

2019CT23143 ANB

ARREST / NOTICE TO APPEAR
Juvenile Referral Report1. Arrest
2. N.T.A.3. Request for Warrant
4. Request for Capias

1

Juvenile

N

ADMINISTRATIVE	OBTS Number		Agency ORI Number FLO 502600		Agency Name PALM BEACH GARDENS POLICE DEPARTMENT		Agency Report Number (N.T.A.'s only) 78- 19007345	
	Charge Type: Check as many as apply: ☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		Weapon Seized / Type ☒ 1. Yes ☐ 2. No		Multiple Clearance Indicator			
DEFENDANT	Location of Arrest (Including Name of Business) N MILITARY TRL/ELM AVE, PALM BEACH GARDENS, FL 33410				Location of Offense (Business Name, Address) N MILITARY TRL/ELM AVE, PALM BEACH GARDENS, FL 33410			
	Date of Arrest 12/15/2019	Time of Arrest 02:53	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle KAUFFS TOWING & RECOVERY 4301 East Avenue, West Palm Beach, FL 33405	
CO-DEF	Name (Last, First, Middle)				Alias (Name, DOB, Soc. Sec. #, Etc.) NONE			
	Race W - White - American Indian B - Black - Oriental/Asian	Sex M	Date of Birth	Height 509	Weight 185	Eye Color BRO	Hair Color BLK	Complexion LGT
	Build LARGE							
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) TATT: R/L ARMS FULL SLEEVES; L-KNEE SKULL				Marital Status SINGLE		Religion NONE	
	Local Address (Street, Apt. Number) (City) (State) (Zip)				Phone (561) 762-6499		Indication of Alcohol Influence ☐ Y ☒ N ☐ Unk.	
	Permanent Address (Street, Apt. Number) (City) (State) (Zip)				Phone ()		Address Source SELF	
	Business Address (Name, Street) (City) (State) (Zip)				Phone ()		Occupation PERSONAL TRAINER	
	D/L Number, State FL		Soc. Sec. Number		INS Number		Place of Birth (City, State) WEST PALM BEACH, FL	
	Citizenship USA							
	JUVENILE	Co-Defendant Name (Last, First, Middle)				Race		Sex
Co-Defendant Name (Last, First, Middle)				Race		Sex		
Name (Last) (First) (Middle)				Residence Phone ()				
Address (Street, Apt. Number) (City) (State) (Zip)				Business Phone ()				
Notified by: (Name)				Date		Time		
Released To: (Name)				Relationship		Date		
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		
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		
CHARGE	Charge Description DRIVING UNDER THE INFLUENCE				Counts 1		Domestic Violence ☐ Y ☒ N	
	Statute Violation Number 316.193(1)				Violation of ORD #			
	Drug Activity N				Drug Type N		Amount / Unit N/A	
	Offense #				Warrant / Capias Number		Bond	
	Charge Description				Counts		Domestic Violence ☐ Y ☒ N	
	Statute Violation Number				Violation of ORD #			
	Drug Activity N				Drug Type N		Amount / Unit N/A	
	Offense #				Warrant / Capias Number		Bond	
	Charge Description				Counts		Domestic Violence ☐ Y ☒ N	
	Statute Violation Number				Violation of ORD #			
NOTICE TO APPEAR	Location (Court, Court Number, Address) NORTH COUNTY COURTHOUSE, 3188 PGA BOULEVARD, PALM BEACH GARDENS, FL 33410 - PH: (561) 662-6700							
	Court Date and Time Month JANUARY Day 15 Year 2020 Time 10:00 AM ☒ 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 12/15/2019			
	HOLD for other Agency Name:				Signature of Arresting Officer			
	☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other:				Name of Arresting Officer (Print) Off. Cameron Carver			
	Intake Deputy				ID # 471			
	Agency PBGPD				Name Verification (Printed by Arrestee) SCANNED			
	Witness here if subject signed with an "X"				PAGE 1 OF 1			

DISTRIBUTION: WHITE - COURT COPY

GREEN - STATE ATTORNEY

YELLOW - AGENCY

PINK - AGENCY (N.T.A.'s ONLY)

DEC 16 2019

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 15 DAY OF DECEMBER 20 19, AT 02:19 ☒ AM ☐ PM

SUBJECT: [REDACTED] CASE NUMBER: 19007345

AGENCY: PALM BEACH GARDENS POLICE DEPT. ARRESTING OFFICER: Ofc. Cameron Carver #471

PERSONAL CONTACT

DRIVING PATTERN: ACTUAL PHYSICAL CONTROL (PHYSICAL EVIDENCE OR STATEMENTS PUTTING DEF. BEHIND WHEEL OF VEHICLE)

