24CT4063NB

ARREST / NOTICE TO APPEAR

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

1 JUVENILE

ADMINISTRATION

OBTS Number			
Agency ORI Number: 0501700	Agency Name: Jupiter Police Department	Agency Report Number (N T A 's only): 5 4 24-000943	

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

If Weapon Seized — Enter Type: UNARMED

Multiple Clearance Indicator

Location of Arrest (Including Name of Business)	Location of Offense (Business Name, Address)
JOSEPHINE ST./LUNA ALY, JUPITER FL 33458	1499 N JEAGA DR/DUVAL ST, JUPITER, FL 33458

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
03/06/2024	02:19	03/06/2024	02:29			

DEFENDANT

Name (Last, First, Middle): VOGEL, NICHOLAS ALEXANDER — Alias:

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	M	05/17/1995	6'00	200	BLUE	BROWN	LIGHT	Large

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

Marital Status: S — Religion: CATHOLIC

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

Local Address (Street, Apt Number)	(City)	(State)	(Zip)	Phone	Residence Type (1 City, 2 County, 3 Florida, 4 Out of State)
1070 AUDACE AVE 104, BOYNTON BEACH, FL 33426				(561) 213-8199	

Permanent Address (Street, Apt Number)	(City)	(State)	(Zip)	Phone	Address Source
1070 AUDACE AVE 104, BOYNTON BEACH, FL 33426				(561) 213-8199	VERBAL

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

DL Number, State	Soc Sec Number	INS Number	Place of Birth (City, State)	Citizenship
V240621951770 / FL	[redacted]		NEW JERSEY, NJ,	US

CO-DEFENDANT

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

JUVENILE

☐ Parent ☐ Other _____ ☐ Legal Custodian — Name (Last, First, Middle)

Residence Phone

Address (Street, Apt Number) (City) (State) (Zip)

Business Phone

Notified by (Name)	Date	Time	JUVENILE DISPOSITION (1 Handled/Processed within Department and Released; 2 TOT JAC; 3 Incarcerated)

Released To (Name)	Relationship	Date	Time

The above address was provided by ☐ defendant and/or ☐ defendant's parents.
The child and/or parent was told to keep the Juvenile Court Clerk's Office (Phone 355-2526) informed of any change of address.

☐ Yes, by: ☐ No

School Attended — Grade

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

CODE

Drug Activity: S Sell, B Buy, T Traffic, D Deliver, E Use, K Disperses/Distribute, M Manufacture/Produce/Cultivate, P Possess, N N/A, Z Other

Drug Type: B Barbiturate, C Cocaine, E Heroin, H Hallucinogen, M Marijuana, O Opium/Derv, A Amphetamine, P Paraphernalia/Equipment, S Synthetic, U Unknown, Z Other, N N/A

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #
DUI - BREATH .08 OR ABOVE	316.193(1)(C)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N	/		1	☐ Y ☒ N		

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
		/			☐ Y ☐ N		

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
		/			☐ Y ☐ N		

INTAKE

Health / Apparent Physical Condition of Defendant

Any knowledge of the following: ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deformities ☐ Injuries — Explain

Check which applies: ☐ Released O R ☐ Released to Parent/Guardian ☐ T O T County Jail ☐ Posted Bond ☐ South County Mental Health

PROPERTY - Received By — Released By — Released To: FLSO PAC - GUN CLUB - ZEMAN TENT #38

Transported By — Date Transported: / / : : — Time Transported — Other

NOTICE TO APPEAR

☒ INSTRUCTION NO. 1 - Mandatory appearance in court
☐ INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.

Location (Court, Room): North County PALM BEACH GARD

Court Date and Time: 04/10/2024 08:30:00

I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN COMTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.

No Photo Available

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

SCANNED MAR 07 2024

ADMIN

HOLD for Other Agency

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other

Intake Deputy — ID # — Pouch #

Signature of Arresting Officer

Name of Arresting Officer (Print): FERGUSON, RYAN — ID #: 1202

Transporting Officer: OFC. FERGUSON — ID #: 1202 — Agency: JPD

Name Verification (Printed by Arrestee) (PRINT)

Witness here if subject signed with an "X"

PAGE 1 OF 1

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

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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	Agency Name	Agency Report Number
	FL 0501700	JUPITER POLICE DEPARTMENT	5 | 4 | 24-000943

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
VOGEL, NICHOLAS ALEXANDER		W	M	05/17/1995

CHARGES

Charge Description	Charge Description
316.193(1)(C) DUI - BREATH .08 OR ABOVE	
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**

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 6 day of March, 2024 at 04:03 (Specifically include facts constituting cause for arrest.)

My department issued Axon Body Worn Camera was utilized for the following incident:

On March 6th, 2024 at approximately 0146 hours, I was patrolling the area of W. Frederick Small Rd/S. Central Blvd Jupiter FL 3345 located in Palm Beach County, FL. I observed a 2021 black 4dr Mercedes bearing FL tag 07EIJE driving westbound from W. Frederick Small Rd/S Central Blvd. The vehicle appeared to be driving at a high rate of speed. The vehicle went around the round a bout of W. Frederick Small Rd/S. Central Blvd and continued westbound. The vehicle turned north from W. Frederick Small Rd onto E. Mallory Blvd. The vehicle then turned westbound onto Duval St. and ran the stop sign at W. Mallory Blvd/Duval St. The vehicle then did a hard acceleration and continued to travel at a high rate of speed. I activated my emergency lights in my issued Jupiter Police Department patrol vehicle and initiated a traffic stop on the vehicle and it stopped near Josephine St./Luna Aly.

