

# Arrest Report

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

19Ct 8042

2859

|                                           |                                                      |                                                                |                                             |
|-------------------------------------------|------------------------------------------------------|----------------------------------------------------------------|---------------------------------------------|
| Report Date / Time<br>4/30/2019 7:49:30AM | Report Number<br>FHP99ARR784873                      | Case Number/CAD Number<br>FHPL19OFF027980 /<br>LWRC19CAD077031 | Reporting Officer Name<br>D.W. KATES-PAULUS |
| Originating Agency ORI<br>FL0509000       | Occurrence Date Time Range<br>4/30/2019 7:06:50 AM - | Jurisdiction                                                   | Clearance                                   |

## Location of Occurrence

|                                 |                            |             |              |
|---------------------------------|----------------------------|-------------|--------------|
| Location Type<br>PUBLIC PLACE   | Location Description       |             |              |
| Street Number<br>NORTHLAKE BLVD | Street                     |             | Apt/Lot/Bldg |
| County<br>PALM BEACH            | City<br>PALM BEACH GARDENS | State<br>FL | Zip<br>33418 |

## Defendant

|                             |                            |                                        |                           |                             |              |               |             |
|-----------------------------|----------------------------|----------------------------------------|---------------------------|-----------------------------|--------------|---------------|-------------|
| First Name<br>ANDREW        | Middle Name<br>JOHN        | Last Name<br>GABANY                    | Suffix                    | Date Of Birth<br>12/17/1970 | Age          | Race<br>WHITE | Sex<br>MALE |
| SSN<br>[REDACTED]           | MNI #                      | Place of Birth<br>PENNSYLVANIA, PA, US | Height<br>602             | Weight<br>265               | Hair<br>BLND | Eyes<br>BLU   |             |
| DL or ID Number<br>22677530 | ID State<br>PA             | ID Type<br>E                           | Address Type<br>RESIDENCE |                             |              |               |             |
| Street Number<br>394        | Street<br>S SHENNANDOAH DR |                                        |                           |                             |              | Apt/Lot/Bldg  |             |
| County                      | City<br>LATROBE            | State<br>PA                            | Zip<br>15650              | Phone Number                | Extension    |               |             |
| Location Description        |                            |                                        |                           |                             |              |               |             |

## Arrest

|                                         |                                      |                                              |        |
|-----------------------------------------|--------------------------------------|----------------------------------------------|--------|
| Arrest Date/Time<br>4/30/2019 7:49:00AM | Arrest Location Type<br>PUBLIC PLACE | Arrest Location Description<br>SR 850/SR 710 |        |
| Street Number                           | Street                               | Apt/Lot/Bldg                                 | County |
| City                                    | State                                | Zip                                          |        |

## Charge(s)

|                                            |                             |                                                       |                        |                                  |
|--------------------------------------------|-----------------------------|-------------------------------------------------------|------------------------|----------------------------------|
| Counts<br>1                                | Charge<br>316.193.1         | General Offense Code                                  | Bond Amount<br>\$ 0.00 | <input type="checkbox"/> No Bond |
| Charge Degree<br>N                         | Charge Level<br>MISDEMEANOR | Arrest Offense Code Description<br>DUI-UNLAW BLD ALCH |                        |                                  |
| Charge Description<br>DUI ALCOHOL OR DRUGS |                             |                                                       |                        |                                  |

## Probable Cause

ON THE ABOVE DATE AND TIME I TPR D KATES-PAULUS WAS ON A FULLY MARKED FHP PATROL MOTOR. WHILE SITTING AT THE TRAFFIC LIGHT I WAS ALERTED BY SEVERAL OTHER DRIVERS TO A BLUE HONDA THAT THEY WERE CONCERNED WAS GOING TO CAUSE A TRAFFIC CRASH. ONE OF THE OTHER VEHICLE DRIVERS POINTED OUT THE BLUE HONDA SEVERAL VEHICLES BEHIND US IN THE MIDDLE LANE. I ALLOWED THE BLUE HONDA TO PASS BY ME TO OBSERVE THE VEHICLES DRIVING PATTERN. THE BLUE HONDA BEARING PENNSYLVANIA REGISTRATION EYK6539 ENTERED THE INTERSECTION CROSSING TOWARDS THE INSIDE LANE CAUSING OTHER VEHICLES TO HAVE TO SWERVE AND AVOID IT. THE BLUE HONDA THEN SWERVED BACK ACROSSED THE MIDDLE LANE TO THE OUTSIDE LANE CAUSING THE VEHICLES IN THAT LANE TO HAVE TO AVOID IT. A VEHICLE STOP WAS MADE ON THE BLUE HONDA. AS I APPROACHED THE DRIVER A STRON ODOR OF AN ALCOHOLIC BEVERAGE WAS

|                                                  |                                                             |                                                                        |                                                    |
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| Originating Agency ORI<br><b>FL0509000</b>       | Occurrence Date Time Range<br><b>4/30/2019 7:06:50 AM -</b> | Jurisdiction                                                           | Clearance                                          |