+PC for Stop: Observed black Chevrolet Truck bearing Florida Tag [REDACTED] traveling Southbound on N Military Trail with altering speeds. Truck had right front corner damage, with the headlight shining straight down onto the ground, not out as required by FSS. Additionally, caller provided information detailed below.
+Manner of Stop: While checking the front of the truck, driver began to slow down significantly, nearly coming to a stop in the roadway. Initiated traffic stop and pulled into Sable Ridge development and came to final stop.
+APC: Identified the driver via his Florida Driver's License as [REDACTED]
+Witness Statements: Austin Ragusa provided SOS stating he called to report that he was SB on N Military Trl where he and another truck had to make evasive action to avoid getting hit by the Chevrolet traveling NB in the SB lanes. Ragusa made a U-turn and followed the truck and called 911. Chevrolet corrected his lanes of travel at N Military and Victoria Falls Blvd by switching into the NB lanes. At N Military and Hood Rd, made a left turn, headed west on Hood Rd for aprox. 2 miles and made a U-turn at Golden Eagle Circle and went back to N Military Trl. Chevrolet continued SB on N Military Trl and made a right turn to head west on Victoria Falls, then made a U-Turn and headed back EB on Victoria Falls where the truck again went SB on N Military Trail, until stopped by police.

OBSERVATION OF DRIVER:

+Appearance of Vehicle: Fresh damage to the front right corner showing there was impact with an object earlier in the evening.
+Appearance of Driver: Glassy, Bloodshot and watery eyes, strong odor of unknown alcoholic beverage coming from breath; unable to maintain balance while standing; confused and did not know where he was. Wearing a red band indicating he was at a club or bar.
+Clothing Condition: Red Plaid shirt, ripped black jeans all in neat condition.
+Exit Sequence: Stumbled out of vehicle, leaned into vehicle to maintain balance, when away from vehicle he stumbled.

DRIVER'S STATEMENTS:

+In Car: Did not know where he was or where he was coming from. Stated he was coming from downtown West Palm, then changed statement to state he was coming from a friends house, to headed to a friends house on Holly Drive, then stated he was coming from Abacoa. Stated he had a "few drinks" and was not involved in a crash this evening. Also stated his vehicle did not have any damage.
+Roadsides: Refused to perform SFST's. Taylor Warnings Read and again refused.
+BAT: Refused to perform breath. Implied Consent Read, again refused. Participated in Q&A: Stated he left the work Christmas Party at Civil Society a few times... Was with his friend who was driving his vehicle and went to Taco Bell, friend drove to his residence then [REDACTED] then took possession of his vehicle and drove back up to Civil Society and hung out with friends and colleagues. Stated he had "probably 3 drinks" claiming to have had beers.

ODORS:

Odor of unknown alcoholic beverage.

GENERAL OBSERVATIONS

SPEECH: Quiet Slurred

ATTITUDE: Calm, Cooperative

CLOTHING: Red Plaid long sleeve shirt, black ripped jeans, black boots (changed into black and white sneakers)

MEDICAL/OTHER: None

STATE OF FLORIDA
COUNTY OF PALM BEACH

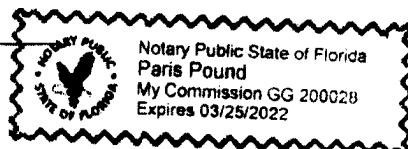
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 15 day of DECEMBER 20 19 by Ofc. Cameron Carver

(Print name of Arresting/Investigative Officer, who is personally known to me and/or produced identification. Type of Identification produced)

Personally Known

Notary Public, Clerk of Court, Officer (F.S.S. 117.10)



SUBJECT: GAVIRIA-COLON, ANDRE, B CASE NUMBER 19007345

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

- | | |
|--|--|
| ☐ LT EYE-LACK OF SMOOTH PURSUIT | ☐ RT EYE-LACK OF SMOOTH PURSUIT |
| ☐ LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION | ☐ RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION |
| ☐ LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES | ☐ RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES |

Other Observations:

Condition of Eyes: Glassy, Watery and Bloodshot

WALK & TURN:

REFUSED

ONE LEG STAND:

REFUSED

ROMBERG ALPHABET:

REFUSED

FINGER TO NOSE:

REFUSED

BREATH TEST RESULTS: REFUSED REFUSED

STATE OF FLORIDA
COUNTY OF PALM BEACH

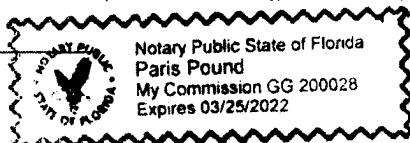
(Signature of Arresting/Investigative Officer)

