

J#0343360

19CT6434

PCH# 3720

OBTS Number		<b>ARREST / NOTICE TO APPEAR</b> Juvenile Referral Report		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1		Juvenile	
Agency ORI Number <b>FLO 500000</b>		Agency Name <b>PALM BEACH COUNTY SHERIFF'S OFFICE</b>		Agency Report Number (N.T.A.'s only) <b>06-19057050</b>							
Charge Type: Check as many as apply: <input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 3. Misdemeanor <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		Weapon Seized / Type 2. 1. Yes 2. No		Multiple Clearance Indicator 01							
Location of Arrest (Including Name of Business) <b>Seminole Pratt Whitney Rd/Southern Blvd Loxahatchee, FL 33470</b>				Location of Offense (Business Name, Address) <b>Seminole Pratt Whitney Rd/Southern Blvd Loxahatchee, FL 33470</b>							
Date of Arrest <b>04/07/2019</b>		Time of Arrest <b>20:32</b>		Booking Date		Booking Time		Jail Date		Jail Time	
Name (Last, First, Middle) <b>Mahoney, Brian Adam</b>				Alias (Name, DOB, Soc. Sec. #, Etc.) <b>Sister's Towing</b>							
Race W - White 1 - American Indian B - Black 0 - Oriental/Asian <b>W</b>		Sex <b>M</b>		Date of Birth <b>01/12/1988</b>		Height <b>5'07"</b>		Weight <b>130</b>		Eye Color <b>Blue</b>	
Hair Color <b>Brown</b>		Complexion <b>Fair</b>		Build <b>Small</b>							
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) <b>Tattoo sleeves on both arms, Tattoo on chest and right leg</b>				Marital Status <b>Single</b>		Religion <b>NONE</b>		Indication of Alcohol Influence Y <input checked="" type="checkbox"/> N <input type="checkbox"/> Drug Influence Y <input type="checkbox"/> N <input checked="" type="checkbox"/>			
Local Address (Street, Apt. Number) <b>116 Dove Circle Royal Palm Beach, Florida 33411</b>				Phone <b>(561) 281-5343</b>		Residence Type: 1. City 2. County 3. Florida 4. Out of State <b>2</b>					
Permanent Address (Street, Apt. Number) <b>Same</b>				Phone <b>( )</b>		Address Source <b>Florida DL</b>					
Business Address (Name, Street) <b>( )</b>				Phone <b>( )</b>		Occupation <b>Auto/Boat Detailing</b>					
D/L Number, State <b>M500-061-88-012-0/FL</b>		Soc. Sec. Number <b>( )</b>		INS Number <b>( )</b>		Place of Birth (City, State) <b>Karma, New York</b>		Citizenship <b>U.S.</b>			
Co-Defendant Name (Last, First, Middle) <b>( )</b>				Race		Sex		Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large <input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile	
Co-Defendant Name (Last, First, Middle) <b>( )</b>				Race		Sex		Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large <input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile	
Parent Legal Custodian Other: Name (Last) (First) (Middle) <b>( ) ( ) ( )</b>				Residence Phone <b>( )</b>							
Address (Street, Apt. Number) <b>( )</b>				Business Phone <b>( )</b>							
Notified by: (Name) <b>( )</b>				Date		Time		Juvenile Disposition 1. Handled/processed within Dept. and Released. 2. TOT HRS / DYS 3. Incarcerated			
Released To: (Name) <b>( )</b>				Relationship <b>( )</b>		Date		Time			
The above address provided by <input type="checkbox"/> defendant and / or <input type="checkbox"/> 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. <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No: (Reason)				School Attended <b>( )</b>		Grade <b>( )</b>					
Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No				Description of Property <b>( )</b>		Value of Property <b>( )</b>					
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	
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 Description <b>DUI</b>				Counts <b>1</b>		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number <b>316.193 (1)</b>		Violation of ORD #	
Drug Activity <b>N</b>				Drug Type <b>N</b>		Amount / Unit <b>N/A</b>		Offense # <b>19057050</b>		Warrant / Capias Number	
Charge Description				Counts		Domestic Violence		Statute Violation Number		Violation of ORD #	
Drug Activity				Drug Type		Amount / Unit		Offense #		Warrant / Capias Number	
Charge Description				Counts		Domestic Violence		Statute Violation Number		Violation of ORD #	
Drug Activity				Drug Type		Amount / Unit		Offense #		Warrant / Capias Number	
Charge Description				Counts		Domestic Violence		Statute Violation Number		Violation of ORD #	
Drug Activity				Drug Type		Amount / Unit		Offense #		Warrant / Capias Number	
Charge Description				Counts		Domestic Violence		Statute Violation Number		Violation of ORD #	
Drug Activity				Drug Type		Amount / Unit		Offense #		Warrant / Capias Number	
Location (Court, Room Number, Address) <b>CRIMINAL JUSTICE COMPLEX 3228 Gun Club Road WPB, FL</b>											
Court Date and Time Month <b>May</b> Day <b>2nd</b> Year <b>2019</b> Time <b>8:30</b> AM <input checked="" type="checkbox"/> 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. <b>(Signature)</b> Signature of Defendant (or Juvenile and Parent/Custodian)											
Date Signed											
HOLD for other Agency Name: <input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:				Signature of Arresting Officer <b>X</b>				Name Verification (Printed by Arrestee) <b>(PRIN) (Signature)</b>			
Name of Arresting Officer (Print) <b>Inv. CHIQUITO-RODRIGUEZ #18334</b>				I.D. # <b>18334</b>				PAGE <b>1</b>			
Transporting Officer <b>Inv. CHIQUITO-RODRIGUEZ #18334</b>				ID # <b>PBSO</b>				Witness here if subject signed when in custody <b>(Signature)</b>			

