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3763

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 FL0 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number (N.T.A.'s only) 06-16148526	
	Charge Type Check as many as apply: ☐ 1. Felony ☐ 2. Traffic Felony ☒ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		Weapon Used Type ☒ 1. Yes ☐ 2. No NA		Multiple Clearance Indicator 01			
DEFENDANT	Location of Arrest (Including Name of Business) 430 LA MANCHA AVE, RPB, FL 33411				Location of Offense (Business Name, Address) 430 LA MANCHA AVE, RPB, FL 33411			
	Date of Arrest 11/6/16	Time of Arrest 0335	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle PRIORITY TOWING 561-533-5573	
CO-DEF	Name (Last, First, Middle) ALBARRAN, ANDRES ISRAEL JR				Alias (Name, DOB, Soc. Sec. #, Etc.)			
	Race W - White - American Indian B - Black 0 - Oriental/Asian W	Sex M	Date of Birth 11/7/1967	Height 5'10	Weight 200	Eye Color BRN	Hair Color BLK	Complexion MED
JUVENILE	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) NONE				Marital Status SINGLE		Religion NONE	
	Local Address (Street, Apt. Number) 1739 VILLAGE BLVD APT 206 WEST PALM BEACH, FL 33409-				Phone (561) 718-2570		Residence Type: 1. City 2. County 3. Florida 4. Out of State 2	
ADMIN	Permanent Address (Street, Apt. Number) SAME AS LOCAL				Phone ()		Address Source DAVID / DL	
	Business Address (Name, Street) UNK				Phone ()		Occupation CONSTRUCTION	
CHARGE	DL Number, State A416-009-67-407-0/FL		Soc. Sec. Number [REDACTED]		INS Number		Place of Birth (City, State) CANTON, OH	
	Citizenship USA		Co-Defendant Name (Last, First, Middle)		Race		Sex	
CHARGE	Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth	
	Parent Legal Custodian Other: Name (Last) (First) (Middle) Address (Street, Apt. Number) (City) (State) (Zip) Residence Phone () () () Business Phone () () ()		Notified by: (Name)		Date		Time	
CHARGE	Released To: (Name)		Relationship		Date		Time	
	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 355-2528) informed of any change of address. ☐ Yes, by: (Name) ☐ No: (Reason)		School Attended		Grade			
CHARGE	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	
CHARGE	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. Synthetics		U. Unknown Z. Other			
CHARGE	Charge Description DUI		Counts 01		Domestic Violence ☐ Y ☒ N		Statute Violation Number 316.193(1)	
	Drug Activity U		Drug Type U		Amount / Unit NA		Offense # 16148526	
CHARGE	Charge Description		Counts		Domestic Violence ☐ Y ☒ N		Statute Violation Number	
	Drug Activity		Drug Type		Amount / Unit		Offense #	
CHARGE	Charge Description		Counts		Domestic Violence ☐ Y ☒ N		Statute Violation Number	
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	Drug Activity		Drug Type		Amount / Unit		Offense #	
CHARGE	Charge Description		Counts		Domestic Violence ☐ Y ☒ N		Statute Violation Number	
	Drug Activity		Drug Type		Amount / Unit		Offense #	
NOTICE TO APPEAR	Location (Court, Room Number, Address) CRIMINAL JUSTICE COMPLEX @ 3228 GUN CLUB RD WPB, FL 33406							
	Court Date and Time Month 12 Day 1 Year 2016 Time 8:30 AM ☒ PM ☐							
ADMIN	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) [Signature]				Date Signed NOV 07 2016			
ADMIN	HOLD for other Agency Name:		Signature of Arresting Officer [Signature]		Name Verification (Printed by Defendant) SCANNED			
	☐ Dangerous ☐ Suicidal		☐ Resisted Arrest ☐ Other:		Name of Arresting Officer (Print) DANIEL MERCIER		I.D. # 8236	
ADMIN	Intake Deputy [Signature]		I.D. # 4216		Pouch #		Transporting Officer DANIEL MERCIER	
	ID # 8236		Agency PBSO		Witness here if subject signed with an "X"		1 OF 1	

OBTS Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.		3. Request For Warrant 4. Request For Capias		1	Juvenile N			
Agency ORI Number FLO 5 0 0 0 0 0		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06		16-148526						
Charge Type Check as many as apply ☐ 1. Felony ☐ 2. Traffic Felony ☒ 3. Misdemeanor ☐ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		Special Notes										
Defendant Name (Last, First, Middle) ALBARRAN, Andres ISRAEL						Race W		Sex M		Date of Birth 11-07-1967		
Charge DUI				Charge								
Charge				Charge								
Victim Name (Last, First, Middle) State of Florida						Race		Sex		Date of Birth		
Local Address (Street, Apt. Number)			City		State		Zip		Phone		Address Source	
Business Address (Street, Apt. Number)			City		State		Zip		Phone		Occupation	
The undersign 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 (described) investigation. On the 6th day of November 20 16 at 2:44 ☒ AM ☐ PM												