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(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced

Personally Known

Notary Public, Clerk of Court, Officer (F.S.S. 117.10)





**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.	1-5
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	☒	119.0712(2)	Other: Personal information contained in a motor vehicle record	2-3 & 5
	☐		Other:	

REVIEW COMPLETED BY

Booking Number: 2019039971	Date: 12/16/2019
	Specialist Name/ID: howardt7185

CARVER
(471)

19007345



FLORIDA DUI UNIFORM TRAFFIC CITATION

A56H5UE

COUNTY OF PALM BEACH 06		☐ (1) F.H.P. ☒ (2) P.D. ☐ (3) S.O. ☐ (4) OTHER	
CITY (IF APPLICABLE) PALM BEACH GARDENS		AGENCY NAME PALM BEACH GARDENS	
		AGENCY # 78	
IN THE COURT DESIGNATED BELOW THE UNDERSIGNED CERTIFIES THAT HE/SHE HAS JURY AND REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT ON			
COMPLAINT (RETAINED BY COURT)			
DAY OF WEEK SUNDAY	MONTH 12	DAY 15	YEAR 2019
		TIME 02:53	☒ A.M. ☐ P.M.
NAME (PRINT) _____			
IF DIFFERENT FROM ONE ON DRIVER LICENSE "X" HERE			
STATE FL		ZIP CODE 33460	
DATE OF BIRTH 11	DAY 21	YEAR 1990	SEX W
		AGE M	HT 509
DRIVER LICENSE NUMBER _____	STATE FL	CLASS E	CDL LICENSE ☐ Y ☒ N
		YR LICENSE EXP. 2020	COMMERCIAL VEHICLE ☐ YES ☒ NO
YR VEHICLE 2018	MAKE CHEV	STYLE PK	COLOR BLK
VEHICLE LICENSE NO. _____		TRAILER TAG NO. _____	FL YEAR TAG EXPIRES 2020
UPON A PUBLIC STREET OR HIGHWAY, OR OTHER LOCATION, NAMELY N MILITARY TRL/ELM AVE, PALM BEACH GARDENS		MOTORCYCLE ☐ YES ☒ NO	
VIOLATOR'S SIGNATURE _____		COMPARISON CITATIONS ☐ YES ☒ NO	
FT. _____ MILES ☐ ☐ ☐ ☐ OF ROAD			

WHO UNLAWFULLY COMMIT THE OFFENSE OF DRIVING UNDER THE INFLUENCE OF ALCOHOLIC BEVERAGES, CHEMICAL OR CONTROLLED SUBSTANCES, DID DRIVE, OR WAS IN ACTUAL PHYSICAL CONTROL OF A VEHICLE, WHILE UNDER THE INFLUENCE OF AN ALCOHOLIC BEVERAGE/CHEMICAL SUBSTANCE/CONTROLLED SUBSTANCE TO THE EXTENT NORMAL FACULTIES WERE IMPAIRED, OR WITH A BLOOD OR BREATH ALCOHOL LEVEL OF .08 OR ABOVE OF

REFUSAL
COMMENTS PRESENTED TO OFFICER (Do not use unless with citation)

DUI - DRIVING UNDER INFLUENCE ☐ RE-EXAM ☒ YES ☐ NO

☐ AGGRESSIVE DRIVER ☐ PASSENGER 10 YEARS ☐ STATE STATUTE ☐ SECTION **316.193** ☒ (1)*

CRASH ☐ DAMAGE TO OTHER PROPERTY ☐ INJURY TO ANOTHER ☐ SERIOUS BODILY INJURY TO ANOTHER ☐ FATAL ☐ YES ☒ NO ☐ YES ☒ NO ☐ YES ☒ NO ☐ YES ☒ NO

THIS IS A CRIMINAL VIOLATION, COURT APPEARANCE REQUIRED, AS INDICATED BELOW.

01/15/2020 10:00 AM A56H5UE
COUNTY DATE TIME
NORTH COUNTY GOVERNMENT CENTER
3188 PGA Boulevard PBG, FL 33410

ARREST DELIVERED TO **PBSO** DATE **12/15/2019**

I AGREE AND PROMISE TO COMPLY AND OBEY TO THE CHARGES AND INSTRUCTIONS SPECIFIED IN THIS CITATION. WILLFUL REFUSAL TO ACCEPT AND SIGN THIS CITATION MAY RESULT IN AN ARREST. I UNDERSTAND BY SIGNATURE BELOW AN ADMISSION OF GUILT OR WAIVER OF RIGHTS. IF YOU NEED REASONABLE FACILITY ACCOMMODATIONS TO COMPLY WITH THIS CITATION, CONTACT THE CLERK OF THE COURT.

