J# 05386511 2301 4050 NH P# 248

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

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

ADMINISTRATIVE

OBTS Number	Agency ORI Number	Agency Name	Agency Report Number
	FLO 5 0 2 6 0 0	PALM BEACH GARDENS POLICE DEPARTMENT	78 - 78-23001240

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)
9880 ALT A1A, PALM BEACH GARDENS, FL, 33410	ALT A1A/N ENTRADA WAY, PALM BEACH GARDENS, FL, 33410

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
03/02/2023	21:43					KAUFF'S TOWING AND RECOVERY 4701 EAST AVENUE, WPB, FL 33407

DEFENDANT

Name (Last, First, Middle): BROOKES, SAMUEL, ELLIOTT — Alias (Name, DOB, Soc. Sec. #, Etc.)

Race (W - White I - American Indian B - Black O- Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	M	08/07/1995	600	165	GRN	BRO	LGT	MED

Scars, Marks, Tatoos, Unique Physcal Features (Location, Type, Description): NONE — Marital Status: SINGLE — Religion: NONE — Indication of: Alcohol Influence Y ☑ N ☐ Unk. ☐; Drug Influence Y ☐ N ☐ Unk. ☑

Local Address (Street, Apt. Number) (City) (State) (Zip): 2800-103 GIRALDA CIR W, PALM BEACH GARDENS, FL 33410 — Phone: (561) 459-7081 — Residence Type: 1. City 2. County 3. Florida 4. Out of State: 1

Permanent Address (Street, Apt. Number) (City) (State) (Zip): 147 ISLE VERDE WAY, PALM BEACH GARDENS, FL 33418 — Phone: — Address Source: FL DRIVER'S LICENSE

Business Address (Name, Street) (City) (State) (Zip): FRESH MARKET — Phone: — Occupation: EMPLOYEE

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
B622785952870 FL	[redacted]		BALTIMORE, MD	USA

CO-DEF

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 ☐ 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 #
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	N			O R

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

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 APRIL Day 5 Year 2023 Time 10:00 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: 03/02/2023

ADMIN

HOLD for other Agency Name: ☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other:

Intake Deputy — I.D. # — Pouch #

Signature of Arresting Officer: X #471

Name of Arresting Officer (Print): OFC. CAMERON CARVER — I.D. #: 471

Transporting Officer: OFC. C. CARVER — ID #: 471 — Agency: PBGPD

Name Verification (Printed by Arrestee) (PRINT)

MAR 3 AM 1:20

Witness here if subject signed with an -X"

PAGE 1 OF 1

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PROBABLE CAUSE AFFIDAVIT

OBTS Number:

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

JUVENILE:

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FL FL0502600	Palm Beach Gardens Police Department	7 | 8 | 23-001240

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
BROOKES, SAMUEL ELLIOTT	BROOKES, SAMUEL E |	W	M	08/07/1995

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
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 OFC. BURKE #305 who told OFC. CARVER #471 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 2 day of March, 2023 at 21:13 (Specifically include facts constituting cause for arrest.)

On Thursday, March 2, 2023, at 21:13hrs, I, DUI Investigator Cameron Carver, responded to Officer Burke #305`s traffic stop, located at 9880 Alternate A1A, in the City of Palm Beach Gardens, within Palm Beach County, Florida. My department issued body worn camera was utilized in this investigation and subsequently uploaded to Evidence.com.

Upon my arrival, Officer Burke advised she was running stationary radar in the median of Alternate A1A at N Entrada Way, Palm Beach Gardens, Palm Beach County, Florida. Officer Burke observed the black Honda, bearing Florida tag Y69TJD, traveling southbound on Alternate A1A and was increasing speed. Officer Burke, captured on her radar a top speed of 70mph in a 45mph zone. Officer Burke followed the vehicle as it quickly pulled into the McDonald`s parking lot, at which point she initiated the traffic stop and made contact with the driver and sole occupant, Samuel Brookes, which was identified via his Florida Driver`s License. Officer Burke detected the strong odor of an unknown alcoholic beverage and had deliberate speech. Officer Burke requested my presence to conduct a DUI investigation.

