

ARREST / NOTICE TO APPEAR

Agency ORI Number: 0500200, Agency Name: Boca Raton Police Department, Agency Report Number: 3, 2, 2017-017037

Charge Type: 1. Felony, 2. Traffic Felony, 3. Misdemeanor, 4. Traffic Misdemeanor, 5. Ordinance, 6. Other

Location of Arrest: 1100 S OCEAN BLVD, BOCA RATON, FL

Date of Arrest: 12/13/2017, Time of Arrest: 02:37, Booking Date: 12/13/2017, Booking Time: 02:47, Jail Date: 12/13/2017, Jail Time: 00:00

Name (Last, First, Middle): AUER, ALBERT A, Alias: WESTWAY TOWING

Race: W, Sex: M, Date of Birth: 10/14/1966, Height: 5'10, Weight: 190, Eye Color: HAZEL, Hair Color: SALT &, Complexion: LIGHT, Build: Medium

Local Address: 305 SW 17TH ST, BOCA RATON, FL 33432, City: Boca Raton, State: FL, Zip: 33432

Permanent Address: 305 SW 17TH ST, BOCA RATON, FL 33432, City: Boca Raton, State: FL, Zip: 33432

Business Address: STRAX REJUVENATION, LAUDERHILL, City: LAUDERHILL, State: FL, Zip: 33071

D/L Number, State: A600021663740 / FL, Soc. Sec. Number: [REDACTED], INS Number: [REDACTED], Place of Birth (City, State): PATCHOUGE, NY, Citizenship: US

Co-Defendant Name (Last, First, Middle): [REDACTED], Race: [REDACTED], Sex: [REDACTED], Date of Birth: [REDACTED]

Co-Defendant Name (Last, First, Middle): [REDACTED], Race: [REDACTED], Sex: [REDACTED], Date of Birth: [REDACTED]

Parent: [REDACTED], Other: [REDACTED], Name (Last, First, Middle): [REDACTED], Address (Street, Apt. Number): [REDACTED], City: [REDACTED], State: [REDACTED], Zip: [REDACTED]

Notified by (Name): [REDACTED], Date: [REDACTED], Time: [REDACTED]

Released To (Name): [REDACTED], Relationship: [REDACTED], Date: [REDACTED], Time: [REDACTED]

The above address was provided by [REDACTED] defendant and/or [REDACTED] 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.

Property Crime? [REDACTED] Yes [REDACTED] No, Description of Property: [REDACTED], Value of Property: [REDACTED]

Drug Activity: [REDACTED], S. Sell: [REDACTED], R. Smuggle: [REDACTED], K. Disperses/Distribute: [REDACTED], M. Manufacture/Produce/Cultivate: [REDACTED], Z. Other: [REDACTED]

Charge Description: DU, Statute Violation Number: 316.193(1), Violation of ORD #: [REDACTED]

Charge Description: [REDACTED], Statute Violation Number: [REDACTED], Violation of ORD #: [REDACTED]

Charge Description: [REDACTED], Statute Violation Number: [REDACTED], Violation of ORD #: [REDACTED]

Health / apparent Physical Condition of Defendant: GOOD, Any knowledge of the following: [REDACTED] Mental [REDACTED] Escape Risk [REDACTED] Medication [REDACTED] Deformities [REDACTED] Injuries

Check which applies: [REDACTED] Released O.R. [REDACTED] Released to Parent/Guardian [REDACTED] T.O.T. County Jail, PROPERTY - Received By: VAN CAMP, Released By: VAN CAMP, Released To: PBCJ

Transport By: [REDACTED], Date Transported: 12/13/2017, Time Transported: 00:00, Other: [REDACTED]

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

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): [REDACTED], Date Signed: 12/13/17

HOLD # Other Agency: [REDACTED], Signature of Arresting Officer: [REDACTED], Name Verification (Printed by Arrestee): [REDACTED]

Dangerous: [REDACTED], Resisted Arrest: [REDACTED], Suicidal: [REDACTED], Other: [REDACTED], Name of Arresting Officer (Print): VAN CAMP, JEFFERY A., LD #: 747, Agency: BOCA

Intake Duty: [REDACTED], LD #: [REDACTED], Pouch #: [REDACTED], Transporting Officer: [REDACTED], LD #: [REDACTED], Agency: BOCA

Witness here if subject signed with a [REDACTED]

