0473470 24CT1895 ASB 2859

Arrest Report

FLORIDA HIGHWAY PATROL
P.O. BOX 540007, GREENACRES, FL 33454

Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
9/27/2024 07:22 AM	FHP99ARR890430	FHP24ON0485318 / RCC24IN0747342	DESUYO, AISON

Originating Agency ORI	Occur Date Time Range	Jurisdiction
FL0509000	09/27/2024 03:14:47 -	

OBTS Number	Other Number	Clearance

Location of Occurrence

County	Location Type	Location Description
PALM BEACH	PUBLIC PLACE	INTERSTATE 95

Street Number	Street	Apt/Lot/Bldg	City	State	Zip Code
	SB SR9 EXIT TO CONGRESS AVE S		BOCA RATON	FL	33487

Defendant

First Name	Middle Name	Last Name	Suffix	Race	Sex	Height	Weight	Hair	Eyes
SKYLAR	ESTELLA	BALBACH		WHITE	FEMALE	504	100	BRO	HAZ

MNI #	SSN	Date of Birth	Age	ID Type	Drivers License or other ID	State	OCA / Agency ID
	[redacted]	01/18/2000	24	E	B412785005180	FL	

Place of Birth:	WEST PALM BEACH FL US

Address
* RESIDENCE / 5265 BRISATA CIR APT K , BOYNTON BEACH, FL 33437 /

Arrest

Arrest Date/Time	Arrest Location Type	Arrest Location Description
9/27/2024 4:28:00 AM	PUBLIC PLACE	PARKING LOT

Street Number	Street	Apt/Lot/Bldg	County	City	State	Zip Code
8081	S CONGRESS AVE		PALM BEACH	BOCA RATON	FL	33487

Charge :

Counts	Charge	Bond Amount	
1	316.193.1c 1-1000	$0.00	☐ No Bond

Charge Degree	Charge Level
S	MISDEMEANOR
General Offense Code	Arrest Offense Code: DUI-UNLAW BLD ALCH

Charge Description
DUI BREATH ALCOHOL 0.08 OR MORE PER 210 L

Administrative Code - Description
-

Is Arrestee Juvenile?	No
Type of Arrest	On-View Arrest (apprehension without a warrant or previous incident report)

SEP 27 AM 8:20

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D/S Tommie #8033

FILED PBC - SUN SUB
'24 SEP 28 AM 7:29

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Bond Set by Court

Bond Amount	☐ No Bond

Bond Type(s)

Probable Cause

On Friday, September 27th, 2024, at approximately 03:17 A.M, I, Trooper Aison Desuyo (ID #5157), was dispatched by the Lake Worth Regional Communications Center (LWRCC) to a disabled vehicle that was blocking the southbound Interstate 95 (State Road 9) exit ramp to Congress Ave S. I then activated my emergency blue lights and sirens and responded to the exit ramp, where upon my arrival at 03:27 A.M, I observed a black in color Buick SUV (Sport Utility Vehicle) displaying a Florida tag number of 46DTWC blocking the outside lane of the exit ramp, and a Road Ranger vehicle behind it with the orange emergency lights activated. I observed a white female standing approximately 1 foot outside the vehicle with the driver side door open and no other occupants or individuals in close proximity of the vehicle. I then exited my patrol vehicle and approached the white female (who was later identified by her Florida driver's license B412785005180 as Skylar Estella Balbach with a DOB of 01/18/2000) and asked her why the vehicle was blocking. Upon my initial contact with Ms. Balbach, I observed her eyes to be bloodshot and watery, however, it should be noted Ms. Balbach was crying. Ms. Balbach advised me that as she was traveling southbound from West Palm Beach, her vehicle ran out of gas and became disabled on the southbound exit ramp to Congress Ave S. The Road Ranger on scene was partially providing fuel to the Buick. I then asked Ms. Balbach to provide her Florida driver's license. Ms. Balbach complied and provided her driver's license. I then ran the Buick's Florida tag number and Ms. Balbach's driver license information through the FCIC (Florida Criminal Information Center) system to verify the information. It should be noted that while verifying the vehicle's information and Ms. Balbach's information, I discovered that Ms. Balbach was the registered owner of the black Buick SUV. While I was verifying the information, Ms. Balbach got in the driver's seat of the vehicle behind the wheel. I then exited my patrol vehicle to reapproach Ms. Balbach. While I spoke further with Ms. Balbach, I was able to detect an odor of an unknown alcoholic beverage emitting from her breath. I asked Ms. Balbach where she was coming from. She stated she was coming from Rachels' in West Palm Beach. I asked her where she was going. She advised she was going to her residence in Boca Raton. I asked Ms. Balbach if she consumed any alcoholic beverages at Rachels'. She stated she consumed 3 espresso Martinis that each contained approximately 1.5 Oz. of Vodka. I asked Ms. Balbach how long before driving did she consume the alcoholic beverages. She stated approximately 2 hours. I asked Ms. Balbach how long she was driving before she ran out of gas. She advised approximately 15 minutes. I asked Ms. Balbach why she did not fuel up prior to driving home. Ms. Balbach advised she thought she could make it home with the fuel she had left. I asked Ms. Balbach if she was willing to perform the voluntary Standardized Field Sobriety Exercises (SFSE's) to make sure she was safe to drive. Ms. Balbach advised she was. I asked Ms. Balbach if she was willing to relocate to a safer location as the exit ramp was not a flat and level surface. Ms. Balbach agreed to be relocated. It should be noted that because there was a dog inside Ms. Balbach's vehicle, I waited on

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scene until Ms. Balbach's mother arrived on scene to watch the dog while I relocated Ms. Balbach to the Mobil Gas Station parking lot (located at 8081 Congress Ave S) to perform the exercises.