I made contact with the driver of the vehicle, Nicholas Alexander Vogel (W/M - 05/17/1995) and two passengers. Vogel appeared to have glassy eyes and had a smell of an unknown alcoholic beverage coming from his person when he spoke. Vogel admitted to driving fast and running the stop sign. He advised he recently bought the vehicle. I asked Vogel for his driver license, registration and insurance. He handed me his insurance and stopped looking for the other documentation. I asked Vogel for his driver`s license and registration and he handed his driver`s license. Vogel advised he did not know where his registration for the vehicle was. I asked Vogel to step out the vehicle.

I asked Vogel where was he was coming from and he advised he was coming back from a bar/restaurant with his friends. I asked Vogel if he had anything to drink and he admitted to drinking alcoholic beverages.

NOT A CERTIFIED COPY

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

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

03/06/24
DATE

THOMASINA MILLER
Notary Public - State of Florida
Commission # HH 3[illegible]
My Comm. Expires Dec 7, 2026
Bonded through National Notary Assn.

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

FERGUSON, RYAN (1202)
NAME OF OFFICER (PLEASE PRINT)

03/06/2024
DATE

SCANNED
MAR 07 2024

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

ADMIN

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

Agency ORI Number	Agency Name	Agency Report Number
FL 0501700	JUPITER POLICE DEPARTMENT	5 | 4 | 24-000943

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
VOGEL, NICHOLAS ALEXANDER		W	M	05/17/1995

PROBABLE CAUSE STATEMENT

Due to my observations of Vogel, I asked him if he would like to perform the Standardized Field Sobriety Tasks to which he advised yes.

See DUI PC

I advised Vogel he was being placed under arrest for DUI. I placed Vogel into handcuffs behind his back which were checked for proper spacing and double-locked to prevent tightening. Vogel`s vehicle was parked in a parking space near one his friend`s residence. Vogel was transported to the Palm Beach County Jail without further incident.

Based on the totality of the circumstances and my investigation, I found probable cause to arrest Nicholas Alexander Vogel with DUI F.S.S - 316.193(1)(A).

BrAC: .101/.103

NOT A CERTIFIED COPY

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

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

03/06/24
DATE

TRIONA SINA MILLS
Notary Public - State of Florida
Commission # HH 360...
My Comm. Expires ...
Bonded through National Notary ...

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

FERGUSON, RYAN (1202)
NAME OF OFFICER (PLEASE PRINT)

03/06/2024
DATE

SCANNED
MAR 07 2024

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

PALM BEACH COUNTY SHERIFF'S OFFICE
DUI TESTING FACILITY
INFORMATION SHEET

PBSO CASE # 24-040838 PBSO ZONE 3-14

AGENCY CASE # 24-000943 CRASH CASE #

TIME OF STOP/CRASH 0146 DATE 03/06/24 DAY Wednesday

SUBJECT'S NAME Nicholas A Vogel RACE W SEX M

HGT 60 **WGT** 200 **DOB** 5/17/95

LOCATION Dixie St/Triangle Dr.

ARRESTING OFFICER'S NAME & ID Ofc Ferguson 1602 AGENCY JPD

DIVISION:

NOTIFIED BY COMMO Y

ARRIVAL AT FACILITY 0303

Arrest Time 0019

BREATH RESULTS:

1. .101
2. .103
3. N/A
4. N/A

TESTING OFFICER'S ID 41017

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SCANNED
MAR 07 2024

TESTING FACILITY TASK REPORT

AGENCY: JPD

SUBJECT: VOGEL, NICHOLAS .A.

CASE NUMBER: 24-040838

DATE: Mar 6, 2024

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 03:29

ENDING TIME: 03:40

BREATH TESTS RESULTS: 1) .101 TIME 03:34 A.M. ☒ P.M. ☐ 2) .103 TIME 03:37 A.M. ☒ P.M. ☐

3) N/A TIME N/A A.M. ☐ P.M. ☐ 4) N/A TIME N/A A.M. ☐ P.M. ☐

BREATH OPERATOR: T. MILLER #41017

MAINTENANCE TECHNICAN: J. KARLECKE# 6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: PRONOUNCED

ATTITUDE: CALM, APOLOGETIC, COOPERATIVE

CLOTHING: BLUE SHIRT, BLACK PANTS, WHITE SNEAKERS

MEDICAL CONDITIONS: ADHD, PANIC ATTACKS

MEDICATIONS: ADDERALL, ALPRAZOLAM

OTHER:

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COMMENTS:

ARRIVED AT CENTER A/O BEGAN THE 20 MINUTE OBSERVATION PERIOD AT 03:03 HRS.

SUBJECT: AGREED TO TAKE TEST.

A/O: READ RIGHTS.
SUBJECT: STATED HE UNDERSTOOD RIGHTS.

TECH: READ TEST RESULTS.
SUBJECT: STATED HE UNDERSTOOD TEST RESULTS.

A/O: ATTEMPTED Q & A.
SUBJECT: INVOKED RIGHT TO COUNSEL.

SCANNED
MAR 07 2024

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)_____

SCANNED
MAR 07 2024

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

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? _____

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MAR 07 2024

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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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: 2024006098	**Date:** 3/7/2024
	Specialist Name/ID#: T.HOWARD/7185

SCANNED
MAR 07 2024