Page 1 OF 1

SCANNED

0494083

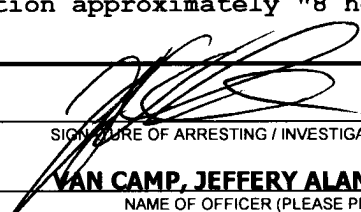
DEC 13 2017
215

PROBABLE CAUSE AFFIDAVIT

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

1

JUVENILE

A D M I N I S T R A T I V E	Agency ORI Number FL 0500200		Agency Name BOCA RATON POLICE DEPARTMENT		Agency Report Number 3 2 2017-017037	
	Charge Type: Check as many as apply. ☐ 1. Felony ☐ 2. Traffic Felony ☒ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		Special Notes:			
D E F	Name (Last, First, Middle) AUER, ALBERT A				Race W	Sex M
	Alias				Date of Birth 10/14/1966	
C H A R G E S	Charge Description 316.193(1) DUI		Charge Description			
	Charge Description		Charge Description			
V I C T I M	Victim's Name (Last, First, Middle) STATE OF FLORIDA,				Race	Sex
	Local Address (Street, Apt. Number) (City) (State) (Zip) 100 NW 2ND AVE, BOCA RATON, FL 33432				Phone (561) -	Address Source
M	Business Address (Name, Street) (City) (State) (Zip)				Phone (56) -	Occupation
	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. ☐ was observed by _____ who told _____ that he/she saw the arrested person commit the below acts. ☐ confessed to _____ admitting to the below facts. ☒ was found to have committed the below acts, resulting from my (described) investigation. On the 13 day of December, 2017 at 02:01 (Specifically include facts constituting cause for arrest.) On 12-13-2017 at 0138 hours, while on routine patrol, I observed a dark colored vehicle bearing Fl Tag# SNA75 traveling southbound on S. Federal Hwy in Boca Raton, Fl. The vehicle was directly behind another vehicle traveling southbound and was following too closely. The vehicle was also weaving in and out of its lane. I continued following the car and turned on my in-car camera in marked unit#426. The vehicle came to a stop at the intersection of S. Federal Hwy and E. Camino Real in front of the solid white line in the roadway and continued traveling east on E. Camino Real. While traveling east, the vehicle continued to weave and drove off the roadway at one point. Based on the driving pattern, I was concerned that the driver was sick, injured or possibly impaired, therefore I conducted a traffic stop on the car. It stopped at 1100 S. Ocean Blvd. I walked to the driver's side portion of the car and made contact with the driver, Albert Auer. While speaking with Auer I immediately smelled the odor of alcohol coming from his person. Auer also had a slurred speech and delayed reaction time. Auer informed me that he did not have his driver's license because it was lost. He further stated that he is having a "bad day." I asked him to elaborate and he asked if he could step out of his car, which I allowed him to do. Once out of the vehicle, Auer continued to have a strong smell of odor coming from his person. Auer appeared as if he was going to open his trunk and retrieve something from it but I advised him not to do so. Auer could not remember where he was coming from and seemed confused. I asked him how much alcohol he had consumed and he said, "two beers." Ofc. Fowler arrived a short time later. While speaking with Auer I noticed that his fly on his pants was unzipped and I requested that he fix the problem. Auer noticed it too and said that's "embarrassing." Auer advised that he is traveling home to his residence which is located down the street in Deerfield Beach, Fl. Auer informed me that he is prescribed Xanax for anxiety. Auer said he had consumed the medication approximately "8 hours ago." Auer said he did not have any injuries.					
A D M I N I S T R A T I V E	SWORN AND SUBSCRIBED BEFORE ME					
	PATTERSON, MARC P NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) 12/13/2017 DATE			 SIGNATURE OF ARRESTING / INVESTIGATING OFFICER VAN CAMP, JEFFERY ALAN (747) NAME OF OFFICER (PLEASE PRINT) 12/13/2017 DATE		

OBT'S Number		PROBABLE CAUSE AFFIDAVIT SUPPLEMENT		1. Arrest 2. N.T.A.	3. Request for Warrant 4. Request for Capias	1	JUVENILE
A D M I N I S T R A T I V E	Agency ORI Number FL 0500200	Agency Name BOCA RATON POLICE DEPARTMENT	Agency Report Number 3 2 2017-017037				
Charge Type: Check as many as apply. ☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other			Special Notes:				
Name (Last, First, Middle) AUER, ALBERT A			Alias	Race W	Sex M	Date of Birth 10/14/1966	
I asked that he submit to the standard roadside exercises, Auer said that he would do them. I explained and demonstrated each task before he performed them. The first task was the Horizontal Gaze Nystagmus. While observing HGN, each eye had a constant jerking while at maximum deviation. Lack of smooth pursuit was present in both eyes. Onset prior to 45 degrees was present. The second task was the Walk and Turn. Auer did not maintain the starting position. While explaining the task, Auer said that the ground surface was not level and requested to move over to the sidewalk. I re-positioned my vehicle and restarted the task. Auer again did not maintain the starting position. He did not go heel to toe at all during the exercise. He made an improper turn. After his first nine steps he asked if he should return back nine steps. The third task was the One Leg Stand. Auer used his arms to maintain balance. After I explained the task, Auer said he understood the task but when I informed him that he could begin the task, Auer asked what leg he should raise. Auer stopped at the 1007 and asked, "am I good?" I told him to continue the task until told to stop. He stopped again at the 1011 count and fell off balance continuously. The fourth task was the Finger to Nose (L-R-L-R-R-L). L- Held finger to nose. I had to tell him to bring it back down after holding it for a while. R- Held finger to nose. L- Held finger to nose. R- No issue. R- Held Finger to nose. L- No issue. The fifth task was the Rhomberg Alphabet. Auer said the alphabet without incident. Based on my investigation, I placed Auer under arrest for DUI per F.S.S. 316.193(1) and transported him to the Boca Raton Police Dept. for processing. Ofc. Miller conducted the Intoxilyzer 8000. While in the DUI room, Auer provided the breath samples of %.206 and %.204. Auer was later transported to the Palm Beach County Jail.							
NOT A CERTIFIED COPY							
SWORN AND SUBSCRIBED BEFORE ME PATTERSON, MARC P <i>MP614</i> NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) 12/13/2017 DATE <i>[Signature]</i> SIGNATURE OF ARRESTING / INVESTIGATING OFFICER VAN CAMP, JEFFERY ALAN (747) NAME OF OFFICER (PLEASE PRINT) 12/13/2017 DATE							
						PAGE 2 OF 2	

COURT

STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIME ANALYSIS

P. I. O.