

0513493

2019 CT023621 ANB#2987

OBTS Number		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 FLO 502600		Agency Name PALM BEACH GARDENS POLICE DEPARTMENT		Agency Report Number (N.T.A.'s only) 78-19007515									
Charge Type: Check as many as apply.		1. Felony 2. Traffic Felony		3. Misdemeanor 4. Traffic Misdemeanor		5. Ordinance 6. Other		Weapon Seized / Type 2 1. Yes 2. No		Multiple Clearance Indicator			
Location of Arrest (Including Name of Business) PGA BLVD/COMMONS WAY, PALM BEACH GARDENS, FL 33410						Location of Offense (Business Name, Address) PGA BLVD/N MILITARY TRL, PALM BEACH GARDENS, FL 33410							
Date of Arrest 12/22/2019		Time of Arrest 00:50		Booking Date		Booking Time		Jail Date		Jail Time		Location of Vehicle MIDTOWN	
Name (Last, First, Middle) MERLINO, CHRISTOPHER, JAMES						Alias (Name, DOB, Soc. Sec. #, Etc.) NONE							
Race W - White I - American Indian B - Black O - Oriental/Asian		Sex W M		Date of Birth 11/04/1959		Height 508		Weight 175		Eye Color GREEN		Hair Color BROWN	
Complexion LGT		Build MED		Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) NONE		Marital Status MARRIED		Religion CATHOLIC		Indication of: Alcohol Influence Drug Influence		Y N Unk. [] [] []	
Local Address (Street, Apt. Number) NO LOCAL ADDRESS						(City)		(State)		(Zip)		Phone (609) 350-2892	
Permanent Address (Street, Apt. Number) 811 MAPLE AVENUE, LINWOOD, NJ, 08221						(City)		(State)		(Zip)		Phone ()	
Business Address (Name, Street) GOLD NUGGET, ATLANTIC CITY, NJ						(City)		(State)		(Zip)		Phone ()	
D/L Number, State M27081247111596 NJ						Soc. Sec. Number		INS Number		Place of Birth (City, State) ATLANTIC CITY, NJ		Citizenship USA	
Co-Defendant Name (Last, First, Middle)						Race		Sex		Date of Birth		[] 3. Felony [] 4. Misdemeanor [] 5. Juvenile	
Co-Defendant Name (Last, First, Middle)						Race		Sex		Date of Birth		[] 3. Felony [] 4. Misdemeanor [] 5. Juvenile	
Parent Legal Custodian Other:						Name (Last)		(First)		(Middle)		Residence Phone ()	
Address (Street, Apt. Number)						(City)		(State)		(Zip)		Business Phone ()	
Notified by: (Name)						Date		Time		Juvenile Disposition 1. Handled/processed within Dept. and Released.		2. TOT HRS / DYS 3. Incarcerated	
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 355-2526) informed of any change of address. [] Yes, by: (Name) [] No: (Reason)						School Attended						Grade	
Property Crime? [] Yes [] No						Description of Property						Value of Property	
Drug Activity N. N/A P. Possess		S. Sell B. Buy T. Traffic		R. Smuggle D. Deliver E. Use		K. Dispense/ Distribute		M. Manufacture/ Produce/ Cultivate		Z. Other		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 DRIVING UNDER THE INFLUENCE						Counts 1		Domestic Violence [] Y [] N		Statute Violation Number 316.193(1)		Violation of ORD #	
Drug Activity N						Drug Type N		Amount / Unit N/A		Offense #		Warrant / Capias Number	
Charge Description						Counts		Domestic Violence [] Y [] N		Statute Violation Number		Violation of ORD #	
Drug Activity N						Drug Type N		Amount / Unit N/A		Offense #		Warrant / Capias Number	
Charge Description						Counts		Domestic Violence [] Y [] N		Statute Violation Number		Violation of ORD #	
Drug Activity N						Drug Type N		Amount / Unit N/A		Offense #		Warrant / Capias Number	
Charge Description						Counts		Domestic Violence [] Y [] N		Statute Violation Number		Violation of ORD #	
Drug Activity N						Drug Type N		Amount / Unit N/A		Offense #		Warrant / Capias Number	
Location (Court Room Number, Address) NORTH COUNTY COURTHOUSE, 3188 PGA BOULEVARD, PALM BEACH GARDENS, FL 33410 - PH: (561) 662-6700													
Court Date and Time Month JANUARY Day 22 Year 2019 Time 10:00 AM X 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.													
12/22/2019													
Signature of Defendant (or Juvenile and Parent / Custodian)													
Date Signed													
HOLD for other Agency Name:						Signature of Arresting Officer #471				Name Verification (Printed by Arrestee)			
[] Dangerous [] Suicidal [] Resisted Arrest [] Other:						Name of Arresting Officer (Print) Ofc. Cameron Carver				I.D. #471			
Inmate Copy						Transporting Officer Ofc. Cameron Carver				ID #471			
Pouch #						Agency PBG				Witnessed by [] signed with an -X			
DISTRIBUTION: WHITE - COURT COPY GREEN - STATE ATTORNEY YELLOW - AGENCY PINK - AGENCY GOLD - DEFENDANT (N.T.A.'s ONLY)													