Upon my contact with Brookes, I noticed his eyes were glassy and dilated, and he had a blank stare. His speech was pronounced and deliberate, and he was talkative. In the back seat, Officer Keel #508 pointed out a few cans of beer. Brookes stated he forgot those were back there. Brookes admitted he was drinking while at work, stating just before he left he had a pint of his work`s tap beer. Brookes stated he was rushing to go to McDonald`s to get food and then go home for a "raid" for his online video games. Brookes stated he did not notice the officer in the median, but as he passed he saw something, but was more focused on getting to McDonald`s so he could make it home in time to start the game. As I was speaking with Brookes, and even though I was congested and had difficulty with odors, I could detect the strong odor of alcohol coming off of his breath. I asked Brookes if he would be willing to perform a series of Standardized Field Sobriety Exercises, to which he agreed. I instructed Brookes to turn his car off and

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

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

03/03/2023
DATE

SHARI L. O'NEAL
Notary Public - State of Florida
Commission # GG 972080
My Comm. Expires Jun 25, 2024
Bonded through National Notary Assn.

SIGNATURE OF AFFIANT / INVESTIGATING OFFICER

CARVER, CAMERON (471)
NAME OF OFFICER (PLEASE PRINT)

03/03/2023
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 | 23-001240

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
BROOKES, SAMUEL ELLIOTT	BROOKES, SAMUEL E |	W	M	08/07/1995

PROBABLE CAUSE STATEMENT

exit the vehicle and leave his stuff inside, to which he raised his windows, and grabbed his keys and went to grab for his phone. I reminded him to leave his property inside the vehicle and then to leave his keys on the roof of his vehicle.

Brookes was nervous and swayed while he walked. He was fidgety and I told him to relax, to which he stated he was nervous. I told Brookes to listen to my instructions carefully, only do what I tell him to do, and it was incumbent on him to tell me if he did not understand any element that I am instructing him. He stated he understood and I asked him if he had any medical conditions, to which he stated he has ADHD but is no longer on medication for it. He stated he has no issues with his eyes and has no issues with walking or maintaining his balance. Brookes also stated he previously had smoked Marijuana before work. Brookes performed the tasks on a flat, dry surface that was well lit.

--STANDARDIZED FIELD SOBRIETY TASKS--
HORIZONTAL GAZE NYSTAGMUS
I explained the instructions to Brookes, who stated he understood. While directing Brookes into the proper standing position, he was unable to keep balance and swayed. During the exercise, I only observed lack of smooth pursuit. Brookes was unable to keep from moving his head during the task. As Brookes was standing in front of me, the odor of alcohol was apparent and strong, even in the light blowing wind.

WALK AND TURN
The instructions were explained and demonstrated to Brookes. During the instructional phase, Brookes was unable to keep balance and stepped out of the starting position, having to be reinstructed to get back into the position. While demonstrating the instructions, Brookes started prior to being directed to. I informed Brookes, if he ran out of yellow tape, to imagine the tape continuing in front of him in a line and to continue until he reached his ninth step. Brookes stated he understood. After instructions were given and Brookes stating he understood, Brookes started on command and I observed the following clues: Brookes missed heel-to-toe, took the incorrect number of steps, completing 7 steps and stopped during the task to regain balance. Brookes did not turn as instructed and demonstrated and on the return, Brookes again missed heel-to-toe and again took the incorrect number of steps, completing 8 steps. Brookes raised his arms more than six inches during the task. Brookes did not count aloud as instructed.

ONE LEG STAND
The instructions were explained and demonstrated to Brookes, who stated he understood. Brookes started before being instructed to. Upon the command to begin I observed the following clues: Brookes swayed while balancing and put his foot down, stopping a second before the thirty-second time had elapsed.

