

ARREST / NOTICE TO APPEAR Juvenile Referral Report		1. Arrest 2. N.T.A	3. Request for Warrant 4. Request for Capias	1	Juvenile	N
Agency ORI Number FL 502600		Agency Name Palm Beach Gardens Police Department		Agency Report Number (N.T.A.'s only) 78 - 18005738		
Charge Type: Check as many 1. Felony 2. Traffic Felony 3. Misdemeanor 4. Traffic Misdemeanor 5. Ordinance 6. Other		Weapon Seized / Type 1. Yes 2. No		Multiple Clearance Indicator		
Location of Arrest (Including Name of Business) (Person's name) 12180 Alternate A1A, Palm Beach Gardens, Florida, 33410		Location of Offense (Business Name, Address) Gardens Parkway / Alternate A1A, Palm Beach Gardens, Florida, 33410				
Date of Arrest 09/21/2018	Time of Arrest 22:21	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle (Kiosk's Towing) (888) 433-7182 4701 East Avenue, West Palm Beach, FL 33407
Name (Last, First, Middle) Dipaola, Andrew Sword		Alias (Name, DOB, Soc. Sec. #, Etc.) N/A				
Race W - White 1 - American Indian B - Black 0 - Oriental/Asian	Sex M	Date of Birth 01/28/84	Height 601	Weight 130	Eye Color BRO	Hair Color BRO
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) Scars: Torso, Legs, Neck. Tat: R-Arm Tribal, L-Leg Zodiac; L-Shoulder Flower		Mental Status Single	Religion None	Indication of Alcohol Influence Drug Influence 1. Yes 2. No		
Local Address (Street, Apt. Number) (City) (State) (Zip) 1064 University Boulevard, Jupiter, FL 33468		Phone (201) 918-1922		Residence Type 1. City 2. County 3. Florida 4. Out of State 2		
Permanent Address (Street, Apt. Number) (City) (State) (Zip) 1064 University Boulevard, Jupiter, FL 33468		Phone ()		Address Source FL Driver's License		
Business Address (Name, Street) (City) (State) (Zip) 1064 University Boulevard, Jupiter, FL 33468		Phone (201) 918-1922		Occupation Magician		
DL Number, State D-148-017-84-628-0 FL	Soc. Sec. Number [REDACTED]	INS Number		Place of Birth (City, State) Westwood NJ		Citizenship US
Co-Defendant Name (Last, First, Middle) N/A		Race	Sex	Date of Birth	1. Arrested 2. At Large 3. Felony 4. Misdemeanor 5. Juvenile	
Co-Defendant Name (Last, First, Middle) N/A		Race	Sex	Date of Birth	1. Arrested 2. At Large 3. Felony 4. Misdemeanor 5. Juvenile	
Name (Last) [REDACTED]		Name (First) [REDACTED]		Name (Middle) [REDACTED]		Relationship [REDACTED]
Address (Street, Apt. Number) (City) (State) (Zip) [REDACTED]		Business Phone [REDACTED]		Residence Phone [REDACTED]		
Voluntary (Name) [REDACTED]		Date [REDACTED]		Time [REDACTED]		
Released To: (Name) [REDACTED]		Relationship [REDACTED]		Date [REDACTED]		
Time [REDACTED]		This above address provided by [] defendant and / or [] defendant's parent. 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)				
Property Claim? ☐ Yes ☐ No		Description of Property [REDACTED]		Value of Property [REDACTED]		
Drug Activity N. N/A P. Possess		S. Sell B. Buy T. Traffic	R. Receive D. Deliver E. Use	K. Distribute A. Produce/Cultivate	Drug Type N. N/A A. Amphetamine C. Cocaine E. Heroin M. Marijuana O. Opium/Derv. S. Synthetic	
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 # 1	Warrant / Capias Number		Bond
Charge Description		Counts	Domestic Violence ☐ Y ☒ N	Statute Violation Number		Violation of ORD #
Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number		Bond
Charge Description		Counts	Domestic Violence ☐ Y ☒ N	Statute Violation Number		Violation of ORD #
Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number		Bond
Charge Description		Counts	Domestic Violence ☐ Y ☒ N	Statute Violation Number		Violation of ORD #
Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number		Bond
Location (Court, Room Number, Address) North County Courthouse 3188 PGA Blvd, Palm Beach Gardens, FL 33410						
Court Date and Time Month OCT Day 24 Year 2018 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 FULLY 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. [REDACTED] Signature of Defendant (or Juvenile and Parent / Custodian) Date Signed 09/21/2018						
HOLD for other Agency Name		Signature of Arresting Officer [Signature]		Name Verification (Printed by Arrestee) SEP 21 AM 2:11		
☐ Dangerous ☐ Suicidal		☐ Re-arrest Arrest ☐ Other		(PRINT)		
I.D. # 105701157032 Pouch #		Name of Arresting Officer (Print) Cameron O'Neil I.D. # 8471		PAGE 1 OF 1		
Transporting Officer Olt. C. Carver I.D. # 8471 Agency PBGPD		Witness here if subject signed with an "X"				