APR 09 2019

# D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 7th DAY OF April 20 19, AT 19:45 PM ✓  
SUBJECT: Mahoney, Brian Adam CASE NUMBER: 19057050

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: Inv. Chiquito-Rodriguez #18334

## PERSONAL CONTACT

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

On 04/07/2019, at approximately 20:15 hours, I responded to Seminole Pratt Whitney Road and Southern Blvd in Loxahatchee, located in unincorporated Palm Beach County, Florida reference a possible impaired driver. Upon arriving on scene I made contact with Deputy Michael Coon #31806 who advised me of, as well as completed a sworn written probable cause affidavit, the following: "On April 7, 2019, I was traveling South on Seminole Pratt Whitney Rd, in Palm Beach County after being notified by dispatch of a black Vehicle traveling South bound in the North bound lanes of Seminole Pratt Whitney Rd and Sycamore Drive. As I approached the intersection of State Rd 80 and Pratt Whitney RD. I observed a black Mazda bearing FL, tag #CDZW39 stopped in the south bound turn lane on Pratt Whitney RD approximately 100 yards from the traffic light of State Road 80. The vehicle did not have flashers on and there were no vehicle's in front of the vehicle. I placed my patrol vehicle behind the above vehicle and made contact with the driver and sole occupant of the vehicle, Brian Mahoney. He appeared to be very disoriented and had a blank stare on his face. I had the driver turn off the vehicle for safety. I asked for his drivers license at which point he started to fumble through his wallet looking for it. I could clearly see his Florida driver license in the front half of his wallet. He then took the driver license out along with several credit cards and handed all of the cards to me. I then notified dispatch to have a DUI unit start towards my location due to my suspicion that the driver was impaired by drugs or alcohol. After the DUI unit arrived on scene I turned the investigation over to that unit."

### OBSERVATION OF DRIVER:

When I arrived on scene I observed a black four door Mazda, bearing Florida tag CDZW39, in a turn lane within the southbound lanes of Seminole Pratt Whitney Road. I observed a sole occupant, a white male identified by his Florida issued driver license as BRIAN ADAM MAHONEY, in the driver's seat of the vehicle. I made contact with Mahoney and he refused to turn his head in my direction and spoke with heavily slurred, mumbled, slow speech. I detected a very strong and obvious odor of an unknown alcoholic beverage coming from Mahoney's facial region. I instructed him to exit the vehicle to continue my investigation but he did not immediately respond to my instruction and sat in the car with his head hung down, with his hand over his mouth and stated that "he had to pee really bad. I'm going to pee myself". After giving Mahoney several verbal commands to exit the vehicle he finally complied by staggering out of the vehicle, bracing himself up on the driver side door, stood in the door jam and started peeing on himself. I relocated Mahoney to the front of my patrol vehicle where he became argumentative. I observed Mahoney's eyes were very red, bloodshot and glassy, he had an unsteady gait and swayed in a front to back motion as he stood in a resting position. I continued to detect a very strong and obvious odor of an unknown alcoholic beverage emanating from Mahoney's breath that became stronger as he spoke despite him covering his mouth with his hand and turning his head away from me. As he stood in front of my patrol car Mahoney again continued to relieve himself by urinating on himself onto the road.

