0533484 23 CT 3643-ND 449

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 23-000880

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: 1

Location of Arrest (Including Name of Business): 337 E INDIANTOWN RD JUPITER, FL 33477
Location of Offense (Business Name, Address): 337 E INDIANTOWN RD, JUPITER, FL 33477

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
02/25/2023	00:50	02/25/2023	01:00			

DEFENDANT

Name (Last, First, Middle): PENNINGTON, TYLER ALLEN
Alias (Name, DOB, Soc. Sec. #, Etc.): Alias:

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	10/21/1994	5'11	190	BROWN	BROWN	MEDIUM	Medium

Scars, Marks, Tatoos, Unique Physical Features (Location, Type, Description):
Marital Status: S
Religion: CHRISTIAN
Indication of: Alcohol Influence ☒ Yes ☐ No ☐ Unk. ☐ Drug Influence

Local Address (Street, Apt. Number) (City) (State) (Zip): 114 MAJORCA WAY 306, JUPITER, FL 33458
Phone: (520) 419-8000
Residence Type: 1. City 3. Florida 2. County 4. Out of State: 1

Permanent Address (Street, Apt. Number) (City) (State) (Zip): 114 MAJORCA WAY 306, JUPITER, FL 33458
Phone: (520) 419-8000
Address Source: SPOKEN

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

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
P552801943810 / FL	[redacted]		PLANO, TX	US

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 ☐ 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: N. N/A P. Possess S. Sell B. Buy T. Traffic R. Smuggle D. Deliver E. Use K. Disperses/ 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	Statute Violation Number	Violation of ORD #
DUI - BAC ABOVE .15	316.193(4)	

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:

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: 03/29/2023 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.

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

No Photo Available

ADMIN

HOLD for Other Agency
☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other
Intake Deputy I.D. # Pouch #

Signature of Arresting Officer: 1185
Name of Arresting Officer (Print): YOCHUM, CRAIG I.D. #: 1185
Transporting Officer: OFC PICARD I.D. #: 1240 Agency: JPD

Name Verification (Printed by Arrestee) (PRINT)
Witness here if subject signed with an "X".

PAGE 1 OF 1

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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 | 23-000880

Charge Type: Check as many as apply.
☐ 1. Felony ☐ 3. Misdemeanor ☐ 5. Ordinance
☐ 2. Traffic Felony ☒ 4. Traffic Misdemeanor ☐ 6. Other

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
PENNINGTON, TYLER ALLEN		W	M	10/21/1994

CHARGES

Charge Description	Charge Description
316.193(4) DUI - BAC ABOVE .15	
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 reasonable 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 SGT PANCZAK who told OFC YOCHUM 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 25 day of February, 2023 at 00:50 (Specifically include facts constituting cause for arrest.)

On 02/25/2023 at approximately 0032 hours, I responded to the area of S.R. 706 (E Indiantown Rd.) and S US Highway 1 in the Town of Jupiter, Palm Beach County, Florida as a backup unit for Sergeant Panczak who had conducted a traffic stop on a gray Toyota pickup bearing FL tag # L4KLK. At the time, I was driving a fully-marked Jupiter Police Department patrol vehicle (vehicle 1406), I was wearing a JPD uniform clearly identifying myself as a Jupiter Police Officer, and I was wearing my department-issued Axon body camera.

I heard Sergeant Panczak advise via the police radio that the vehicle was slow to pull over and that they were about to cross over the S.R. 706 Intracoastal Waterway bridge (500 E Indiantown Rd.). When I arrived, I observed the aforementioned pickup stopped (facing west) in the bicycle lane on the ascent on the east side of the bridge. When I arrived, the vehicle was running, the driver and sole occupant was still in the driver`s seat, and Sergeant Panczak was speaking with the driver who he identified by his valid Class E Florida driver license to be Tyler Pennington (w/m; 10/21/1994).

I made contact with Sergeant Panczak who advised he observed Pennington turn left out of Bluffs Blvd. onto Marcinski Rd. When Pennington turned, he turned into the westbound left turn lane and was traveling eastbound in the westbound lanes before making a u-turn and correcting the vehicle`s course. Sergeant Panczak followed Pennington to the traffic light at Marcinski Rd. and S US Highway 1 and noted Pennington stopped past the stop bar, completely obstructing the crosswalk, for the solid red left turn arrow. Pennington turned northbound on S US Highway 1 where Sergeant Panczak observed Pennington hugging the inside of the inside northbound lane and traveling at an extremely high rate of speed. Sergeant Panczak advised he paced Pennington at 87 MPH in a posted 45 MPH speed zone. When Sergeant Panczak activated his emergency lights and siren to conduct a traffic stop, Pennington continued northbound and passed several empty left turn lanes which would have been sufficient stopping locations and continued

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER (CIR. 1185)

JOSHUA BELL
MY COMMISSION #GG346008
EXPIRES: JUN 18, 2023
Bonded through 1st State Insurance

