

Arrest Report

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

Handwritten: J# 0504128
18 C1 23076
841/491

Report Date / Time 12/29/2018 3:12:37AM	Report Number FHP99ARR795723	Case Number/CAD Number FHPL18OFF107982 / LWRC18CAD235595	Reporting Officer Name Z. TODD
Originating Agency ORI FL0509000	Occurrence Date Time Range 12/29/2018 2:22:49 AM -	Jurisdiction	Clearance

Location of Occurrence

Location Type PUBLIC PLACE	Location Description ROADWAY
Street Number SR-9	Street NB BLUE HERON BLVD
County PALM BEACH	City WEST PALM BEACH
State FL	Zip 33404

Defendant

First Name ALEXEY	Middle Name A	Last Name OPRITSA	Suffix	Date Of Birth 10/5/1982	Age 36	Race WHITE	Sex MALE
SSN [REDACTED]	MNI #	Place of Birth RUSSIA, FF, RUSSIA	Height 510	Weight 180	Hair BRO	Eyes BRO	
DL or ID Number O163001823650	ID State FL	ID Type E	Address Type RESIDENCE				
Street Number 14611	Street SOUTHERN BLVD	Apt/Lot/Bldg					
County PALM BEACH	City LOXAHATCHEE GROVES	State FL	Zip 33470	Phone Number	Extension		
Location Description RESIDENCE							

Arrest

Arrest Date/Time 12/29/2018 2:52:37AM	Arrest Location Type PUBLIC PLACE	Arrest Location Description ROADWAY
Street Number SR-9	Street NB BLUE HERON BLVD	Apt/Lot/Bldg
County PALM BEACH	State FL	Zip 33404

Charge(s)

Counts 1	Charge 316.193.1	General Offense Code	Bond Amount \$ 0.00	No Bond
Charge Degree N	Charge Level MISDEMEANOR	Arrest Offense Code Description DUI-UNLAW BLD ALCH		
Charge Description DUI ALCOHOL OR DRUGS				

Probable Cause

On December 29, 2018 I was on routine patrol in my marked patrol in Palm Beach County. I responded to the scene of a traffic stop that occurred on I-95 (State Road 9) northbound south of Blue Heron Blvd. I was briefed by Sgt. Handzik when I arrived on scene. She stated to me that as she was traveling northbound she observed a vehicle that was traveling at a high rate of speed. She then stated that she initiated a traffic stop for a speed violation. She continued to state that as she talked to the driver she observed the odor of an unknown alcoholic beverage emitting from her breath as he talked. She also stated that he had bloodshot glassy eyes and a dazed appearance. I then arrived on scene and began a possible DUI investigation. I approached the vehicle and observed that the driver was the sole occupant of the vehicle. I also observed that the driver had bloodshot glassy eyes, allured speech and the odor of an unknown alcoholic beverage was emitting from his breath as he talked. I then requested that the driver step out of the vehicle and walk towards my patrol car. As he stood in front of me I observed that he had bloodshot glassy eyes, slurred speech and the odor of an unknown alcoholic beverage was emitting from his breath as he talked. I then requested that he conduct field sobriety exercises and he agreed.

Arrest Report

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Handwritten: Cpl H. O'Neal 7206

DEC 29 AM 4:47

Report Date / Time 12/29/2018 3:12:37AM	Report Number FHP99ARR795723	Case Number/CAD Number FHPL18OFF107982 / LWRC18CAD235595	Reporting Officer Name Z. TODD
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Horizontal Gaze Nystagmus

Before beginning the exercises, I checked to see if Opritsa was wearing glasses or contact lenses. It was determined that Opritsa was not wearing glasses. I then checked Opritsa's eyes and observed equal tracking and equal pupil size. Opritsa was instructed to place his feet together and place his hands down at his side. He then was instructed to keep his head still and follow the stimulus with his eyes and his eyes only. He was also instructed to keep looking at the stimulus until told not to. Opritsa verbally indicated that he understood.