### DRIVER'S STATEMENTS:

Mahoney's speech was incoherent and difficult to understand at times. He was uncooperative with following instructions, slow to respond to verbal commands and uncooperative with answering questions. He would give inappropriate responses to questions and ramble on off topic. Based on the level of impairment I observed Mahoney to have I asked if he would submit to SFST's and he refused to cooperate stating, "I want my lawyer".  
SEE Probable Cause PAGE 2 for further.....

### ODORS:

Strong and obvious odor of an unknown alcoholic beverage emanating from Mahoney's breath that became stronger as he spoke to me

## GENERAL OBSERVATIONS

**SPEECH:** Slow, Slurred, Mumbled, Incoherent, Profanity, Yelling, Confusing Speech, Excessive spitting

**ATTITUDE:** Uncooperative, Resistant, Argumentative, Disoriented, Mood changes, Talkative

**CLOTHING:** White shirt, Blue shorts (saturated in urine), Black shoes and socks (saturated in urine)

**MEDICAL/OTHER:** Mahoney stated that he "has skin cancer", but denied taking any medications or being treated by a physician when asked.

STATE OF FLORIDA  
COUNTY OF PALM BEACH

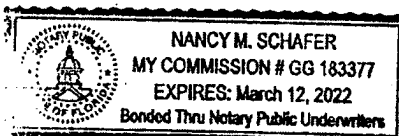
Inv. Chiquito-Rodriguez #18334

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 7th day of April 20 19 by Inv. Chiquito-Rodriguez #18334

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

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



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APR 09 2019

SUBJECT: Mahoney, Brian Adam

CASE NUMBER 19057050

### 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:

Bloodshot, red, glassy eyes. Swaying in a front to back motion while standing in a resting position. Unsteady gait.

#### WALK & TURN:

REFUSED

Advised of Taylor warnings

REFUSED

#### ONE LEG STAND:

REFUSED

Advised of Taylor warnings

REFUSED

#### FINGER TO NOSE:

REFUSED

Advised of Taylor warnings

REFUSED

#### ROMBERG ALPHABET:

REFUSED

Advised of Taylor warnings

REFUSED

BREATH TEST RESULTS:

1) REFUSED

2) REFUSED

3)

4)

STATE OF FLORIDA  
COUNTY OF PALM BEACH

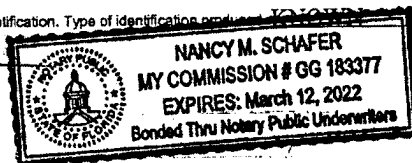
Inv. Chiquito-Rodriguez #18334

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 7th day of April, 2019, by Inv. Chiquito-Rodriguez #18334

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

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



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APR 09 2019



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

PBSO CASE # 19057050 PBSO ZONE 15-11

AGENCY CASE # \_\_\_\_\_ CRASH CASE # \_\_\_\_\_

TIME OF STOP/CRASH 19:45 DATE 04/07/2019 DAY 1

SUBJECT'S NAME Mahoney, Brian Adam RACE W SEX M

HGT 5'07" WGT 130 DOB 01/12/1988

LOCATION Seminole Pratt Whitney Rd/Southern Blvd Loxahatchee, FL 33470

ARRESTING OFFICER'S NAME & ID Inv. Chiquito-Rodriguez #18334 AGENCY PBSO

DIVISION: VCD/DUI

NOTIFIED BY COMMO Yes

ARRIVAL AT FACILITY 21:10

ARREST TIME 20:32

BREATH RESULTS:

1)	
2)	
3)	
4)	

TESTING OFFICER'S ID 2644 PBSO VIDEOTAPE # N/A

SCANNED  
APR 09 2019

**STATE OF FLORIDA**  
**DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES**  
**AFFIDAVIT OF REFUSAL TO SUBMIT TO**  
**BREATH AND/OR URINE TEST**

I, Investigator L. Chiquito-Rodriguez #18334, a duly certified Law Enforcement Officer or Correctional Officer,  
(Name of Officer reading Implied Consent Warning)

am a member of PALM BEACH COUNTY SHERIFF'S OFFICE, and I do swear  
(Name of law enforcement agency)

or affirm that on or about the 7th day of April, 20 19, at 20:32 ☒ P.M. ☐ A.M.