COMING FROM THE DRIVERS BREATH AND PERSON. THE DRIVER WAS VERY LETHARGIC AND APPEARED TO BE MOVING OIN SLOW MOTION. WHILE SPEAKING TO THE DRIVER WHO WAS IDENTIFIED AS ANDREW J GABANY D.O.B OF 12/17/1970 BY HIS PENNSYLVANIA DRIVERS LICENSE, I DID OBSERVE HIM TO HAVE GLASSY BLOOD SHOT EYES. MR GABANY HAD A HALF EMPTY BOTTLE OF JACK DANIELS SITTING ON THE PASSENGERS SEAT NEXT TO HIM. AS I GAVE MR GABANY SIMPLE INSTRUCTIONS DURING THE TRAFFIC STOP HE DID APPEAR TO BE HAVING TROUBLE WITH THEM. MR GABANY WAS ASKED TO EXIT THE VEHICLE AFTER HE WAS INSTRUCTED TO TURN THE CAR OFF AND GIVE ME THE KEY THEN TRIED TO RESTART THE VEHICLE. AS MR GABANY EXITTED THE VEHICLE HE WAS VERY UNSTABLE ON HIS FEET USING THE VEHICLE SIDE FOR STABILITY. I DID HAVE MR GABANY SIT ON THE SIDEWALK WHILE I WAITED FOR ANOTHER VEHICLES ARRIVAL. AFTER THE ARRIVAL OF THE SECOND VEHICLE I DID ASK MR GABANY TO PERFORM SOME FIELD SOBRIETY EXERCISES TO DETERMINE HIS ABILITY TO OPERATE A MOTOR VEHICLE SAFELY. MR GABANY DID AGREE TO THE FIELD SOBRIETY EXERCISES. WHILE DOING THE FIELD SOBRIETY EXERCISES ON CAMERA IT WAS DETERMINED FOR MR GABANY'S SAFETY THAT WE DISCONTINUE THE EXERCISES. MR GABANY WAS UNABLE TO DO THE FIELD SOBRIETY EXERCISES TO A LEVEL OF SATISFACTION TO CONTINUE. IT WAS THEN DETERMINED THAT MR GABANY WAS UNDER THE INFLUENCE OF AN ALCOHOLIC BEVERAGE OR A CONTROLLED SUBSTANCE AND THAT HE WAS UNABLE TO OPERATE A MOTOR VEHICLE SAFELY. MR GABANY WAS TAKEN INTO CUSTODY AND PLACED UNDER ARREST FOR DUI WITHOUT INCIDENT. THIS DID OCCUR ON THE STREETS OF PALM BEACH COUNTY WITHIN THE LIMITS OF PALM BEACH COUNTY.

#### Jail Booking Facility

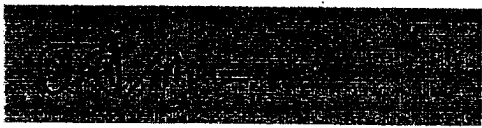
|                                                                                       |                                     |                                                          |                                                        |
|---------------------------------------------------------------------------------------|-------------------------------------|----------------------------------------------------------|--------------------------------------------------------|
| Booking Date/Time                                                                     | Booking County<br><b>PALM BEACH</b> | Booking Facility<br><b>PALM BEACH COUNTY CORRECTIONS</b> | Booking Facility Phone Number<br><b>(561) 688-4400</b> |
| Booking Facility Location<br><b>3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406</b> |                                     |                                                          | Booking Number                                         |
| Booking Comments                                                                      |                                     |                                                          |                                                        |

#### Court

|                                                    |                                                                      |                                                         |            |
|----------------------------------------------------|----------------------------------------------------------------------|---------------------------------------------------------|------------|
| Court County<br><b>PALM BEACH</b>                  | Court Location<br><b>3188 PGA BLVD. PALM BEACH GARDENS, FL 33410</b> |                                                         |            |
| Court<br><b>PALM BEACH NORTH COUNTY COURTHOUSE</b> | Court Phone<br><b>561-624-6608</b>                                   | Court Appearance Date / Time<br><b>5/29/2019 8:30AM</b> | 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<br><b>D.W. KATES-PAULUS</b>                                                                 | Officer Rank<br><b>TROOPER</b>                                                        | Officer ID No.<br><b>2399</b> | Sworn and subscribed before me, the undersigned authority<br>This the <u>30th</u> day of <u>May</u> , 2019<br>DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT<br>OFFICER<br> |
| Officer Agency<br><b>FLORIDA HIGHWAY PATROL</b>                                                          |                                                                                       |                               |                                                                                                                                                                                                                                                                 |
| Officer Signature<br> |  |                               |                                                                                                                                                                                                                                                                 |