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

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

03/03/2023
DATE

SHARI L. O'NEAL
Notary Public - State of Florida
Commission # GG 972080
My Comm. Expires Jun 25, 2024
Bonded through National Notary Assn.

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

CARVER, CAMERON (471)
NAME OF OFFICER (PLEASE PRINT)

03/03/2023
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 | 23-001240

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
BROOKES, SAMUEL ELLIOTT	BROOKES, SAMUEL E |	W	M	08/07/1995

PROBABLE CAUSE STATEMENT

RHOMBERG
The instructions were explained to Brookes, who stated he understood. Brookes correctly recited the alphabet.

FINGER TO NOSE
The instructions were explained and demonstrated to Brookes, who stated he understood. Upon the command to begin I observed the following clues: On the first left, Brookes used the tip of his finger and touched the side of his nose; on the first right, used the tip of his finger and touched the side of his nose; on the second left, used the pad of his finger and touched the side of his nose; on the second right, used the tip of his finger and touched below his nose; on the third right, used the side of his finger and touched the tip of his nose and on the third left, used the tip of his finger and touched the tip of his nose.

Based on the totality of the circumstances stated above, I placed Brookes under arrest for DUI. Brookes was placed into handcuffs which were checked for proper fit and double locked. Brookes was searched incident to arrest. Brookes`s wallet was secured in his glove compartment and his phone and keys were taken with him to the jail. An search was conducted on Brookes`s vehicle, locating (2) Heineken 24oz/1 pint cans of consumed, with residual beer left; (1) Stella Artois 25oz/1 pint can of consumed, with residual beer left; (1) Mike Hard Lemonade 25oz/1 pint can of consumed, with residual alcohol left. Additionally, there was a six-pack of unopened beer on the driver`s seat. Brookes was transported to the Palm Beach County Breath Alcohol Testing Center (BAT) without incident. Upon arrival at the BAT, Brookes was placed in seat and was observed for 20 minutes and did not ingest anything or vomit. While at the BAT, Brookes was polite, respectful, and joking.

At the end of the observation, I brought Brookes on camera and asked him to submit to the breath test and he agreed to my request. Brookes provided a breath sample to Palm Beach County Sheriff`s Office Breathalyzer Technician O`Neal ID#6212, blowing a .032 BrAC at 22:53hrs and .029 BrAC at 22:56hrs. Brookes was read the results which he advised he understood. I requested Brookes submit a urine sample and he agreed to my request. I read Brookes Implied Consent to which Brookes stated he understood, in the event he refused to provide a sample off-camera, however Brookes provided a urine sample at 23:13hrs. Brookes was read Miranda Warnings from a pre-printed document and agreed to answer interview questions. The question-and-answer sheet is attached to this report. Brookes was taken to intake without incident.

Based on the totality of circumstances from my investigation, I find Samuel Elliott Brookes drove a vehicle on the streets of Palm Beach Gardens, while under the influence, and was affected to the extent that his normal faculties were impaired, in violation of Florida State Statute 316.193(1)(A) [AGEV4KE]. Officer Burke also issued Brookes a citation for unlawful speed on a state roadway, in violation of Florida State Statute

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

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

03/03/2023
DATE

SHARI L. O'NEAL
Notary Public - State of Florida
Commission # GG 972080
My Comm. Expires Jun 25, 2024
Bonded through National Notary Assn.

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

CARVER, CAMERON (471)
NAME OF OFFICER (PLEASE PRINT)

03/03/2023
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 23-001240

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
BROOKES, SAMUEL ELLIOTT	BROOKES, SAMUEL E |	W	M	08/07/1995

PROBABLE CAUSE STATEMENT

316.187(1) [AGEV4JE].