J# 0501438

J# 3043

DISTRIBUTION WHITE - COURT COPY GREEN - STATE ATTORNEY YELLOW - AGENCY PINK - AGENCY GOLD - DEFENDANT (N.T.A.'s ONLY)

D.U.I PROBABLE CAUSE AFFIDAVIT

ON THE 20 DAY OF September 2018 AT 22:21 ☐ AM ☒ PM

SUBJECT: Dipaola, Andrew Sword CASE NUMBER: 18005738

AGENCY: Palm Beach Gardens Police Department ARRESTING OFFICER: Cameron Carver #471

PERSONAL CONTACT

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

Officer Robert Artola #452 stated to me he observed driver merge into the center lane the abruptly swerve back into the left lane. The driver merged again into the center lane then merged back into the left lane. Ofc. Artola initiated a traffic stop due to failure to maintain a single lane. When Ofc. Artola activated his police lights, the driver failed to yield and continued driving down Alternate A1A. The driver then, from the right lane, made an abrupt and late turn into the parking lot. After stopping the vehicle, Ofc. Artola requested I respond and informed me of the situation.

OBSERVATION OF DRIVER:

Upon my arrival, I made contact with the driver, identified via his Florida Driver's License as Andrew Sword Dipaola. Dipaola clothing was disheveled and I detected the odor of alcohol emanating from his breath as he spoke. I also smelled the odor of urine coming from Dipaola. I requested Dipaola to step out of the vehicle to perform Standardized Field Sobriety Tasks, which he stated he would do. While performing HGN, noticed Dipaola's eyes were glassy.

DRIVER STATEMENTS:

As Dipaola spoke, he speech was slurred and he mumbled at times, requiring me to clarify his statements. Dipaola stated he was coming from Brewhouse Gallery in Lake Park. Stated he did not drink or do drugs. Dipaola agreed to perform SFST. Dipaola stated he suffered from a brain injury, however was able to recall events and locations. Dipaola stated he drank two beers at Brewhouse.

ODORS: Odor of alcohol coming from breath. Odor of urine coming from his person.

GENERAL OBSERVATIONS

SPEECH: Slurred, Mushed-Mouth, Mumbled.

ATTITUDE: Cooperative, Annoyed, Compliant.

CLOTHING: White Shirt, Brown Plaid Shorts (soiled), Red Sneakers

MEDICAL/OTHER: Complained of previous injury, Broken Neck.

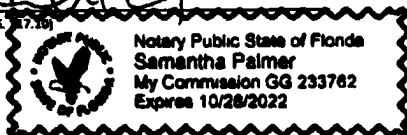
STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigating Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 21 day of September 2018 by Cameron Carver

who is personally known to me and/or personally known to me and/or produced identification. Type of identification produced _____

Notary Public, Clerk of Court, Officer F.S.S. 17.10



SUBJECT: Dipaola, Andrew Sword

CASE NUMBER: 18005738

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:

Equal Pupil Size, Equal Tracking, No Resting Nystagmus, No Vertical Nystagmus. Glassy Eyes.

WALK & TURN:

I explained and demonstrated the instructions to Dipaola, who stated he understood. Dipaola was unable to keep balance, swayed numerous times and raised arms to keep balance. Dipaola started prior to being directed to. Dipaola started on command and walked slowly during the task. He did not turn as instructed and demonstrated. He raised his arms more than six-inches to keep and regain balance. I observed 4 of 8 clues. (2 or more clues are an indicator that BAC is at or above a 0.08).

ONE LEG STAND:

I explained and demonstrated the instructions to Dipaola, who stated he understood. While giving instructions, Dipaola had a slight sway. Upon beginning the exercise, Dipaola swayed while balancing. He raised his arms over six inches to keep his balance. He bounced/hopped to keep his balance. He put his foot down 2 times before the 30 seconds elapsed and due to his inability to keep balance and out of concern for his safety, I called the task. I observed 4 of 4 clues, indicating impairment. (2 or more clues are an indicator that BAC is at or above a 0.08).

FINGER TO NOSE:

I explained and demonstrated the instructions to Dipaola, who stated he understood. Dipaola did not keep his eyes closed during the task, opening them slightly. He did not touch the tip of the finger to the tip of the nose as instructed and demonstrated.

RHOMBERG/ALPHABET:

I explained and demonstrated the instructions to Dipaola, who stated he understood. Dipaola did not keep his eyes closed during the task, opening them slightly. He incorrectly recited the alphabet by misplacing the letter U. Dipaola recited the alphabet three times before lowering his head.