SCANNED

DEC 23 2019

PAGE
OF 1

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 22 DAY OF DECEMBER 20 19, AT 00:24 ✓ AM PM
SUBJECT: MERLINO, CHRISTOPHER, JAMES CASE NUMBER: 19007515
AGENCY: PALM BEACH GARDENS POLICE DEPT. ARRESTING OFFICER: Ofc. Cameron Carver #471

PERSONAL CONTACT

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

On Sunday, December 22, 2019 at 00:24hrs, I, Officer Cameron Carver, was patrolling the area of PGA Boulevard and N Military Trail, in the City of Palm Beach Gardens in Palm Beach County, Florida, in my black and white marked "Palm Beach Gardens Police" vehicle. My department issued body worn camera was activated and subsequently uploaded and tagged accordingly. I observed a white Jaguar XE bearing Florida license plate BNUC18. The Jaguar was traveling westbound on PGA Boulevard and stopped for the red light at N Military Trail past the stop bar and into the crosswalk. A bicyclist riding across PGA Boulevard had to ride into the roadway to get around the Jaguar. I activated my emergency equipment signaling the driver to pull over and stop for stop bar violation. The Jaguar responded to my order to pull over by pulling into the turn lane into Midtown, across from Commons Way on PGA Boulevard.

OBSERVATION OF DRIVER:

Upon approach to the Jaguar, I observed a white male, later identified via New Jersey driver's license as Christopher James Merlino sitting in the driver's seat and his wife Lucy Nguyen, in the front passenger seat. The Jaguar was a rental and was in good and clean condition. While speaking with Merlino from the driver side window I detected the odor of unknown alcohol emanating from his breath. I observed Merlino's clothing to be neat and clean, wearing a blue long sleeve shirt, black pants and brown dress shoes. Merlino's speech was deliberate and thick. Merlino's eyes were glassy, watery and bloodshot. Merlino provided his license and rental agreement.

DRIVER'S STATEMENTS:

Nguyen stated they were out with friends. I asked Merlino how much alcohol he consumed which Merlino replied "two drinks...about an hour ago." I asked Merlino and he agreed to perform the Standardized Field Sobriety Tasks (SFST's). Merlino advised he did not have any issues with walking or maintaining balance; takes Bystolic prescription medication for high blood pressure; stated he drank alcohol. Merlino last ate around 20:30 to 21:00 on 12/21/2019.

ODORS:

Odor of unknown alcoholic beverage.