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICIAL

03/03/2023
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

CARVER, CAMERON (471)
NAME OF OFFICER (PLEASE PRINT)

03/03/2023
DATE

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

PALM BEACH GARDENS POLICE DEPARTMENT
DUI TESTING FACILITY INFORMATION SHEET

PBSO Case #: 23-042412 PBSO Zone: 3-13

Agency Case #: 78-23001240 Crash Case #: _____

Incident Information:

Time of Stop/Crash: 21:13 Date of Incident: 03/02/2023 Day: THURSDAY

Location of Incident: ALT A1A/N ENTRADA WAY, PALM BEACH GARDENS, FL, 33410

Arrest Information:

Time of Arrest: 21:43 Date of Arrest: 03/02/2023 Day: THURSDAY

Location of Arrest: 9880 ALT A1A, PALM BEACH GARDENS, FL, 33410

Subject's Name: (L) BROOKES, (F) SAMUEL, (M) ELLIOTT

DOB: 08/07/1995 Race: W Sex: M Height: 600 Weight: 165 Hair BRO Eye GRN

Address: 2800-103 GIRALDA CIR W, PALM BEACH GARDENS, FL 33410 Phone: (561) 459-7081

Arresting Officer's Name: OFC. CAMERON CARVER ID#: 471

Agency: PBGPD Division: TRAFFIC UNIT

Breath Results

1) .032 at 22:53 hrs.
2) .029 at 22:56 hrs.
3) URINE at 23:13 hrs.
4) _____ at _____ hrs.

---BAT Use---

BAT Notified: YES

Arrival Time at BAT: 22:29

Subject Arrest Time: 21:43

Breath Test Operator: S. O'NEAL 6212
PBSO

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TESTING FACILITY TASK REPORT

AGENCY: PBG OFC. CARVER #471

SUBJECT: BROOKES, SAMUEL E.

CASE NUMBER: 23-042412

DATE: 03-02-23

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 22:47 HRS

ENDING TIME: 23:11 HRS

BREATH TESTS RESULTS: 1) .032 TIME 22:53 A.M.☐ P.M.☒ 2) .029 TIME 22:56 A.M.☐ P.M.☒

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

BREATH OPERATOR: S.O'NEAL #6212

MAINTENANCE TECHNICAN: J. KARLECKE #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH:

ATTITUDE: CALM, COOPERATIVE, POLITE, RAMBLING

CLOTHING: SHIRT- PALE LIGHT BLUE PANTS- BLUE JEANS

MEDICAL CONDITIONS:

MEDICATIONS: RITALIN

OTHER:

EYES:A LITTLE RED, GLASSY
FIDGETY

COMMENTS:

20 MIN. OBSERVATION DONE BY A/O CARVER #471
A/O REQUESTED THE BREATH TEST.
D SUBMITTED TO THE BREATH REQUEST.
D COMPLETED THE TEST CORRECTLY.
EXPLAINED THE BREATH RESULTS TO THE D.
A/O REQUESTED A URINE SAMPLE A CAMERA.
IMPLIED CONSENT READ ON CAMERA.
D UNDERSTOOD THE I/C AS READ.
C/W READ ON CAMERA TO THE D.
Q&A CONDUCTED.
D GAVE URINE @ 23:13 HRS

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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: 80-006029 Software: 8100.27
Date of Test: 03/02/2023

Date of Last Agency Inspection: 02/10/2023
Observation Period Began: 22:29
Subject's Name: SAMUEL E BROOKES DOB: 08/07/1995 Sex: M

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	22:51
Air Blank	0.000	22:52
Control Test	0.082	22:52
Air Blank	0.000	22:52
Subject Sample #1	0.032	22:53
Air Blank	0.000	22:54
Air Blank	0.000	22:55
Subject Sample #2	0.029	22:56
Air Blank	0.000	22:57
Control Test	0.081	22:57
Air Blank	0.000	22:57
Diagnostics Check	OK	22:57

Cylinder Lot: 29122080A1
Exp: 12/05/2024

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 SHARI L O'NEAL, 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: S. O'Neal Date: 03-02-23
Signature