DRIVER BRIAN ADAM MAHONEY  
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# M500-061-88-012-0, state of FLORIDA, was placed under lawful arrest for

the offense of Driving Under the Influence by Investigator L. Chiquito-Rodriguez and  
(Name of Arresting Officer)

issued Citation # A2FU2EP

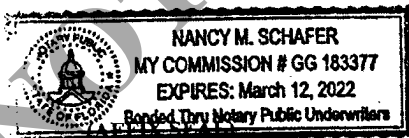
That on or about the 7th day of April, 20 19, at 21:38 ☒ P.M. ☐ A.M.

in PALM BEACH County,

I requested that the driver submit to a ☒ breath and/or ☐ urine test to determine his or her blood alcohol level and/or the presence of chemical or controlled substances. I informed the driver that the refusal to submit to such test(s) would result in the suspension of his or her driving privilege for a period of one (1) year for a first refusal, or for a period of eighteen (18) months if his or her driving privilege had been previously suspended for refusing to submit to a breath, urine or blood test. I also informed the driver that he or she commits a misdemeanor by refusing to submit to a lawful test as requested above if his or her driving privilege has been previously suspended for refusal to submit to a lawful test of his or her breath, urine, or blood. Additionally, I informed the driver that if he or she holds a CDL, or was operating a CMV, refusal will result in the disqualification of the Commercial Driver's License/driving privilege for a period of one (1) year in the case of a first refusal or permanently if he or she has previously been disqualified as a result of a refusal to submit to any such lawful test. Nonetheless, the driver refused to submit to the test(s) requested.

[Signature] #18334  
Signature of Law Enforcement Officer or  
Correctional Officer

**THE AFFIDAVIT MUST BE NOTARIZED OR ATTESTED TO (F.S. 117.10)**



The foregoing instrument was sworn and subscribed before

me this 7th day of April, 20 19,

by Investigator L. Chiquito-Rodriguez #18334,

who is personally known to me or who has produced

PERSONALLY KNOWN as identification

Notary Public [Signature]

HSMV-BAR1001 (REV. 10/2016)

The foregoing instrument was sworn and subscribed before me:

Signature of Attesting Officer

Title

Date

Note: Mail or hand deliver to the designated Bureau of Administrative Reviews office, Department of Highway Safety and Motor Vehicles, with the driver's license, the appropriate copy of the UTC, and the probable cause affidavit.