GENERAL OBSERVATIONS

SPEECH: Deliberate and Thick

ATTITUDE: Calm, Cooperative, Respectful

CLOTHING: Blue long sleeve shirt, black pants and brown dress shoes

MEDICAL/OTHER: Bystolic for high blood pressure

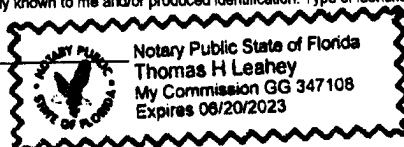
STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 22 day of DECEMBER 20 19 by Ofc. Cameron Carver

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

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



SUBJECT: MERLINO, CHRISTOPHER, JAMES CASE NUMBER 19007515

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

☒ LT EYE-LACK OF SMOOTH PURSUIT

☒ RT EYE-LACK OF SMOOTH PURSUIT

☒ LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION

☒ RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION

☒ LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

☒ RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

Other Observations:

Condition of Eyes: Glassy, Watery, Bloodshot

WALK & TURN:

The instructions were explained and demonstrated to Merlino. During the instructional phase, Merlino was unable to keep balance, swaying and stepped out of position. After instructions and Merlino stating he understood, Merlino started on command. Merlino stopped during the task to regain balance. Merlino did not turn as instructed and demonstrated. On the return, Merlino missed heel-to-toe on steps 1 and 4.

ONE LEG STAND:

The instructions were explained and demonstrated to Merlino, who stated he understood. Upon the command to begin, Merlino swayed while balancing. Merlino raised his arms more than six inches to maintain balance. Merlino put his foot down on 1000-1 and restarted. Merlino looked forward, not at his feet as instructed. I had to remind Merlino to raise his foot six inches, to which he raised however had a bend in his knee, failing to keep his legs straight. Merlino visibly swayed during the task.

BREATH TEST RESULTS: REFUSED REFUSED

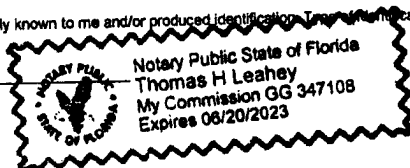
STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 22 day of DECEMBER, 2019 by Ofc. Cameron Carver

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. True and correct information produced Personally Known

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



CARVER
(471)

19007515



FLORIDA DUI UNIFORM TRAFFIC CITATION

A56H5ZE

COUNTY OF PALM BEACH 06		☐ (1) F.H.P. ☒ (2) P.D. ☐ (3) S.O. ☐ (4) OTHER	
CITY (IF APPLICABLE) PALM BEACH GARDENS		AGENCY NAME PALM BEACH GARDENS	
		AGENCY # 78	
IN THE COURT DESIGNATED BELOW THE UNDERSIGNED CERTIFIES THAT HE/SHE HAS JUST AND REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT ON			
DAY OF WEEK SUNDAY	MONTH 12	DAY 22	YEAR 2019
TIME 12:50		☒ A.M. ☐ P.M.	
NAME (PRINT) FIRST CHRISTOPHER MIDDLE JAMES LAST MERLINO			
STREET 811 MAPLE AVENUE			
CITY LINWOOD STATE NJ ZIP CODE 08221			
TELEPHONE NUMBER (609)350-2892			
DATE OF BIRTH 11 04 1959 RACE W SEX M NOT			
DRIVER LICENSE NUMBER M 2 7 0 8 1 2 4 7 1 1 1 5 9 6			
STATE NJ CLASS 2 CDL LICENSE ☐ Y ☒ N YR LICENSE EXP. 2022 COMMERCIAL VEHICLE ☐ YES ☒ NO			
TR. VEHICLE 2019 MAKE JAGU STYLE 4D COLOR WHI PLACARDED HAZARDOUS MATERIAL ☐ YES ☒ NO			
VEHICLE LICENSE NO. BNUC18 TRAILER TAG NO. FL YEAR TAG EXPIRES 2020 2-16 PASSENGERS ☐ YES ☒ NO			
UPON A PUBLIC STREET OR HIGHWAY, OR OTHER LOCATION, NARILY PGA BLVD/N MILITARY TRL, PALM BEACH GARDENS			
COMPANION CITATIONS ☐ YES ☒ NO			
FT. _____ MILES _____ OF ROAD _____			