Sworn to (or affirmed) before me this 02 day of March, 2023

471 Ofc Carver #471
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

NOT A CERTIFIED COPY

SUBJECT: **BROOKES, SAMUEL, ELLIOTT** CASE NUMBER: **78-23001240**

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 **OFC. CAMERON CARVER 471** of the ***PALM BEACH GARDENS POLICE DEPARTMENT***

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 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 COMMERICIAL 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 REFSUAL, 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

SUBJECT'S SIGNATURE: *Read on Camera*

CONSTITUTIONAL WARNINGS

I AM REQUIRED TO WARN YOU BEFORE YOU MAKE ANY SATEMENTS 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.

SUBJECT'S SIGNATURE: *Read on Camera*

NOT A CERTIFIED COPY

Subject: **BROOKES, SAMUEL, ELLIOTT** Case #: **78-23001240**

DUI Questionnaire

Where were you going? Headed to McDonald's, pretty quickly

What roadway were you on? A1A **Direction of travel?** South

Where were you coming from? Fresh Market - Work

What time did you leave? 21:12 **How much do you weigh?** 155-170 **When did you last eat?** 19:30hrs

What did you eat? Piece of pizza & 1 pint of Heineken Beer

What line of work are you in? Grocery Clerk **When did you last work?** Today

Do you have any physical defects or injuries? N **What are they?**

Do you limp? N **Are you sick or injured?** Y **What is wrong?** Dry cough/sniffles

Did you receive a bump on your head recently? N **Were you in a crash today?** N **Have you seen a doctor or dentist in the last 24 hours?** N **Who?** **Why?**

Are you taking any prescription medications? N

Name	Last Consumed

Do you have any of the following medical conditions?

Epilepsy ☐ **Glass Eye** ☐ **False Teeth** ☐ **Ear Infection** ☐ **Inner Ear Trouble** ☐ **Diabetes** ☐ **Last Injection:**

Do you have any problems with your eyes that are not corrected by glasses? Y **What?** Lazy Eye

Have you ever had a driver's license in any other state? N **Where?**

For the last three hours prior to law enforcement interaction, what were you doing? At job stocking and blocking shelves

Before leaving work, had (1) cup (approx 8oz) of on tap beer. Not certain on the type of beer.

Alcohol

What have you been drinking? Beer **How many drinks did you have?** 2 **With whom?** Self

Where did you have the drink(s)? Work **What time did you have your 1st drink?** 18:30ish

What time did you have your last drink? 21:12ish **Do you feel the effects of the alcohol?** N **Are you under the influence?** N

If you/would you permit your child to get into a vehicle driven by someone who drank as much as you? --- **Why?**

Drugs

Have you taken any drugs or marijuana today? Y **What have you consumed?** Marijuana

How taken? (Smoked, eaten, pills, injection) Smoked (bowl, approx 2oz) **Do you remember the last 24 hours?** Y

Did you blackout? N **Do you have a prescription for the drugs?** N **Did you consume as prescribed?**

Where did you procure the drugs?

Misc. questions/statements:

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78-23001240

DUI WITNESS LIST

Arresting Officer: OFC. CAMERON CARVER 471 Email: ccarver@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: OFC. MELINDA BURKE #305 / OFC. SHELDON KEEL #508
Agency Address: 10500 N Military Trail, Palm Beach Gardens, FL 33410 Phone: (561) 799-4445
Can Testify To: TRAFFIC STOP / SCENE SAFETY

Crash Investigator: _____ Email: _____
Agency Address: 10500 N Military Trail, Palm Beach Gardens, FL 33410 Phone: (561) 799-4445

Breathalyzer Technician: S. O'NEAL ID: 6212 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

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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

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	☐		Other:	
	☐		Other:	

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REVIEW COMPLETED BY

Booking Number: 2023005827	**Date:** 3/3/2023
	Specialist Name/ID: Pinkneya/7796