BREATH TEST RESULTS: 0.032 BrAC at 23:12hrs and 0.028 BrAC at 23:15hrs

STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigating Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 21 day of September, 2018, by Cameron Carver

who is personally known to me and/or personally known to me and/or produced identification. Type of identification produced _____

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



SUBJECT: _____ 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) _____

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: _____ 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? Yes

WHERE WERE YOU GOING? to work

WHAT STREET OR HIGHWAY WERE YOU ON? 1st St

DIRECTION OF TRAVEL? N WHERE DID YOU START? 1st St

WHAT TIME DID YOU START? 8:00 AM WHAT TIME IS IT NOW? 8:00 AM

WHAT IS TODAY'S DATE? 5/1/12 WHAT DAY OF THE WEEK IS IT? Thursday

WHAT COUNTY AND CITY ARE YOU IN NOW? San Diego

WHEN DID YOU LAST EAT? 5:00 PM WHAT DID YOU EAT? burger

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? working

HOW MUCH DO YOU WEIGH? 160 HAVE YOU BEEN DRINKING? Yes WHAT? beer

HOW MUCH? 2 beers WHERE? at work WITH WHOM? alone

WHEN DID YOU HAVE YOUR FIRST DRINK? 1:00 PM AND YOUR LAST DRINK? 4:00 PM

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? at work

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? Yes ARE YOU UNDER THE INFLUENCE? No

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? Yes HOW MUCH? 1 beer

WHAT? beer WHERE? at work WHEN? 5:00 PM

WHAT LINE OF WORK ARE YOU IN? teacher WHEN DID YOU LAST WORK? Monday

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? No WHAT? None

ARE YOU SICK OR INJURED? No WHAT'S WRONG? None

DO YOU LIMP? No DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? No

WERE YOU IN AN ACCIDENT TODAY? No

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? No WHEN? None

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? No WHO? None WHY? None

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? No WHAT? None WHEN? None

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? No

DO YOU TAKE INSULIN? No IF SO, WHEN WAS YOUR LAST INJECTION? None

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? No WHERE? None

INTERVIEWER: 471

LIST OF PERSONS KNOWN TO HAVE INFORMATION

Victim: **State of Florida**

Address: **10500 N. Military Trail, Palm Beach Gardens, FL 33410**

Phone Numbers: (Work) **561-799-4445** (Home)

If no phone, then name, address, and phone number of person whom may be contacted to leave message.

Can Testify to:

N/A

Arresting Officer: **Cameron Carver**

#471

Address: **10500 N. Military Trail, Palm Beach Gardens, FL 33410**

Phone Numbers: (Work) **(561) 799-4445** (Home)

If no phone, then name, address, and phone number of person whom may be contacted to leave message:

Can Testify to:

Facts of Case

Witness Name: **Ofc. Robert Artola #452**

Address: **10500 N. Military Trail, Palm Beach Gardens, FL 33410**

Phone Numbers: (Work) **561-799-4445** (Home)

If no phone, then name, address, and phone number of person whom may be contacted to leave message.

Can Testify to:

Reason for Stop. Safety Officer.

Witness Name:

Address:

Phone Numbers: (Work) (Home)

If no phone, then name, address, and phone number of person whom may be contacted to leave message.

Can Testify to:

Witness Name:

Address:

Phone Numbers: (Work) (Home)

If no phone, then name, address, and phone number of person whom may be contacted to leave message.

Can Testify to:

Witness Name:

Address:

Phone Numbers: (Work) (Home)

If no phone, then name, address, and phone number of person whom may be contacted to leave message.

Can Testify to:

TESTING FACILITY TASK REPORT

AGENCY: PBG/CARVER

SUBJECT: DIPAOLA, ANDREW

CASE NUMBER: 18-124259

DATE: Sep 20, 2018

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 2308

ENDING TIME: 2328

BREATH TESTS RESULTS: 1) .032 TIME 2312 A.M. ☐ P.M. ☒ 2) .028 TIME 2315 A.M. ☐ P.M. ☒
3) XX TIME XX A.M. ☐ P.M. ☐ 4) XX TIME XX A.M. ☐ P.M. ☐

BREATH OPERATOR: S. PALMER #24520

MAINTENANCE TECHNICAN: J Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED

ATTITUDE: CALM, QUIET, MOODSWING, SARCASTIC

CLOTHING: WHITE SHIRT, BROWN PLAID SHORTS(SOILED), RED SNEAKERS

MEDICAL CONDITIONS: BROKEN NECK

MEDICATIONS: NONE

OTHER:

EYES GLASSY

COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 2245
SUBJECT AGREED TO TAKE BREATH TEST
AND PROVIDED TWO ADEQUATE SAMPLES SUCCESSFULLY
TECH READ TEST RESULTS
SUBJECT STATED HE UNDERSTOOD RESULTS
A/O REQUESTED URINE SAMPLE
AND READ I/C
SUBJECT STATED HE UNDERSTOOD I/C
AND AGREED TO PROVIDE URINE SAMPLE @ 2318
A/O READ RIGHTS @ SCENE AND AGAIN ON CAMERA
SUBJECT STATED HE UNDERSTOOD HIS RIGHTS
A/O CONDUCTED Q&A
SUBJECT ANSWERED QUESTIONS
URINE SAMPLE PROVIDED @ 2332



**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.	
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: 2018031661	Date: 09/21/18
	Specialist Name/ID: Stewart/5660