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

COMMENTS PERTAINING TO OFFENSE (Only use official crash check)
DUI - DRIVING UNDER INFLUENCE

☐ AGGRESSIVE DRIVER ☐ PASSENGER ☒ DRIVER STATE STATUTE **316.193** SUB-SECTION **(1)***

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

01/22/2020 **10:00 AM** **A56H5ZE**
COURT DATE
NORTH COUNTY GOVERNMENT CENTER
3188 PGA Boulevard PBG, FL 33410

ARREST DELIVERED TO **PBSO** DATE **12/22/2019**

I AGREE AND PROMISE TO COMPLY AND ANSWER TO THE CHARGES AND INSTRUCTIONS SPECIFIED IN THIS CITATION. WILLFUL REFUSAL TO ACCEPT AND SIGN THE CITATION MAY RESULT IN ARREST. I UNDERSTAND MY SIGNATURE IS NOT AN ADMISSION OF GUILT OR WAIVER OF RIGHTS. IF YOU NEED REASONABLE FACILITY ACCOMMODATIONS TO COMPLY WITH THIS CITATION, CONTACT THE CLERK OF THE COURT.

X SIGNATURE OF VIOLATOR
EFFECTIVE IMMEDIATELY, YOUR DRIVING PRIVILEGE IS SUSPENDED/DISQUALIFIED FOR:

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

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

LICENSE SURRENDERED? ☒ YES ☐ NO REASON _____
ELIGIBLE FOR PERMIT? ☒ YES ☐ NO REASON _____

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

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

RANK: _____ SIGNATURE OF DRIVER _____ JUDGE NO. _____ ID NO. _____ TROOP UNIT _____
HSMV (2004) (REV. 10/14)

COMPLAINT

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

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

WARNING CITATION

YOU ARE HEREBY OFFICIALLY WARNED OF THE BELOW DESCRIBED VIOLATION.
YOUR ONLY REQUIRED ACTION IS TO EXERCISE SAFER DRIVING HABITS IN THE FUTURE.

PALM BEACH GARDENS POLICE DEPARTMENT

COUNTY OF PALM BEACH 06		W077950	
CITY IF APPLICABLE PALM BEACH GARDENS			
DAY OF WEEK SUNDAY	MONTH 12	DAY 22	YEAR 2019
		TIME 12:50	☒ A.M. ☐ P.M.
NAME (FIRST) FIRST CHRISTOPHER		MIDDLE JAMES	LAST MERLINO
STREET 811 MAPLE AVENUE			
CITY LINWOOD		STATE NJ	ZIP CODE 08221
TELEPHONE NUMBER (609)350-2892	DATE OF BIRTH MO 11 DAY 04	YR 1959	RACE W SEX M HGT 508
DRIVER LICENSE NUMBER M 2 7 0 8 1 2 4 7 1 1 1 5 9 6	STATE NJ	CLASS 4D	CDL LICENSE YR 2022
YR VEHICLE 2019	MAKE JAGU	STYLE 4D	COLOR WHI
VEHICLE LICENSE NO. BNUC18	TRAILER TAG NO.	STATE FL	YEAR TAG EXPIRES 2020
UPON A PUBLIC STREET OR HIGHWAY, OR OTHER LOCATION, NAMELY PGA BLVD/N MILITARY TRL, PALM BEACH GARDENS			
VIOLATIONS			