**SCANNED**  
**APR 09 2019**

PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.	3. Request for Warrant 4. Request for Capias	1	Juvenile
OBTS Number					
ADMIN	Agency ORI Number <b>FLO 500000</b>	Agency Name <b>PALM BEACH COUNTY SHERIFF'S OFFICE</b>	Agency Report Number <b>06- 19057050</b>		
	Charge Type: <input type="checkbox"/> 1. Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 2. Traffic Felony <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other		Special Notes:		
CHARGES DEF	Name (Last, First, Middle) <b>Mahoney, Brian Adam</b>		Alias	Race <b>W</b>	Sex <b>M</b> Date of Birth <b>01/12/1988</b>
	Charge Description <b>DUI</b>		316.193 (1)		
VICTIM	Victim's Name (Last, First, Middle) <b>STATE OF FLORIDA</b>		Race	Sex	Date of Birth
	Local Address (Street, Apt. Number) (City) (State) (zip) Phone ( ) ( )		Address Source		
Business Address (Name, Street) (City) (State) (zip) Phone ( ) ( )		Occupation			
The undersigned certifies and 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 <input checked="" type="checkbox"/> committed the below acts in my presence. <input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts. <input type="checkbox"/> confessed to _____ admitting to the below facts. <input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation. On the <u>7th</u> day of <u>April</u> 20 <u>19</u> at <u>19:45</u> <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M. (Specifically include facts constituting cause for arrest.)					
<p>After refusing to complete the SFST's, and advising him of Taylor warnings, I gave Mahoney a second opportunity to submit to roadblocks but he refused again. I placed him under arrest for DUI. I advised him that I concluded my DUI investigation and, based on his slow, slurred, incoherent speech, the strong and obvious odor of an unknown alcoholic beverage emanating from his breath despite trying to cover his mouth as he spoke to me, unsteady gait, and overall level of impairment he displayed, determined that he was too impaired to operate a motor vehicle. Mahoney verbally stated that he understood. I placed him in handcuffs that were checked for proper fit, tightness and double locked. I placed Mahoney in the rear of my PBSO marked patrol vehicle and transported him to the B.A.T. (Breath Alcohol Testing) facility.</p> <p>Once at the B.A.T. Mahoney was observed for a period of twenty minutes, during which time he did not ingest anything, place anything in his mouth, regurgitate or vomit. After the twenty minute observation period Mahoney was placed on camera and asked if he would submit a breath sample for the purpose of determining its alcohol content and he refused. I read Mahoney Florida Implied Consent and he verbally stated that he understood implied consent. I then asked him again if he would submit a breath sample after being informed of implied consent and he refused. The refusal was noted and documented at 21:38 hours. I read Mahoney his Constitutional warnings, which he verbally stated he understood, and he cooperated with the Q&amp;A portion.</p> <p>Based on the above set of facts and circumstances, probable cause exists to find BRIAN ADAM MAHONEY did drive or be in actual physical control of a vehicle while under the influence of alcoholic beverages, or chemical substances as set forth in Florida Statute 877.111, or any substance controlled under Chapter 893 or any combination thereof, to the extent that his normal faculties were impaired, or while having a blood alcohol level of .08 or more grams of alcohol per 100 milliliters of blood or breath alcohol level of .08 or more grams of alcohol per 210 liters of breath, and, during the course of operating a vehicle, and by reason of such operation, did cause or contribute to causing damage to the person or property of, contrary to Florida Statute 316.193(3) (a),(b) and (c)(1). (1 DEG MISD)</p> <p>Mahoney was issued DUI citation A2FU2EP and transported to the main jail for booking and processing.</p> <p>This case is cleared by arrest.</p>					
ADMINISTRATIVE	STATE OF FLORIDA COUNTY OF PALM BEACH <b>Inv. Chiquito-Rodriguez #18334</b> (Signature of Arresting/Investigative Officer)				
	The foregoing instrument was sworn to or affirmed and subscribed before me this <u>7th</u> day of <u>April</u> 20 <u>19</u> at <u>19:45</u> by <u>Inv. Chiquito-Rodriguez #18334</u> (Print name of Arresting/Investigative Officer, who is personally known to me and/or produced identification)				
Notary Public, Clerk of Court, Officer (F.S.S. 117.10)		<div style="border: 2px solid black; padding: 5px; text-align: center;">   <b>NANCY MOSBAUER</b>  <b>MY COMMISSION #GG133377</b>  <b>EXPIRES: March 12, 2022</b>  <b>Bonded Thru Notary Public Underwriters</b> </div>			

