ☐ Produced Identification ☐
Type of Identification _____

Notary Signature _____

I swear or affirm the above statements are correct and true

Officer's Bus. Phone No.

Officer's Signature SEE ATTACHED JURAT

ROSARIO, EDWIN / 38092
Officer's Name/ID

[redacted]

Notary Name

/
Notary Commission # / Exp. Date

3/30/2025 8:40 AM IN OFFICE OF TIFFANY M. RUSSELL, CLERK OF COURTS, ORANGE CO. FL

Witness Form

Defendant Name: NIEWOEHNER, NATHANIAL VITALIY		Document ID: 1107666
Officer Name: ROSARIO, EDWIN	Officer ID: 38092	Court Case #:
Agency Name: Orlando Police Department	ORI: FL0480400	Agency Case #: 2025-00112574

WITNESSES V - Victim R - Reporter W - Witness

V	Name (L, F, M): STATE OF FLORIDA			Language:	Sex:	Race:	DOB: / Age:
	Resident Address:	Apt#:	City:		State:	Zip:	Home Phone:
	Business/School:						Officer ID:
Business/School Address:		Suite#:	City:		State:	Zip:	Bus Phone:
Testimony:							

3/30/2025 8:40 AM IN OFFICE OF TIFFANY M. RUSSELL, CLERK OF COURTS, ORANGE CO. FL

Orlando Police Department
PRISONER TRANSPORT JURAT
Charging Affidavit/Warrant Arrest

Check appropriate box for type of arrest.

☑ Charging Affidavit ☐ Warrant Arrest

ARREST INFORMATION

Date: 03/29/25 Case #: 2025-oc11 2574

Defendant: Nathanial vitaliy Niewoehner ☑ Adult ☐ Juvenile

Charge(s): DUI 316.193

INSTRUCTIONS

This form is only to be used when an arrestee is being transported by an officer other than the arresting officer. It will allow the arresting officer to electronically submit his arrest affidavit to the BRC and then this Jurat will be attached to the "unsigned" affidavit.

You can use this form for a PC Charging Affidavit or Warrant Arrest Affidavit. Please be sure to check the appropriate box at the top of this form.

JURAT

I, Officer E. Rosario, swear or affirm that I have established Probable Cause to believe that the Defendant listed above did commit the offense as detailed on the attached charging affidavit.

I swear/affirm that my attached
☑ Charging Affidavit
☐ Warrant Arrest Affidavit
dated _____ is true and correct.
Date: 03/29/25 Ofc ID: _____

Signature of Arresting Officer

Sworn to and subscribed before me, the undersigned authority, this 29 day of March, 20 25.

Signature of Law Enforcement/Notary
☑ Personally Known ☐ Produced ID
ID Presented:

Transporting Officer:

Name: L. Blinn
ID #: 3421