The SFSE's were conducted in the Mobil Gas Station parking lot where it was a flat, level surface, and was well-lit from the parking lot lights and my patrol vehicle's white lights.

Each exercise was explained and demonstrated prior to the defendant performing.

The following exercises were conducted with the corresponding clues of impairment listed below:

Horizontal Gaze Nystagmus (HGN) (Blue stimulus light pen used)

- Equal size pupil observed in both eyes
- Equal tracking with both eyes

Walk and Turn Exercise (A yellow marked line was utilized during the exercise on the flattest available surface free from any debris).

- Fails to maintain starting position
- Steps off the line (1 time walking forward)
- Uses arms for balance (raises arms more than six inches from sides during entire exercise)
- Incorrect number of steps (12 steps walking forward, 13 steps walking back)
- Improper Turn

One Leg Stand (A cellular device was used to count the 30 seconds.) Right Leg raised.

Right Leg-

- Sways to the left
- Uses arms for balance (raised arms more than six inches from sides)

Finger-to-Nose

- Missed finger-to-nose (2 times)

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- Forgets to remove finger after every finger instructed

Modified Romberg

- Eyelid Tremors

It should be noted that Ms. Balbach said stop after 33.29 seconds passed.

It should be noted that the instructions for every exercise were explained and demonstrated numerous times.

Based on the evidence collected though my investigation and the totality of the circumstances, I determined that there was probable cause to believe that Ms. Balbach committed the offense of driving under the influence and by being in actual physical control of the vehicle while under the influence of alcohol, and or any chemical substance, and or any controlled substance while her normal faculties were impaired.

The defendant was placed under arrest for DUI at 04:28 A.M. She was then placed into an FHP marked patrol vehicle. The Buick SUV was given to the mother of Ms. Balbach. The defendant was then transported to the Palm Beach County Breath Alcohol Testing (BAT) facility. At the BAT facility, a 20-minute observation period was conducted by me where she did not ingest anything by mouth or regurgitate (mouth was confirmed to be empty prior to beginning of the observation period). Ms. Balbach was then taken to the Intoxilyzer room where she was asked to provide a breath sample to determine the level of alcoholic content within her body. Ms. Balbach agreed. Ms. Balbach asked what was the alternative to providing a breath sample. Florida's Implied Consent was read. I asked Ms. Balbach if she understood Florida's Implied Consent. Ms. Balbach advised she understood Florida's Implied Consent. Ms. Balbach's first breath sample was .127. Ms. Balbach's second breath sample was .117. After Ms. Balbach provided the two breath samples, the Intoxilyzer 8000 gave a Control Outside Tolerance error code, at which point a new 20-minute observation period (beginning at 06:21 A.M) was conducted by me where she did not ingest anything by mouth or regurgitate (mouth was confirmed to be empty prior to beginning of the observation period). Ms. Balbach was asked if she was willing to provide another breath sample due to the Control Outside Tolerance error message that was given during the first test attempt. Ms. Balbach agreed. Ms. Balbach's third breath sample was .113. Ms. Balbach's fourth breath sample was .105.

Ms. Balbach was then booked into the Palm Beach County Jail without further incident and charged with the following:

Violation of F.S.S 316.193(1) – DUI Alcohol or Drugs

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All the above events occurred within Palm Beach County, State of Florida.

The incident was recorded with my In-Car Camera (FHP0778) which will be made available upon request.

Jail Booking Facility

Booking Date/Time	Booking County	Booking Facility	Booking Facility Phone
9/27/2024 08:00 AM	PALM BEACH	PALM BEACH COUNTY CORRECTIONS	(561) 688-4400

Booking Facility Location	Booking Number
3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406	

Booking Comments

Court

Court County	Court Location
PALM BEACH	200 WEST ATLANTIC AVE. DELRAY BEACH, FL 33444

Court	Court Phone	Court Appeareance Date / Time	Court Fine
PALM BEACH SOUTH COUNTY COURTHOUSE	561-274-1530	10/31/2024 830A	

Comments

Officer Name / Rank / ID #	Involvement On Report / Reporting Role	Officer Agency / Org/Unit
DESUYO, AISON TPR 5157	REPORTING OFFICER	FLORIDA HIGHWAY PATROL FHPL\LWRCC\PALM BEACH\BROW LN TO SR804

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the probable cause associated with this report:

Reporting Officer

Officer Name	Office Rank	Officer ID No
DESUYO, AISON	TPR	5157

Officer Agency
FLORIDA HIGHWAY PATROL

Officer Signature Alison DP

Sworn and subscribed before me, the undersigned authority
This the 27 day of September, 2024
DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT

NOTARY PUBLIC STATE OF FLORIDA
SHARI L. O'NEAL
MY COMMISSION # HH 512128
EXPIRES: June 25, 2028

S. O'Neal

○ No Bill / Petition ○ Issue Warrant ○ Prosecution Approved

Signature of Assistant State Attorney Date

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

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PBSO CASE # 24-102556 PBSO ZONE 7-12

AGENCY CASE # FHP24ON0485318 CRASH CASE #

TIME OF STOP/CRASH 03:27 DATE 09/27/2024 DAY Friday

SUBJECT'S NAME BALBACH (LAST) SKYLAR (FIRST) E (MID)

DOB 01/18/2000 HGT 5'04 WGT 100 RACE W SEX F

LOCATION SB INTERSTATE 95 EXIT TO CONGRESS AVE S Boca Raton, FL 33432

ARRESTING OFFICER'S NAME & ID TPR. AISON DESUYO 5157 FHP (AGENCY)

NOTIFIED BY COMMO ✓

BREATH RESULTS:

1) .121
2) .117 * Control Outside Tolerance
3) .113
4) .105

ARRIVAL AT FACILITY 05:20

ARREST TIME 04:28

S. O'Neal 6212

BAT TECH. OFFICER NAME & ID

I

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
ALCOHOL TESTING PROGRAM
BREATH ALCOHOL TEST AFFIDAVIT

Instrument Type: Intoxilyzer 8000
Instrument Registered To: PALM BEACH CSO
Instrument Serial Number: 80-006478 Software: 8100.27
Date of Test: 09/27/2024

Date of Last Agency Inspection: 08/16/2024
Observation Period Began: 05:20
Subject's Name: SKYLAR E BALBACH DOB: 01/18/2000 Sex: F

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	05:49
Air Blank	0.000	05:50
Control Test	0.080	05:50
Air Blank	0.000	05:51
Subject Sample #1	0.127	05:51
Air Blank	0.000	05:52
Air Blank	0.000	05:54
Subject Sample #2	0.117	05:55
Air Blank	0.000	05:55
Control Test	0.074*	05:56
Air Blank	0.000	05:56

*Control Outside Tolerance

Cylinder Lot: 06723080A5
Exp: 04/05/2025

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: 09.27.24
Signature

Sworn to (or affirmed) before me this 27 day of September, 2024

T.P. Desuyo #5157
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

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TESTING FACILITY TASK REPORT

AGENCY: FHP TRP. DESUYO #5157

SUBJECT: BALBACH, SKYLAR E.

CASE NUMBER: 24-102556

DATE: 09-27-24

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 05:44 HRS/06:21 HRS

ENDING TIME: 05:58 HRS/ 06:32 HRS

BREATH TESTS RESULTS: 1) .127 TIME 05:51 A.M. ☒ P.M. ☐ 2) .117 TIME 05:56 A.M. ☒ P.M. ☐

3) .113 TIME 06:24 A.M. ☒ P.M. ☐ 4) .105 TIME 06:29 A.M. ☒ P.M. ☐

BREATH OPERATOR: S.O'NEAL #6212

MAINTENANCE TECHNICAN: J. KARLECKE #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: LOUD, SLURRED

ATTITUDE: AGITATED, SARCASTIC, RUDE, PROFANE, MOODSWINGS, OBNOXIOUS, INSULTING, EMOTIONAL, DRAMATIC

CLOTHING: DRESS- LIGHT BROWN

MEDICAL CONDITIONS: ALLERGIC TO IBPROFEN AND TYLENOL

MEDICATIONS: NONE

OTHER:

EYES:VERY RED,GLASSY,WATERY FROM CRYING
AT: COOPERATIVE AT TIMES
ODOR OF UNKNOWN ALCOHOLIC BEVERAGE

COMMENTS:

20 MIN. OBSERVATION DONE BY A/O DESUYO #5157

A/O REQUESTED THE BREATH TEST.
D SUBMITTED TO THE REQUEST.
D ASK WHAT HAPPENS IF SHE DID NOT TAKE THE TEST.
A/O READ THE IMPLIED CONSENT ON CAMERA TO THE D.
D UNDERSTOOD THE I/C AS READ.
D STILL SUBMITTED AFTER THE I/C WAS READ TO HER.
D COMPLETED THE TEST CORRECTLY.
CONTROL OUTSIDE TOLERANCE.
NEW 20 MIN. OBSERVATION HAD TO BE STARTED @05:58
A/O REQUESTED THE BREATH TEST.
D SUBMITTED TO THE BREATH REQUEST AGAIN.
D COMPLETED THE TEST CORRECTLY.
C/W READ ON CAMERA TO THE D.
BREATH RESULTS EXPLAINED TO THE D.
NO Q&A CONDUCTED, D REFUSED THE Q&A.

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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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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: 2024026115	**Date:** 9/28/2024
	Specialist Name/ID#: ANGELA PINKNEY/7796