02/25/2023
DATE

SIGNATURE OF ARRESTING/INVESTIGATING OFFICER

YOCHUM, CRAIG (1185)
NAME OF OFFICER (PLEASE PRINT)

02/25/2023
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: FL 0501700	Agency Name: JUPITTER POLICE DEPARTMENT	Agency Report Number: 5 | 4 | 23-000880		
	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
	PENNINGTON, TYLER ALLEN		W	M	10/21/1994

PROBABLE CAUSE STATEMENT

for approximately 1 minute with Sergeant Panczak behind him with the emergency lights activated. When Sergeant Panczak made contact with Pennington, he noted Pennington had slurred speech and he could smell the odor of an unknown alcoholic beverage on Pennington`s breath. See supplement from Sergeant Panczak.

I made contact with Pennington and immediately noted he had glassy eyes and a somewhat flushed face. Pennington advised he was coming from the Square Grouper where he had one or two beers. I asked Pennington to estimate his level of impairment on a scale of 1 (being sober) to 10 (being sick) and he advised he was a 1. Pennington further advised he felt as though he was sober. While I spoke with him, I noted Pennington had slurred speech and I could smell the odor of an unknown alcoholic beverage on his breath which intensified as he spoke to me.

Based on the information I had thus far, I ordered Pennington out of the vehicle and he complied. I advised Pennington that I was concerned he was driving under the influence and requested he perform Standardized Field Sobriety Tasks (SFSTs) at a more suitable location due to the fact that we were on the ascent of the drawbridge. Pennington agreed.

At the time, I was driving a vehicle without a prisoner partition. For officer safety, Officer Picard responded to transport Pennington (unrestrained) to the base of the bridge and SFSTs were conducted in front of the nearest flat location (Mattress Firm located at 337 E Indiantown Rd.). Due to the fact that Pennington was transported by Law Enforcement from the original stop location, I read Pennington his Miranda Warnings and confirmed he understood each one before proceeding. Pennington advised he understood and again provided his consent to perform SFSTs.

I first conducted the Horizontal Gaze Nystagmus task. I am a certified Drug Recognition Expert (IACP # 32395) and I conducted this task in accordance with my training. I observed Pennington had pupils of equal approximate size, he did not display resting nystagmus, and he was able to track a horizontally-moving stimulus equally. I observed Lack of Smooth Pursuit, Distinct and Sustained Nystagmus at Maximum Deviation, and the Onset of Nystagmus prior to 45 Degrees in both Pennington`s eyes. Vertical Gaze Nystagmus was also present.

I next conducted the Walk and Turn. I explained the task to Pennington and he did not display any clues during the Instruction Stage. Pennington advised he understood the instructions and began. Pennington missed heel-to-toe on step 2 and 5. Pennington paused on his 9th step. Pennington turned by taking one large step with his trailing foot. Pennington began the return walk and raised his arms from his sides for the first few steps. Pennington missed heel-to-toe on steps 2 through 8 and raised his arms again on steps 6, 7, and 8. Pennington took a total of 9 steps back down the line.

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER, F.S.S.

JOSHUA BELL
MY COMMISSION #GG346008
EXPIRES: JUN 18, 2023
Bonded through 1st State Insurance

02/25/2023
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

YOCHUM, CRAIG (1185)
NAME OF OFFICER (PLEASE PRINT)

02/25/2023
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 0501700	JUPITER POLICE DEPARTMENT	5 4 23-000880

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
PENNINGTON, TYLER ALLEN		W	M	10/21/1994

PROBABLE CAUSE STATEMENT

I then conducted the One Leg Stand. I provided the instructions to Pennington and he confirmed he understood. When told to begin, Pennington elected to raise his right leg off the ground. Pennington intermittently used his arms to balance himself throughout the task and I had to remind him to keep his eyes on his foot. At 30 seconds, I terminated the task.

Before conducting the Finger to Nose, I confirmed Pennington knew the difference between his left and his right. When told to begin, Pennington failed to tilt his head back and close his eyes until I reminded him. The cadence for this task was: Left, Right, Left, Right, Right, Left. On the first call of left, Pennington very quickly touched the pad of his left index finger to the tip of his nose. On the first call of right, Pennington again quickly touched the pad of his right index finger to the tip of his nose and moved his head slightly to the right. On the second call of left, Pennington quickly touched the pad of his left index finger to the tip of his nose. On the second call of right, Pennington quickly touched the middle of his right index finger to the tip of his nose. On the final calls of left and right, Pennington quickly touched the pad of the appropriate finger to the tip of his nose.

Pennington advised his highest level of education was a Bachelor`s degree and that he was comfortable with the alphabet from A to Z. When told to begin, Pennington appropriately recited the alphabet in its entirety.

Based on the aforementioned facts resulting from my investigation, I placed Pennington under arrest for DUI. Officer Picard transported Pennington to the Palm Beach County Breath Alcohol Testing Facility (BAT) and started the 20 minute observation period. When I arrived at the BAT, I resumed the observation period and ensured Pennington did not ingest or regurgitate anything.