X SIGNATURE OF VIOLATOR

EFFECTIVE IMMEDIATELY, YOUR DRIVING PRIVILEGE IS SUSPENDED/DISQUALIFIED FOR:

☐ DRIVING WITH AN UNLAWFUL BLOOD OR BREATH ALCOHOL LEVEL. THIS SUSPENSION IS FOR A PERIOD OF SIX MONTHS IF THIS IS THE FIRST VIOLATION OR ONE YEAR IF PREVIOUSLY SUSPENDED FOR DRIVING WITH AN UNLAWFUL BLOOD OR BREATH ALCOHOL LEVEL. IF YOU HOLD A CDL OR YOU ARE OPERATING A CMV, YOUR COMMERCIAL DRIVER LICENSE/PRIVILEGE WILL ALSO BE DISQUALIFIED FOR ONE YEAR FOR THE FIRST OFFENSE OR PERMANENTLY DISQUALIFIED FOR A SUBSEQUENT OFFENSE.

☒ REFUSAL TO SUBMIT TO LAWFUL BREATH, BLOOD OR URINE TEST SECTION 322.2615, F.S. THIS SUSPENSION IS FOR A PERIOD OF ONE YEAR IF THIS IS A FIRST REFUSAL OR 18 MONTHS IF PREVIOUSLY SUSPENDED FOR THIS OFFENSE. IF YOU HOLD A CDL OR YOU ARE OPERATING A CMV, YOUR COMMERCIAL DRIVER LICENSE/PRIVILEGE WILL ALSO BE DISQUALIFIED FOR A PERIOD OF ONE YEAR FOR A FIRST REFUSAL OR PERMANENTLY DISQUALIFIED FOR A SUBSEQUENT REFUSAL.

LICENSE SURRENDERED? ☒ YES ☐ NO REASON _____

ELIGIBLE FOR PERMIT? ☒ YES ☐ NO REASON _____

UNLESS INELIGIBLE, THIS CITATION SHALL SERVE AS A TEMPORARY DRIVER LICENSE AND WILL EXPIRE AT MIDNIGHT ON THE 10TH DAY FOLLOWING THE DATE OF SUSPENSION.

AT THE **LAUDERDALE LAKES** BUREAU OF ADMINISTRATIVE REVIEWS OFFICE, YOU MAY REQUEST, WITHIN 10 DAYS AFTER THE DATE OF SUSPENSION, A REVIEW OF SUSPENSION BY THE DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES OR A REVIEW TO DETERMINE ELIGIBILITY FOR A RESTRICTED LICENSE IF THIS IS YOUR FIRST DUI RELATED OFFENSE. SEE REVERSE SIDE.

RANK - SIGNATURE OF OFFICER _____ ID NO. _____ TROOP UNIT _____

HSB97 7594 (Rev. 10-14)

COMPLAINT

CASE NO. _____ DOCKET NO. _____ PAGE NO. _____

DATE	COURT ACTION AND OTHER ORDERS
	BAIL FIXED AT \$ _____ OR CASH DEPOSIT OF \$ _____
	SIGNATURE OF PERSON GIVING BAIL _____
	SIGNATURE OF PERSON TAKING BAIL _____
	FINE IN THE AMOUNT OF \$ _____ RECEIVED AS REQUIRED BY COURT SCHEDULE.
	SIGNATURE OF CLERK _____
	CONTINUANCE TO _____ REASON _____
	CONTINUANCE TO _____ REASON _____
	BOND ESTREATED _____
	WARRANT ISSUED _____
	VIOLATOR FAILED TO APPEAR-DRIVER LICENSE SUSPENDED
	VIOLATOR ARRAIGNED ON _____ (DATE)
	PLEA: _____
	FINDING: _____
	ADJUDICATION: _____
	SENTENCE: FINE _____ COST _____
	JAILED _____ DAYS
	DRIVER IMPROVEMENT SCHOOL _____
	OTHER _____
	DRIVER LICENSE SUSPENDED OR REVOKED FOR _____ DAYS
	RECOMMEND DRIVER LICENSE SUSPENSION FOR _____ DAYS
	RECOMMEND RE-TEST _____
	SIGNATURE OF JUDGE _____
	TESTIMONY - JUDGE'S NOTES (OR OTHER COURT ORDERS):
	APPEAL BOND OF \$ _____
	VIOLATOR'S FINGERPRINT WHEN APPLICABLE _____