		PROBABLE CAUSE AFFIDAVIT		1 Arrest 2 NTA		3 Request for Warrant 4 Request for Capias		1 Juvenile	
ADMIN	OBTS Number			Agency ORI Number		Agency Name		Agency Report Number	
	FLO. 5, 0, 0, 0, 0, 0	PALM BEACH COUNTY SHERIFF'S OFFICE						19057050	
CHARGES	Charge Type	<input type="checkbox"/> 1 Felony <input type="checkbox"/> 2 Traffic Felony <input checked="" type="checkbox"/> 3 Misdemeanor <input type="checkbox"/> 4 Traffic Misdemeanor <input type="checkbox"/> 5 Ordinance <input type="checkbox"/> 6 Other		Special Notes					
	Check as many as apply								
DEF	Name (Last, First, Middle)	Mahoney, Brian		Alias		Race		Sex	
	Charge Description	DUI		316.193 (1)		Charge Description			
VICTIM	Victim's Name (Last, First, Middle)	STATE OF FLORIDA		Race		Sex		Date of Birth	
	Local Address (Street, Apt Number)	(City) (State) (Zip)		Phone		Address Source			
PROBABLE CAUSE STATEMENT	Business Address (Name, Street)	(City) (State) (Zip)		Phone		Occupation			
	<p>The undersigned certifies and 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</p> <p>The Person taken into custody</p> <p><input checked="" type="checkbox"/> committed the below acts in my presence. <input type="checkbox"/> was observed by _____ who told _____</p> <p><input type="checkbox"/> confessed to _____ <input type="checkbox"/> that he/she saw the arrested person commit the below acts.</p> <p>admitting to the below facts. was found to have committed the below acts, resulting from my (described) investigation.</p> <p>On the <u>4th</u> day of <u>April</u>, 20<u>19</u> at <u>8:00</u> <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M. (Specifically include facts constituting cause for arrest.)</p> <p>On April 7, 2019, I was traveling South on Seminole Pratt Whitney Rd. in Palm Beach County after being notified by dispatch of a black Vehicle traveling South bound in the North bound lanes of Seminole Pratt Whitney Rd and Sycamore Drive. As I approached the intersection of State Rd 80 and Pratt Whitney RD. I observed a black Mazda bearing FL tag #CDZW39 stopped in the south bound turn lane on Pratt Whitney RD approximately 100 yards from the traffic light of State Road 80. The vehicle did not have flashers on and there were no vehicle's in front of the vehicle. I placed my patrol vehicle behind the above vehicle and made contact with the driver and sole occupant of the vehicle, Brian Mahoney. He appeared to be very disoriented and had a blank stare on his face. I had the driver turn off the vehicle for safety. I asked for his drivers license at which point he started to fumble through his wallet looking for it. I could clearly see his Florida driver license in the front half of his wallet. He then took the driver license out along with several credit cards and handed all of the cards to me. I then notified dispatch to have a DUI unit start towards my location due to my suspicion that the driver was impaired by drugs or alcohol. After the DUI unit arrived on scene I turned the investigation over to that unit.</p>								
ADMINISTRATIVE	<p>STATE OF FLORIDA COUNTY OF PALM BEACH</p> <p>(Signature of Arresting/Investigative Officer) <u>[Signature]</u> <u>21806</u></p> <p>The foregoing instrument was sworn to or affirmed and subscribed before me this <u>4th</u> day of <u>April</u>, 20<u>19</u> by <u>M. COO</u></p> <p>(Print name of Arresting/Investigative Officer, who is personally known to me and/or produced identification. Type of identification produced <u>PERSONALITY known</u>)</p> <p><u>Inv. L. Chiquito-Rodriguez #18334</u></p> <p>Notary Public, Clerk of Court, Officer (F.B.S.), (F.V.), (F.O.)</p>								
	<p>PAGE _____ OF _____</p>								

PBSO #0004A REV. 03/10

DISTRIBUTION

WHITE - Court Copy

GREEN - State Attorney

YELLOW - Agency

PINK - Agency

SCANNED  
APR 09 2019



FILING PACKAGE RECEIPT FORM

Check One:

- ☒ DHSMV - Bureau of Driver Improvement Hearing Office  
☒ State Attorney's Office D.U.I. Intake  
☐ Felony/Misdemeanor Filing Documentation

Case Number: 19057050

Defendant: Mahoney, Brian Adam

Deputy Sheriff. Inv. Chiquito-Rodriguez #18 ID, # 18334

District: VCD/DUI

Date Submitted: \_\_\_\_\_

Sent By: Inv. CHIQUITO-RODRIGUEZ #18334

Supervisor Approval: \_\_\_\_\_

Received By Court Liaison: \_\_\_\_\_

Date/Time Received: \_\_\_\_\_

FILING PACKAGE LOGGED BY LIAISON  
ON DATE AND TIME LISTED ABOVE

RETURN THIS ORIGINAL RECEIPT TO DEPUTY

Ver 10G  
6/14

SCANNED  
APR 09 2013



# WITNESS LIST

CASE NUMBER: 19057050

ARRESTING OFFICER: Inv. Chiquito-Rodriguez #18334

ADDRESS: 3228 Gun Club Rd WPB, FL 33406

PHONE NUMBERS (HOME): \_\_\_\_\_ (WORK) 561-688-3000

CAN TESTIFY TO: Facts of case

NAME: Deputy Michael Coon #31806

ADDRESS: 3228 Gun Club Rd WPB, FL 33406

PHONE NUMBERS (HOME): \_\_\_\_\_ (WORK) 561-688-3000

CAN TESTIFY TO: Facts of the case. Initiated traffic stop. Wheel witness

NAME: \_\_\_\_\_

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 \_\_\_\_\_

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 \_\_\_\_\_

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: \_\_\_\_\_

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APR 09 2013

# TESTING FACILITY TASK REPORT

AGENCY: Palm Beach Sheriff's Office

SUBJECT: Mahoney, Brian A.