At the conclusion of the observation period, I requested Pennington provide a lawful sample of his breath for the purpose of determining the alcohol content. Pennington agreed and ultimately provided two, adequate breath samples of .175 and .171 both exceeding the legal, per se limit of .08.

Based on the facts resulting from my investigation, I find Probable Cause exists to charge Tyler Pennington with DUI - BAC above .15 pursuant to FSS 316.193(4).

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER (CIR. CT. SEAL)

JOSHUA BELL
MY COMMISSION #GG346008
EXPIRES: JUN 18, 2023
Bonded through 1st State Insurance

02/25/2023
DATE

SIGNATURE OF ARRESTING/INVESTIGATING OFFICER

YOCHUM, CRAIG (1185)
NAME OF OFFICER (PLEASE PRINT)

02/25/2023
DATE

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

WITNESS LIST

CASE NUMBER: 23-000880

ARRESTING OFFICER: Craig Yochum

ADDRESS: 196 Military Trl. Jupiter, FL 33458

PHONE NUMBERS (HOME): _____ (WORK) 561-746-6201

CAN TESTIFY TO: PC

NAME: Sergeant Brian Panczak

ADDRESS: 196 Military Trl. Jupiter, FL 33458

PHONE NUMBERS (HOME) _____ (WORK) 561-746-6201

CAN TESTIFY TO: Supplement

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

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PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

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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: 02/25/2023

Date of Last Agency Inspection: 02/10/2023
Observation Period Began: 01:19
Subject's Name: TYLER A PENNINGTON DOB: 10/21/1994 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	01:44
Air Blank	0.000	01:44
Control Test	0.082	01:45
Air Blank	0.000	01:45
Subject Sample #1	0.175	01:46
Air Blank	0.000	01:46
Air Blank	0.000	01:48
Subject Sample #2	0.171	01:49
Air Blank	0.000	01:50
Control Test	0.081	01:50
Air Blank	0.000	01:50
Diagnostics Check	OK	01:50

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

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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 JOSHUA J BELL, 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: Bell Date: 02/25/23
Signature

Sworn to (or affirmed) before me this 25 day of February, 2023

1185
Signature of Notary Public-State of Florida

Ofc. C. Yochum #1185
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

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

PBSO CASE # 23-040266 PBSO ZONE 3-14

AGENCY CASE # 23-000880 CRASH CASE #

TIME OF STOP/CRASH 0032 DATE 02/25/2023 DAY Saturday

SUBJECT'S NAME Pennington (LAST) Tyler (FIRST) A (MID) RACE W SEX M

HGT 511 WGT 190 DOB 10/21/1994

LOCATION 337 E Indiantown Rd. Jupiter, FL 33477

ARRESTING OFFICER'S NAME & ID Craig Yochum #1185 AGENCY Jupiter PD

DIVISION: Traffic

NOTIFIED BY COMMO Yes

ARRIVAL AT FACILITY 0119

ARREST TIME 0050

BREATH RESULTS:

1). 175

2). 171

3) –

4) –

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TESTING OFFICER'S ID 8656 PBSO VIDEOTAPE #

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: _____

NOT A CERTIFIED COPY

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)_____

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TESTING FACILITY TASK REPORT

AGENCY: JPD

SUBJECT: PENNINGTON, TYLER ALLEN

CASE NUMBER: 23-040266

DATE: Feb 25, 2023

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 0141

ENDING TIME: 0157

BREATH TESTS RESULTS: 1) .175 TIME 0146 A.M. ☒ P.M. ☐ 2) .171 TIME 0149 A.M. ☒ P.M. ☐

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

BREATH OPERATOR: JOSHUA J BELL #8656

MAINTENANCE TECHNICAN: J. KARLECKE #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED

ATTITUDE: TALKATIVE, COOPERATIVE

CLOTHING: BLACK TEE SHIRT, GREEN PANTS, WHITE SHOES

MEDICAL CONDITIONS: CROHN'S

MEDICATIONS: HUMIRA

OTHER:

EYES: BLOODSHOT, GLASSY

ODOR OF UNKNOWN ALCOHOLIC BEVRAGE COMING FROM BREATH

COMMENTS:

A/O ARRIVED AT DUI TESTING FACILITY AND BEGAN THE 20 MINUTE OBSERVATION AT 0119 HOURS

SUBJECT STATED HE WOULD TAKE BREATH TEST

BREATH TEST COMPLETED

A/O READ RIGHTS
SUBJECT STATED HE UNDERSTOOD HIS RIGHTS

TECH READ BREATH TEST RESULTS
SUBJECT STATED HE UNDERSTOOD BREATH TEST RESULTS

A/O CONDUCTED Q AND A
SUBJECT ANSWERED Q AND A

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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: 2023005267	**Date:** 2/25/2023
	Specialist Name/ID: Chantel Daniels/30347