SCANNED

|                                                  |                                                             |                                                                        |                                                    |
|--------------------------------------------------|-------------------------------------------------------------|------------------------------------------------------------------------|----------------------------------------------------|
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**Approving Supervisor**

|                   |              |               |                |
|-------------------|--------------|---------------|----------------|
| Officer Name      | Officer Rank | Officer ID No | Officer Agency |
| Officer Signature |              |               |                |

NOT A CERTIFIED COPY

SCANNED  
MAY 03 2019

Pennsylvania

DRIVER'S LICENSE

USA



4d DLN: 22 677 530

3 DOB: 12/17/1970

4b EXP: 12/18/2021

1 GABANY

2 ANDREW JOHN

3 394 S SHENANDOAH DR  
LATROBE, PA 15650

5 SEX: M EYES: BLU

6 HGT: 6'-02"

9 CLASS: C

11 END: NONE

12 RESTR: 1

DUPS: 00

1a ISS: 09/26/2017



5 DD: 1728401105900  
700000024813

ORGAN DONOR

NOT A CERTIFIED COPY

SCANNED  
MAY 03 2019



**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                                              | <input type="checkbox"/>            | 119.071(2)(d)                           | Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations. |                |
|                                                             | <input type="checkbox"/>            | 943.053, 943.0525                       | NCIC/FCIC/FBI and in-state FDLE/DOC.                                                                                                                                       |                |
|                                                             | <input type="checkbox"/>            | 119.071(4)(c)                           | Undercover personnel.                                                                                                                                                      |                |
|                                                             | <input type="checkbox"/>            | 119.071(2)(f)                           | Confidential informants (CIs).                                                                                                                                             |                |
|                                                             | <input type="checkbox"/>            | 119.071(2)(e)                           | Confession.                                                                                                                                                                |                |
| Public Info. Exemptions                                     | <input type="checkbox"/>            | 985.04(1)                               | Juvenile offender records.                                                                                                                                                 |                |
|                                                             | <input type="checkbox"/>            | 119.071(h)(i)                           | Assets of a crime victim.                                                                                                                                                  |                |
|                                                             | <input type="checkbox"/>            | 395.3025(7)(a),<br>456.057(7)(a)        | Medical information.                                                                                                                                                       |                |
|                                                             | <input type="checkbox"/>            | 394.4615(7)                             | Mental health information.                                                                                                                                                 |                |
|                                                             | <input type="checkbox"/>            | 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) | <input checked="" type="checkbox"/> | (iii) 119.0714(1)(i)-(j),<br>(2)(a)-(e) | Social Security, bank account, charge, debit, and credit card numbers.                                                                                                     | 2              |
|                                                             | <input type="checkbox"/>            | (viii) 394.4615(7)                      | Clinical records under the Baker Act.                                                                                                                                      |                |
|                                                             | <input type="checkbox"/>            | (xii) 741.30(3)(b)                      | The victim's address in a domestic violence action on petitioner's request.                                                                                                |                |
|                                                             | <input type="checkbox"/>            | (xiii) 119.071(2)(h),<br>119.0714(1)(h) | Protected information regarding victims of child abuse or sexual offenses.                                                                                                 |                |
|                                                             | <input type="checkbox"/>            |                                         |                                                                                                                                                                            |                |
|                                                             | <input type="checkbox"/>            |                                         |                                                                                                                                                                            |                |
|                                                             | <input type="checkbox"/>            |                                         |                                                                                                                                                                            |                |
|                                                             | <input type="checkbox"/>            |                                         |                                                                                                                                                                            |                |
| Other                                                       | <input type="checkbox"/>            |                                         | Other:                                                                                                                                                                     |                |
|                                                             | <input type="checkbox"/>            |                                         | Other:                                                                                                                                                                     |                |

**REVIEW COMPLETED BY**

|                            |                                  |
|----------------------------|----------------------------------|
| Booking Number: 2019014402 | Date: 4/30/2019                  |
|                            | Specialist Name/ID: J. Beck/9007 |

SCANNED  
MAY 03 2019