0540788 23CT9492MD 2606

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

☐ Check if Supplement is Attached

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

OBTS Number

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

Juvenile ☐

ADMINISTRATIVE

Agency ORI Number	Agency Name	Agency Report Number
FL0 5 0 0 0 0 0	PALM BEACH COUNTY SHERIFF'S OFFICE	0 6 - 23072328 ( )

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: N/A

Multiple Clearance Indicator: 1

Location of Arrest (Including Name of Business)	Location of Offense (Business Name, Address)
FOREST HILL BLVD & FL TURNPIKE, WELLINGTON, FL 33414	FOREST HILL BLVD W/B AT FL TURNPIKE, WELLINGTON, FL 33414

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
05/26/2023	18:40					RELEASED TO R. FARB ON-SCENE

DEFENDANT

Name (Last, First, Middle): D'AMATO, ROBIN, L

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	12/9/1963	5-00	117	BROWN	BLONDE	MEDIUM	SMALL

Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description): BOTH WRISTS, BOTH SHOULDERS, BOTH ANKLES, RIGHT FOOT

Marital Status: SINGLE — Religion: JEWISH

Indication of: Alcohol Influence [X] Y ☐ N ☐ Unk; Drug Influence [X] Y ☐ N ☐ Unk

Local Address (Street, Apt. Number) (City) (State) (Zip): 3186 VIA POINCIANA APT 208, LAKE WORTH, FL 33467

Mobile Phone: (561) 634-5486

Residence Type: 1. City 2. County 3. Florida 4. Out of State: 2

Permanent Address (Street, Apt. Number) (City) (State) (Zip):

Phone: ( )

Address Source: FL DL

Business Address (Name, Street) (City) (State) (Zip):

Phone: ( )

Occupation: HOME HEALTH AIDE

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
D530732639490, FL	[redacted]		BROOKLYN, NY	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 #
DUI	1	☐ Y ☒ N	316.193(1)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
E	U	N/A	23072328		OR

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

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

SCANNED MAY 27 2023

NOTICE TO APPEAR

Location (Court, Room Number, Address): Criminal Justice Complex, 3228 Gun Club Road, West Palm Beach, FL 33406 - Ph: (561) 688-4600

FILED PBC - GUN CLUB
'23 MAY 27 AM 7:29

Court Date and Time: Month JUNE Day 22 Year 2023 Time 8:30 A.M. [X] 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

(X) Robin D'Amato — Signature of Defendant (or Juvenile and Parent/Custodian) — Date Signed 05/26/2023

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.

(X) Robin D'Amato — Signature

ADMIN

Holds for other agencies: NO DETAINER

☐ Dangerous ☐ Suicidal ☐ Resisted Arrest ☐ Other:

Initials of Deputy: D/S MACK 8601 — I.D. # of Booking Officer:

Signature of Arresting Officer: Stephan — Digitally signed by Stephan, Robert J. — Date: 2023.05.26 19:30:40 -04'00'

X Robert J

Name of Arresting Officer (Print): R. STEPHAN — I.D. #: 7240

Transporting Officer: D/S J. BROWN — I.D. #: 8678 — Agency: PBSO

Name Verification (Printed by Arrestee) (PRINT): Robin D'Amato

Witness here if subject signed with an "X"

PAGE 1 OF 1

PBSO #0148 REV. 1/22 DISTRIBUTION: / COURT COPY STATE ATTORNEY AGENCY AGENCY DEFENDANT (N.T.A.'s ONLY)

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RD

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 26TH DAY OF MAY 20 23, AT 18:10 AM ✓PM

SUBJECT: D'AMATO, ROBIN, L CASE NUMBER: 23072328

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: R. STEPHAN

PERSONAL CONTACT

DRIVING PATTERN: Actual physical control (physical evidence or statements putting def. behind wheel of vehicle)

I was conducting speed enforcement and was monitoring the westbound lanes of Forest Hill Boulevard as traffic traveled west of the Florida Turnpike overpass. I visually estimated the speed of a white, Honda, sedan bearing Florida tag EDSX87 traveling at 70 miles per hour within a 45 miles per hour zone. I utilized a Stalker Lidar XLR SN L003905 and got a reading of 71 mph. I made a u-turn and activated my unmarked patrol vehicles (asset 60094) lights and siren to conduct a traffic stop. The driver did not stop, but slowed upon my approach. After the driver pulled into the center lane from the left lane, I pulled on the driver's side and motioned for the driver (later identified as the defendant) to pull her vehicle over to the left turn lane. As I slowed my vehicle to allow her to move to the left, she pulled to the right shoulder and stopped partially within the right through lane. I pulled again onto the driver's side and she was slow to roll down her window to speak with me. I directed her to pull forward into the turn lane ahead.

OBSERVATION OF DRIVER:

Upon making contact with the driver, I identified her as Robin L. D'Amato by her Florida license. I noticed her eyes were watery and she seemed a little confused as to what was going on. I smelled an odor of an alcoholic beverage coming from her breath while she spoke to me. I asked if she had been drinking and she advised a little bit of wine. I asked her to follow the tip of my pen and finger with her eyes only and not move her head. She moved her head and anticipated where the stimulus was going to be. While following the stimulus, her eyes displayed lack of smooth pursuit and nystagmus at maximum deviation. The defendant also said she takes medications for several health issues. Upon exiting the vehicle, to perform the roadside tasks, the defendant had a hard time performing certain aspects of the tasks (refer to tasks sheet). Her behaviors and actions/reactions improved throughout the investigation.

DRIVER'S STATEMENTS:

The defendant stated she had less than a glass of wine at home with her boyfriend Bobby. She was traveling to Flanigan's for dinner. She takes Trazodone and Lexapro. At the BAT Center she advised she also takes Rosuvastatin 40 mg and Xanax. She stated she hadn't taken any of the medications today, as she takes them at night.

ODORS:

Odor of an alcoholic beverage on her breath upon speaking.

GENERAL OBSERVATIONS

SPEECH: **Slow at times during our initial interaction. Better/normal speech as time progressed.**

ATTITUDE: **Cooperative.**

CLOTHING: **Light colored long sleeve button down shirt over a white shirt, blue shorts, pumps.**

MEDICAL/OTHER: **Anxiety and depression. In-car video/audio was recorded on the Panasonic Arbitrator System and I classified the video under this case number. The def. provided a minimal urine sample at 20:23. She declined a DRE evaluation at 20:28 hours.**

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STATE OF FLORIDA
COUNTY OF PALM BEACH

R. STEPHAN
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 26th day of May 2023 by R. STEPHAN

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced [illegible] as identification.

Notary Public, Clerk of Court, Officer (F.S.S 117.10)

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

SUBJECT: D'AMATO, ROBIN, L CASE NUMBER 23072328

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

Other Observations:
The defendant displayed vertical gaze nystagmus. She had a hard time keeping her head still and she kept anticipating where the stimulus was going to be. The angle of onset was approximately 20 degrees.

WALK & TURN:
The defendant removed her shoes for the task. She side stepped approximately 4 times prior to starting the task. She stepped out of the instructional stance. A taped line was not utilized, because it had rained prior and the sidewalk was wet (no standing water). The defendant took approximately 18 steps forward and approximately 19 steps back, while counting improperly. She didn't realize she had taken so many steps. While taking the forward and return steps, the defendant missed heel-to-toe several times forward and several times on the return steps.

ONE LEG STAND:
The defendant performed the task and swayed while balancing. She used her arms for balance. The kept her leg/foot raised for the duration of the task.

FINGER TO NOSE:
The defendant used the pad of her left finger and right finger the first two times when asked to bring her hand up to her nose. The rest of the task was performed correctly.

ROMBERG ALPHABET:
The defendant performed the task correctly.

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BREATH TEST RESULTS: | 1) .013 | 2) .012 | 3) URINE | 4) N/A |

STATE OF FLORIDA
COUNTY OF PALM BEACH

R. STEPHAN
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 26th day of May 2023 by R. STEPHAN

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

Notary Public, Clerk of Court, Officer (F.S.S. 117.10)

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

SUBJECT: [illegible] CASE NUMBER: [illegible]

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 [illegible] of the [illegible]

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) [illegible]

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) [illegible]

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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? 117 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: _____

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

PBSO #0129C REV. 9/93

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TESTING FACILITY TASK REPORT

AGENCY: PBSO

SUBJECT: D'Amato, Robin L.

CASE NUMBER: 23-072328

DATE: May 26, 2023

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 19:45

ENDING TIME: 20:06

BREATH TESTS RESULTS: 1) .013 TIME 19:51 A.M.☐ P.M.☒ 2) .012 TIME 19:54 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: Talkative, nervous

CLOTHING: Black shorts, white tank top, black wedges

MEDICAL CONDITIONS: Yes

MEDICATIONS: Trazodone, Xanax,Lexapro

OTHER:

Eyes glassy
Subject stated in Q&A she had one wine.

COMMENTS:

Arrived at center A/O started 20 minute observation period at 19:14 hrs.

Subject stated I guess so.

A/O read I/C.
Subject stated she understood I/C and agreed to perform breath test.

Tech read breath test results.
Subject stated she understood test results.

A/O requested to provide urine at 19:57 hrs..
Subject agreed to provide urine.

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

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

Urine provide @ 20:23

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

PBSO CASE # **23072328** PBSO ZONE **8-41**

AGENCY CASE # _____ CRASH CASE # _____

TIME OF STOP/CRASH **18:10** DATE **05/26/2023** DAY **Friday**

SUBJECT'S NAME **D'AMATO, ROBIN, L** RACE **W** SEX **F**

HGT **5-00** WGT **117** DOB **12/9/1963**

LOCATION **FOREST HILL BLVD & FL TURNPIKE, WELLINGTON, FL 33414**

ARRESTING OFFICER'S NAME & ID **R. STEPHAN (7240)** AGENCY **Palm Beach County Sheriff's Office**

DIVISION: **CID / VHI**

NOTIFIED BY COMMO **YES**

ARRIVAL AT FACILITY **19:14**

ARREST TIME **18:40**

BREATH RESULTS:

1) .013
2) .012
3) Urine
4)

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TESTING OFFICER'S ID 16877 PBSO VIDEOTAPE # N/A

PALM BEACH COUNTY
SHERIFF'S OFFICE
Florida State Statute Exemption Sheet

Palm Beach County Sheriff's Office – Arrests Only

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	☐	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	☐	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	☐	119.071(4)(c)	Undercover personnel.	
	☐	119.071(2)(f)	Confidential informants (CIs).	
	☐	119.071(2)(e)	Confession.	
Public Info. Exemptions	☐	985.04(1)	Juvenile offender records.	
	☐	119.071(h)(i)	Assets of a crime victim.	
	☐	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	☐	394.4615(7)	Mental health information.	
	☐	119.071(4)(d)(2)(a)	Home address, telephone, Social Security number, date of birth, or photos of active/former LE personnel, spouses, and children.	
Florida Rules of Judicial Administration 2.420 (Rule of 23)	☒	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	☐	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	☐	(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	☒	316.650(b)	Other: Driver information contained in a uniform traffic citation	5-7
	☐		Other:	

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REVIEW COMPLETED BY

Booking Number: 2023013903	**Date:** 5/27/2023
	Specialist Name/ID: Chantel Daniels/30347