- | | | |
|---|---|--|
| ☐ UNLAWFUL SPEED | MPH SPEED APPLICABLE | MPH |
| ☐ CARELESS DRIVING | ☐ SAFETY BELT VIOLATION | ☐ NO PROOF OF INSURANCE |
| ☒ VIOLATION OF TRAFFIC CONTROL DEVICE | ☐ IMPROPER OR UNSAFE EQUIPMENT | ☐ EXPIRED DRIVER LICENSE |
| ☐ VIOLATION OF RIGHT-OF-WAY | ☐ EXPIRED TAG | ☐ FOUR (4) MONTHS OR LESS |
| ☐ IMPROPER CHANGE OF LANE OR COURSE | ☐ SIX (6) MONTHS OR LESS | ☐ MORE THAN FOUR (4) MONTHS |
| ☐ IMPROPER PASSING | ☐ MORE THAN SIX (6) MONTHS | ☐ NO VALID DRIVER LICENSE |
| ☐ CHILD RESTRAINT | ☐ IMPROPER OR NO SIGNAL | ☐ PEDESTRIAN VIOLATION |
| ☐ IMPROPER PARKING | ☐ IMPROPER TURN | ☐ DRIVING TOO SLOWLY |
| ☐ BICYCLE VIOLATION | ☐ DRIVING WITHOUT LIGHTS | ☐ OPEN CONTAINER |

☐ OTHER: _____

COMMENTS PERTAINING TO VIOLATION: _____

X SIGNATURE OF VIOLATOR

SIGNATURE OF OFFICER

BADGE NO.

ID NO.

TROOP UNIT

WARNING CITATION

Case # 19007515

TESTING FACILITY TASK REPORT

AGENCY: PBL
SUBJECT: Merlino, Christopher J CASE NUMBER: A-151226
DATE: 12/22/19 VIDEO TAPE NUMBER: N/A
BEGINNING TIME: 01:38 ENDING TIME: 01:51

BREATH TESTS RESULTS: 1) R TIME 01:42 AM/P.M. 2) N/A TIME — A.M./P.M.
3) N/A TIME — A.M./P.M. 4) N/A TIME — A.M./P.M.

BREATH OPERATOR: T Leakey # 19183

MAINTENANCE TECHNICIAN: J Karlocke # 10467

TESTING OFFICER'S OBSERVATIONS

SPEECH: rapid, thick, deliberate

ATTITUDE: frg, ty, cooperative,

CLOTHING: black pants, blue l/s shirt, brown shoes

MEDICAL CONDITIONS: high blood pressure

MEDICATIONS: bystolic

OTHER: eyes glassy + bloodshot

odor of unknown alcoholic beverage on breath

Δ stated he had 1 glass of wine - Q+A - then 1 1/2 glasses wine at 2nd place

COMMENTS: arrived at center A/O conducted 20 minute observation period at 01:15 hrs

Δ wanted to consult an attorney before making decision

A/O read I/c + Δ stated he understood I/c

Δ refused to provide breath sample

A/O read rights + Δ stated he understood rights

A/O conducted Q+A

Δ answered questions

REFUSED

REFUSED



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

PBSO CASE # 19-151226 PBSO ZONE 3-13

AGENCY CASE # 19007515 CRASH CASE # _____

TIME OF STOP/CRASH 00:24 DATE 12/22/2019 DAY SUNDAY

SUBJECT'S NAME MERLINO CHRISTOPH J RACE W SEX M
LAST FIRST MID

HGT 508 WGT 175 DOB 11/04/1959

LOCATION PGA BLVD/COMMONS WAY, PALM BEACH GARDENS, FL 33410

ARRESTING OFFICER'S NAME & ID Ofc. Cameron Carver #471 AGENCY PBGPD

DIVISION: Traffic Unit

NOTIFIED BY COMMO YES

ARRIVAL AT FACILITY 01:15

ARREST TIME 00:50

BREATH RESULTS:

1
2 **REFUSED**
3
4

BREATH TEST OPERATOR: #19183

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

I, Ofc. Cameron Carver, a duly certified Law Enforcement Officer or Correctional Officer,
 (Name of Officer reading Implied Consent Warning)

am a member of Palm Beach Gardens Police Department, and I do swear
 (Name of law enforcement agency)

or affirm that on or about the 22 day of DECEMBER, 20 19, at 00:50 ☐ P.M. ☒ A.M.