CASE NUMBER: 19-057050

DATE: 04/07/2019

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 21:36

ENDING TIME: 21:47

BREATH TESTS RESULTS: 1) REF TIME 21:38 A.M. ☐ P.M. ☒ 2) TIME A.M. ☐ P.M. ☐  
3) TIME A.M. ☐ P.M. ☐ 4) TIME A.M. ☐ P.M. ☐

BREATH OPERATOR: N. Schafer, #2644

MAINTENANCE TECHNICIAN: J. Karlecke, #6467

## TESTING OFFICER'S OBSERVATIONS

SPEECH: Loud, non-stop arguing during arrival/observation

ATTITUDE: Argumentative, profanity, vulgar, insulting, belligerent.

CLOTHING: White S/S t-shirt, green shorts, black socks, black sneakers with white trim.

MEDICAL CONDITIONS: Skin cancer, melanoma, surgery on back about a month ago - cyst.

MEDICATIONS: Subject says he doesn't know what meds - says his mom takes care of that.

## OTHER:

Bloodshot eyes, wet shorts (subject peed his shorts). Odor of unknown alcoholic beverage from subject.

## COMMENTS:

A/O observed subject for 20 minutes.  
Subject said no to breath test.  
A/O read Implied Consent - subject again refused breath test.  
A/O read Constitutional Warnings - subject said that he completely understands them.  
A/O proceeded with Q & A  
Subject states he only drank water.  
Subject said that skin cancer makes him dehydrated more/depressed.

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APR 09 2019

SUBJECT: Mahoney, Brian A. CASE NUMBER: 19-057050

## 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 Inv. Chiquito-Rodriguez of the PBSO

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: Mahoney, Brian A. CASE NUMBER: 19-057050

## 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? my house

WHAT STREET OR HIGHWAY WERE YOU ON? I was lost at the time

DIRECTION OF TRAVEL? I don't know WHERE DID YOU START? Client's house

WHAT TIME DID YOU START? I don't know WHAT TIME IS IT NOW? I don't know

WHAT IS TODAY'S DATE? I don't keep track WHAT DAY OF THE WEEK IS IT? Sunday

WHAT COUNTY AND CITY ARE YOU IN NOW? Pinellas County, Florida

WHEN DID YOU LAST EAT? Three hours ago WHAT DID YOU EAT? chicken

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? Hang out, swimming in the pool

HOW MUCH DO YOU WEIGH? 155-160 HAVE YOU BEEN DRINKING? NO WHAT? water

HOW MUCH? maybe 1 WHERE? my house and there WITH WHOM? myself

WHEN DID YOU HAVE YOUR FIRST DRINK? 9am AND YOUR LAST DRINK? before my guy

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? Through a bottle of water pulled me over

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? NO ARE YOU UNDER THE INFLUENCE? NO

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? NA HOW MUCH? N/A

WHAT? N/A WHERE? N/A WHEN? N/A

WHAT LINE OF WORK ARE YOU IN? Auto detailing/laundry WHEN DID YOU LAST WORK? one week ago

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? Yes WHAT? I have skin cancer

ARE YOU SICK OR INJURED? Yes WHAT'S WRONG? Removal of skin cancer

DO YOU LIMP? Yes DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? Yes 3 days ago

WERE YOU IN AN ACCIDENT TODAY? Yes

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? NO WHEN?

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? No WHO?  WHY?

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? No WHAT? not WHEN?

DO YOU HAVE:

EPILEPSY?	<u>No</u>
GLASS EYE?	<u>No</u>
FALSE TEETH?	<u>No</u>
EAR INFECTION?	<u>No</u>
INNER EAR TROUBLE?	<u>No</u>
DIABETES?	<u>No</u>

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? N/A

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? Yes WHERE? Georgia

INTERVIEWER: Inv. L. Chiquito-Torres #15330 **SCANNED**



**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), 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), (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), 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"/>			
	<input type="checkbox"/>			
Other	<input type="checkbox"/>	943.031 (2)	Other: Names of Gangs Criminal Activity	
	<input type="checkbox"/>	119.0712 (2)	Other: Personal Information Contained in a Motor Vehicle Record	

**REVIEW COMPLETED BY**

Booking Number: 2019011583	Date: 4/8/2019
	Specialist Name/ID: M. Tooks #8557

**SCANNED**  
**APR 09 2019**