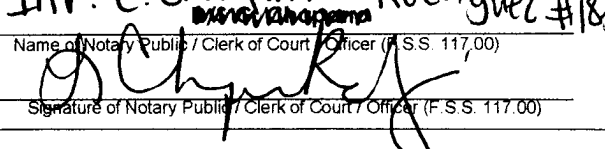
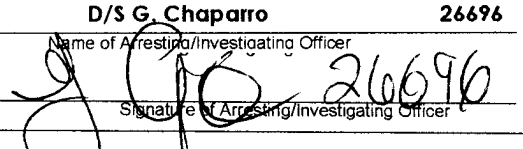
I responded to 430 La Mancha Ave., in reference to a suspicious black SUV parked in front of the callers driveway to her residence occupied by a unknown subject.

I arrived and observed a black GMC SUV bearing Florida registration 315XCK, parked in front of the above residence in the moving lane of traffic facing east bound. D/S Landa ID 20328 approached the vehicle just prior to my arrival and observed a white male sitting in the driver seat of the black SUV. The subject fumbled thru his wallet and eventually located his drivers license.

The driver was identified as Andres, Israel, Albarran. Albarran was the only occupant in the vehicle. D/S Landa upon his approach to the drivers side of the SUV observed the driver pick up the keys to the SUV from the change tray on the center consol under the car stereo.

D/S Landa asked Albarran where he was coming from, and he replied West Palm Beach. D/S Landa asked Albarran where was he going to and he replied Naples. I could smell a strong odor of alcohol omitting from the interior of Albarran's vehicle and I could see a empty liquor laying on the front passenger seat. D/S Landa asked Albarran if he had any thing to drink and Albarran replied yes.

Based on the above observations I believed that Albarran was impaired to drive or be in control of his vehicle. I requested for a DUI investigator to respond to my location for further investigation in this incident.

The foregoing instrument was sworn to and affirmed before me this 6th day of November 20 16 , by:		Inv. C. Chiriquito Rodriguez #18334 Name of Notary Public / Clerk of Court / Officer (F.S.S. 117.00)		D/S G. Chaparro 26696 Name of Arresting/Investigating Officer	
 Signature of Notary Public / Clerk of Court / Officer (F.S.S. 117.00)		 Signature of Arresting/Investigating Officer		Page 1 of 1	

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 6TH DAY OF NOVEMBER 2016 AT 0235 AM PM

SUBJECT: ALBARRAN, ANDRES ISRAEL JR CASE NUMBER: 16148526

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: INV. DANIEL MERCIER 8236

PERSONAL CONTACT

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

I was called to the scene of a suspicious vehicle, stopped in the roadway in front of a residence, in the Village of Royal Palm, Palm Beach County, Florida. When I arrived at the scene D/S Chaparro told me, in a signed sworn PC Supplement, that he had been called to the suspicious vehicle, located a black GMC Yukon stopped in the roadway, and made contact with a very impaired defendant, so he called for a DUI unit to conduct a possible DUI investigation. D/S Chaparro identified the defendant, to me, as the driver / sole occupant of the defendant's vehicle, at the time of the stop. The truck was not running at the time, but the defendant was seated in the driver's seat and had the keys in hand and/or in reach.

OBSERVATION OF DRIVER:

I made contact with the defendant, later identified by FL DL as, ANDRES ISRAEL ALBARRAN JR. I observed that the defendant had red, watery, bloodshot eyes, slurred speech, and the odor of an unknown alcoholic beverage that came from his breath and intensified as he spoke to me. I asked if he had any medical problems, or took any medications. He said no. I asked how much he had had to drink. He said, "that's a good question" and "not that much." He stated that he was in Naples, FL or very close to Naples, Florida where he had a 10AM business meeting and to which he was enroute.

I asked the defendant to exit the vehicle. The defendant swayed while standing and stumbled while walking.

I asked the defendant to perform voluntary roadside tasks. The defendant consented and I conducted the SFSTs with the following results;

DRIVER'S STATEMENTS:

Pre Miranda / spontaneous roadside admissions: "THAT'S A GOOD QUESTION", "NOT THAT MUCH."