DRIVER CHRISTOPHER JAMES MERLINO
 (Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# M27081247111596, state of NJ, was placed under lawful arrest for

the offense of DRIVING UNDER THE INFLUENCE by Ofc. Cameron Carver and
 (Name of Arresting Officer)

issued Citation # A56H5ZE.

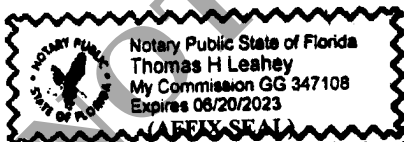
That on or about the 22 day of DECEMBER, 20 19, at 01:42 ☐ P.M. ☒ A.M.

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.

471
 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 22 day of DECEMBER, 20 19,

by Ofc. Cameron Carver,

who is personally known to me or who has produced

Personally Known as identification

Notary Public T. Leahey

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.

WITNESS LIST

CASE NUMBER: 19007515

ARRESTING OFFICER: Ofc. Cameron Carver

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

PHONE NUMBERS (HOME): N/A (WORK) (561) 799-4445

CAN TESTIFY TO: Facts of Case

NAME: Ofc. Thomas Stevenson #353

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

PHONE NUMBERS (HOME) N/A (WORK) (561) 799-4445

CAN TESTIFY TO: Scene Safety

NAME: Ofc. Phil Colletti #358

ADDRESS 10500 N. Military Trail, Palm Beach Gardens, FL 33410

PHONE NUMBERS (HOME) N/A (WORK) (561) 799-4445

CAN TESTIFY TO: Scene Safety

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 _____

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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: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

SUBJECT: Merlino, Christopher J CASE NUMBER: 19007515

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? _____

WHERE WERE YOU GOING? 614 Brackenwood Cove, PBH (PhA National)

WHAT STREET OR HIGHWAY WERE YOU ON? PhA Blvd

DIRECTION OF TRAVEL? Unk WHERE DID YOU START? Unknown Rest in Palm Beach Gardens.

WHAT TIME DID YOU START? Approx 00:30-45 WHAT TIME IS IT NOW? 01:42

WHAT IS TODAY'S DATE? 12/22/19 WHAT DAY OF THE WEEK IS IT? Sunday

WHAT COUNTY AND CITY ARE YOU IN NOW? _____

WHEN DID YOU LAST EAT? 2030-2100 WHAT DID YOU EAT? @ Santos / No Food

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

HOW MUCH DO YOU WEIGH? 175 HAVE YOU BEEN DRINKING? Yes WHAT? Sau Blanc / Sau Blanc

HOW MUCH? 1 wine / 1 1/2 WHERE? Santos / Unk Loc WITH WHOM? Wife / Friends

WHEN DID YOU HAVE YOUR FIRST DRINK? 2030 AND YOUR LAST DRINK? 00:00

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? _____

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

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? _____ HOW MUCH? _____

WHAT? _____ WHERE? _____ WHEN? _____

WHAT LINE OF WORK ARE YOU IN? Casino Host WHEN DID YOU LAST WORK? Tuesday

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? NO WHAT? _____

ARE YOU SICK OR INJURED? NO WHAT'S WRONG? _____

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? _____

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? NO WHO? _____ WHY? _____

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? Yes WHAT? Bystolic - BP WHEN? 00:00

DO YOU HAVE:

EPILEPSY?	_____
GLASS EYE?	_____
FALSE TEETH?	_____
EAR INFECTION?	_____
INNER EAR TROUBLE?	_____
DIABETES?	_____

NO

Might be a little blurred, but don't know if it's related

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? _____

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? NO WHERE? _____

INTERVIEWER: _____

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL

SUBJECT: Merkino, Christopher T CASE NUMBER: 19007515

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 Officer C Carver #471 of the FBG

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

WHITE - STATE ATTY. YELLOW - DHSMV PINK - CENTRAL RECORDS GOLD - JAIL



**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)
I/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)(l)	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: 2019040710

Date: 12/23/2019

Specialist Name/ID: AM/31562