- Lack of smooth pursuit, left eye
- Lack of smooth pursuit, right eye
- A distinct and sustained nystagmus at maximum deviation in the left eye
- A distinct and sustained nystagmus at maximum deviation in the right eye
- An onset of nystagmus prior to 45 degrees in the left eye
- An onset of nystagmus prior to 45 degrees in the right eye

Walk and Turn Exercise

The area was level and free of debris. Opritsa verbally indicated that he saw the line on the ground. Opritsa was instructed to put his left foot on the line, then place his right foot on the line ahead of the left foot in a heel to toe manner. I then demonstrated this position. Opritsa was instructed not to begin until told to do so. Opritsa verbally indicated that he has understood all instructions up to this point. Opritsa was then instructed to take 9 heel to toe steps on the line when told to do so. I then demonstrated this. Opritsa was then instructed to turn on the ninth step and to keep the front foot on the line and to take a series of small steps with the foot on the line. I then demonstrated this for Opritsa. Opritsa was also instructed to keep his arms at his sides and to watch his feet during the exercise. Opritsa was also instructed to count aloud and to not stop once he begins the exercise. He was also instructed to keep his arms at his sides at all times.

He had to be told to remain in the instructional position and began the exercise too soon. He took 9 steps forward and 10 steps back. Mr. Opritsa showed difficulty keeping balance during the instructions and the exercise. I observed that he stepped off the line on multiple steps. He also stopped during the turn and improperly completed the turn. He also did not count out loud as instructed.

One Leg Stand Exercise

Mr. Opritsa was instructed to stand with his feet together and to place his arms down at his side. Mr. Opritsa was instructed to maintain that position until told to do so. Once told to do so, Mr. Opritsa was instructed to raise one foot approximately 4 inches off the ground and to keep both legs straight with both arms at his side. He was also instructed to look at the elevated foot and count aloud in the manner of one thousand-one, one thousand-two and so on until told to stop. Mr. Opritsa verbally indicated that he understood the instructions after I demonstrated to him.

Mr. Opritsa was told to begin and raised his right foot. During the exercise Mr. Opritsa displayed an orbital sway and did not look down at his foot. He also raised his foot approximately 4 inches off the ground and placed his foot down during the exercise. He also swayed around during the exercise and did not keep both legs straight.

Finger To Nose

Mr. Opritsa was instructed stand with his feet together and arms at his side and to have his index fingers pointed out. He was instructed to not start and stay in that position until told to do so. He stated that he understood. I then demonstrated the position. Mr. Opritsa was then instructed to when told to start to close both eyes and tilt his head back. When told to do so he was instructed to bring the hand I directed upward, touching the tip of your finger to the tip of his nose. I then demonstrated this. He was then instructed to after touching the tip of the nose to immediately bring his hand down to his side. He stated that he understood. I then demonstrated and he stated that he understood. He was instructed to raise his hand in the following order, left, right, left, right, and right, left.

- Left: Miss
- Right: Miss
- Left: Miss
- Right: Miss
- Right: Miss

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-Left: Miss

He was then placed under arrest for DUI and transported to the Palm Beach County jail. Once I arrived at the testing facility I conducted a 20-minute observation. At no time did he regurgitate or take anything by mouth. I then requested that he provide a lawful sample of his breath and he refused. Implied consent was read and he stated that he understood and refused again. He was then booked into the county jail.

The above incident occurred in Palm Beach County.

Jail Booking Facility

Booking Date/Time 12/29/2018 3:26:53AM	Booking County PALM BEACH	Booking Facility PALM BEACH COUNTY CORRECTIONS	Booking Facility Phone Number (561) 688-4400
Booking Facility Location 3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406			Booking Number
Booking Comments			

Court

Court County PALM BEACH	Court Location 200 WEST ATLANTIC AVE. DELRAY BEACH, FL 33444		
Court PALM BEACH SOUTH COUNTY COURTHOUSE	Court Phone 561-274-1530	Court Appearance Date / Time 1/28/2019 830AM	Court Fine
Comments			

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 Z. TODD	Officer Rank TROOPER	Officer ID No. 4141	Sworn and subscribed before me, the undersigned authority This the <u>29</u> day of <u>December</u> , <u>2018</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT OFFICER
Officer Agency FLORIDA HIGHWAY PATROL	 		
Officer Signature			

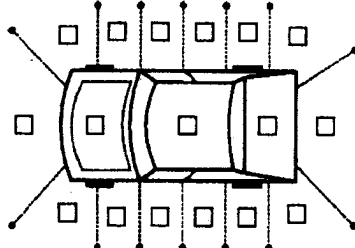
Approving Supervisor

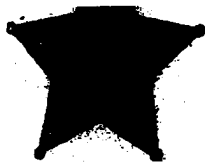
Officer Name	Officer Rank	Officer ID No	Officer Agency
Officer Signature			

Vehicle Tow

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CASE NUMBER
FHPL18OFF107982

DATE / TIME 12/29/2018 3:03:53 AM		COUNTY PALM BEACH	CITY	OTHER NUMBER	CITATION / REPORT			
OWNER	FIRST NAME ALEXEY	MIDDLE NAME A	LAST NAME OPRITSA	SUFFIX NAME	BUSINESS NAME			
	ADDRESS BOX 213	CITY LOXAHATCHEE	STATE FL	ZIP CODE 33470	TELEPHONE			
☐ OWNER PRESENT OR ☐ OWNER NOTIFICATION ATTEMPTED		OWNER NOTIFICATION ATTEMPTS: ☐ OWNER NOTIFICATION SUCCESSFUL						
DRIVER	NAME FIRST ALEXEY	NAME MIDDLE A	LAST NAME OPRITSA	SUFFIX NAME				
	ADDRESS BOX 213	CITY LOXAHATCHEE	STATE FL	ZIP CODE 33470	TELEPHONE			
CMV	CARRIER NAME							
	ADDRESS CITY STATE ZIP CODE TELEPHONE							
VEHICLE / TRAILERS	YEAR 2018	MAKE NISS	MODEL	VEHICLE STYLE 4D	VEHICLE COLOR SIL	TAG STATE / NUMBER FL JR8X29	VIN 1N4AL3AP7JC208777	ODOMETER
	CIC ENTRY		RED TAG DATE / TIME		ID NUMBER	NAME		
	REASON VEHICLE TOWED ARREST							
	POWER UNIT	MAKE	YEAR	COLOR	UNIT NO.	VEHICLE IDENTIFICATION NO.	TAG NO.	STATE
TRAILER 1	MAKE	YEAR	COLOR	UNIT NO.	VEHICLE IDENTIFICATION NO.	TAG NO.	STATE	EXP. DATE
TRAILER 2	MAKE	YEAR	COLOR	UNIT NO.	VEHICLE IDENTIFICATION NO.	TAG NO.	STATE	EXP. DATE
TOW	TOW SELECTION TYPE ROTATION WRECKER		LOCATION VEHICLE INVENTORIED / TOWED FROM 195 NB SOUTH OF BLUE HERON BLVD					
	TOWING SERVICE KAUFFS TOWING		DAY TELEPHONE (561)844-5283		NIGHT TELEPHONE			
ADDRESS 4701 EAST AVE MANGONIA PARK, FL		CITY / STATE / ZIP						
STORAGE	VEHICLE STORAGE LOCATION KAUFFS TOWING		DAY TELEPHONE (561)844-5283		NIGHT TELEPHONE			
	ADDRESS 4701 EAST AVE MANGONIA PARK, FL		CITY / STATE / ZIP					
VEHICLE INVENTORY & DAMAGE	☐ CELLULAR PHONE (MAKE/MODEL)		☐ WHEEL COVERS QTY		INDICATE VEHICLE DAMAGE 			
	☐ RADAR DETECTOR (MAKE/MODEL)		☐ CUSTOM RIMS QTY					
☒ STEREO SYSTEM (RADIO / CD / TAPE, ETC.)		NUMBER OF TIRES (INCLUDE SPARE) 4						
☐ CB RADIO / 2 WAY RADIO		☐ TRUNK ACCESSIBLE						
☐ TRAILER HITCH		☐ REAR SPOILER						
PROPERTY IN VEHICLE KEYS AND CD'S IN CENTER CONSOLE, BAG WITH NOTEBOOK BINDERS. IN BACK SEAT 1 BLACK BAG WITH DIVER FINS, 1 UMBRELLA, SEVERAL BAGS WITH MISC. PAPERS, ETC. 1 BAG WITH TOWEL. IN TRUNK SEVERAL GARBAGE BAGS WITH PASTIC BAGS, 1 BLACK BACK PACK WITH BOOKS.								
OFFICER COMMENTS								
WE THE UNDERSIGNED OFFICER(S) AND TOW DRIVER, HEREBY CERTIFY THAT THE ABOVE LISTED JOINT PROPERTY INVENTORY IS CORRECT TO THE BEST OF OUR KNOWLEDGE.								
SIGNATURE OF TOW TRUCK DRIVER JOHN WELCH			DATE			SIGNATURE OF OFFICER RANK AND NAME OF OFFICER CORPORAL K.A. CASELLA		
PRINTED NAME OF TOW TRUCK DRIVER						ORG / UNIT L I.D. NUMBER 1915		



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

PBSO CASE # 18-160762 PBSO ZONE 3-13

AGENCY CASE # FHP180FF107982 CRASH CASE # _____

TIME OF STOP/CRASH 0222 DATE 12/29/18 DAY SAT

SUBJECT'S NAME ALEXEY OPRETA RACE W SEX M

HGT 5'10 WGT 190 DOB 10 / 05 / 1982

LOCATION I-95 NB Blue Heron Blvd

ARRESTING OFFICER'S NAME & ID TODD 4141 AGENCY FHP-L

DIVISION: DUI

NOTIFIED BY COMMO Y

ARRIVAL AT FACILITY 0815

ARREST TIME 0252

BREATH RESULTS:

1. **REFUSED**
2. _____
3. _____
4. _____

TESTING OFFICER'S ID 22019 PBSO VIDEOTAPE # _____

TESTING FACILITY TASK REPORT

AGENCY: FHP

SUBJECT: Crista, Alexey A

CASE NUMBER: 18-1807162

DATE: 12/29/18

VIDEO TAPE NUMBER: N/A

BEGINNING TIME: 03:40

ENDING TIME: 03:47

BREATH TESTS RESULTS: 1) R TIME 03:46 A.M./P.M. 2) N/A TIME — A.M./P.M.
3) N/A TIME — A.M./P.M. 4) N/A TIME — A.M./P.M.

BREATH OPERATOR: K. Moynihan #22079

MAINTENANCE TECHNICIAN: J. Karlecki #16467

TESTING OFFICER'S OBSERVATIONS

SPEECH: mumbled

ATTITUDE: Calm, Quiet, Cooperative, indecisive.

CLOTHING: Blue Jeans, Grey long sleeve t-shirt, Black sneakers

MEDICAL CONDITIONS: none

MEDICATIONS: Asprin

OTHER: Eyes glassy and blood shot

COMMENTS: Arrived at Testing Center. ALO began 30 minute Observation Period at 03:15 hrs.

Δ refused to take test

REFUSED

ALO read ILC and explained

Δ stated he understood ILC, Δ again Refused to take Test.

ALO read Rights

Δ stated he heard ALO speaking but wouldn't say he understood his Rights.

No Q+A

REFUSED

SUBJECT: Oprista, Alexey A 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 detecting the presence of chemical or controlled substances.

-OR-

I am now requesting that you submit to a lawful test of your BLOOD for the purpose of detecting its alcohol content and 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 fail to submit to the test I have requested of you, your privilege to operate a motor vehicle will be suspended for a period of one (1) year for a first refusal, or eighteen (18) months if your privilege has been previously suspended as a result of a refusal to submit to a lawful test of your breath, urine or blood. Additionally, if you refuse to submit to the test I have requested of you and if your driving privilege has been previously suspended for a prior refusal to submit to a lawful test of your breath, urine or blood, you will be committing a misdemeanor. Refusal to submit to the test I have requested of you is admissible into evidence in any criminal proceeding.

SUBJECT'S SIGNATURE: (X) _____

Read on Camera

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) _____

Read on Camera

SUBJECT: Oprista, Alexey A 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: _____



**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)
I/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:	

REVIEW COMPLETED BY

Booking Number: 2018042762	Date: 12/30/2018
	Specialist Name/ID: AM/31562