Post Miranda roadside admissions: NA

Post Miranda admissions enroute to / or at BAT: Consented to breath of .158, .132, and .150. REFUSED Q&A stating, "I'd prefer to have my lawyer present."

ODORS:

Obvious odor of an unknown alcoholic beverage that intensified as the defendant spoke to me.

GENERAL OBSERVATIONS

SPEECH: slurred, slow, illogical

ATTITUDE: polite, friendly, cooperative

CLOTHING: PURPLE T SHIRT, BLK SHORTS, BLK SNEAKERS

MEDICAL/OTHER: SFSTs conducted on in car video. Defendant states no medical problems or medications. Based on my training and experience, and the totality of the circumstances, I determined that probable cause existed for the defendant's arrest for DUI, in violation of FSS 316.193(1).

STATE OF FLORIDA
COUNTY OF PALM BEACH

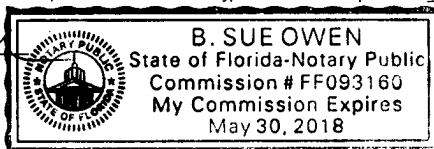
INV. DANIEL MERCIER 8236

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 6TH day of NOVEMBER 2016 by INV. DANIEL MERCIER

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

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



SUBJECT: ALBARRAN, ANDRES ISRAEL JR

CASE NUMBER 16148526

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:

I saw no resting nystagmus, equal pupil size, and equal tracking. The defendant swayed throughout the task, failed to follow and anticipated the stimulus, and moved his head, in spite of instructions not to. The defendant was VGN + and LOC

WALK & TURN:

After stating that he understood the instructions, the defendant missed heel to toe multiple times, stepped off the line once, raised his arms for balance.

ONE LEG STAND:

After stating that he understood the instructions, the defendant put his foot down, used his arms for balance, and swayed throughout the task.

FINGER TO NOSE:

After stating that he understood the instructions, the defendant failed to keep his eyes closed and head back, he moved his head and swayed throughout the task, failed to return his hands to his sides multiple times, in spite of instructions and repeated reminders to do so, and hesitated, searched, and missed tip of finger and or tip of nose on every attempt.

ROMBERG ALPHABET:

The defendant stated that he could say the alphabet in English. The defendant then failed to maintain the instruction stance, and started three times before being told. After stating that he understood the instructions, the defendant failed to keep his eyes closed and head back, swayed throughout the task, and misstated the letters as follows, "X,Y,R,Z"

BREATH TEST RESULTS: 1) .158 2) .132 3) .150 4)

STATE OF FLORIDA
COUNTY OF PALM BEACH

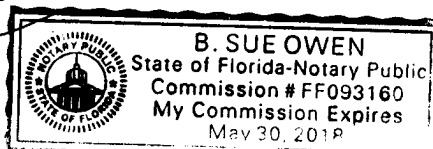
INV. DANIEL MERCIER 8236

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 6TH day of NOVEMBER 2016 by INV. DANIEL MERCIER

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

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



WITNESS LIST

CASE NUMBER: **16148526**

ARRESTING OFFICER: **INV. DANIEL MERCIER 8236**

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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ADDRESS _____

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CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

TESTING FACILITY TASK REPORT

AGENCY: PBSO

SUBJECT: Albarran Jr, Andres ISRAEL CASE NUMBER: 16-143536

DATE: 11/06/2016 VIDEO TAPE NUMBER: DVD# 61612

BEGINNING TIME: 0447 ENDING TIME: 0501

BREATH TESTS RESULTS: 1) .158 TIME 0451 AM/PM. 2) .132 TIME 0454 AM/PM.
3) .150 TIME 0457 AM/PM. 4) TIME AM/PM.

BREATH OPERATOR: S. Owen # 3184

MAINTENANCE TECHNICIAN: J. Karlecki # 6467

TESTING OFFICER'S OBSERVATIONS

SPEECH:

ATTITUDE: quiet, co-operative

CLOTHING: tennis shoes, black athletic shorts, purple shirt

MEDICAL CONDITIONS: none

MEDICATIONS: none

OTHER: 4940A

COMMENTS: A/C & A arrived 0426 hrs

A/c observed 20 minutes

A/c requested breath test, A agreed

A gave very long breath 2ND breath

short more than .02 difference 3RD breath

required. 3RD breath nearer 1ST breath

A/c read C/W, A understood rights.

tech explained results. Refused Q & A

asked for attorney

SUBJECT: Albarran, Andres ISRAEL Jr CASE NUMBER: 16-148526

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) _____

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) _____

SUBJECT: Albarran, Andres ISRAEL Jr CASE NUMBER: 16-148526

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? NO

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? NO 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: D. MEADOR 8236

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL