

049 0328 17CT14548 Pd#2992

ADMINISTRATIVE	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 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE				Agency Report Number (N.T.A.'s only) 06-17-111037																
	Charge Type: Check as many as apply. <input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input checked="" 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																		
	Location of Arrest (Including Name of Business) LUCERNE AVE/N F ST, LAKE WORTH, FL 33460						Location of Offense (Business Name, Address) LUCERNE AVE/N F ST LAKE WORTH, FL 33460																
DEFENDANT	Date of Arrest 08/05/2017	Time of Arrest 05:29	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle																
	Name (Last, First, Middle) TEMAJ LOPEZ CINDY NOELY												Alias (Name, DOB, Soc. Sec. #, Etc.)										
	Race W - White I - American Indian B - Black O - Oriental/Asian	Sex FEM	Date of Birth 05/01/93	Height 5'06	Weight 195	Eye Color BROWN	Hair Color BROWN	Complexion LIGHT	Build MEDIUM														
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)					Marital Status Married	Religion NONE	Indication of: Alcohol Influence Drug Influence		Y <input type="checkbox"/>	N <input type="checkbox"/>	Unk. <input type="checkbox"/>											
CO-DEF	Local Address (Street, Apt. Number) (City) (State) (Zip) 2232 LAKE WORTH RD, APT 203 LAKE WORTH, FL 33460					Phone (561) 768-2989		Residence Type: 1. City 2. County 3. Florida 4. Out of State		1													
	Permanent Address (Street, Apt. Number) (City) (State) (Zip)					Phone		Address Source DEFENDANT															
	Business Address (Name, Street) (City) (State) (Zip)					Phone		Occupation SERVER															
	D/L Number, State T524 114 93 61 0		Soc. Sec. Number		INS Number		Place of Birth (City, State) MANABE, ECUADOR		Citizenship NON-US														
JUVENILE	Co-Defendant Name (Last, First, Middle)					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)					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												
	<input type="checkbox"/> Parent <input type="checkbox"/> Legal Custodian <input type="checkbox"/> Other:					Residence Phone																	
	Address (Street, Apt. Number) (City) (State) (Zip)					Business Phone																	
CHARGE	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 <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		Grade															
	Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No					Description of Property		Value of Property															
CHARGE	Drug Activity S. Sell P. Possess					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 DUI					Counts 1	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number 316.193(1)					Violation of ORD #										
	Drug Activity N					Drug Type N	Amount / Unit N/A	Offense # 17-111037		Warrant / Capias Number					Bond 02								
	Charge Description					Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number					Violation of ORD #										
CHARGE	Drug Activity					Drug Type	Amount / Unit	Offense #		Warrant / Capias Number					Bond								
	Charge Description					Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number					Violation of ORD #										
	Drug Activity					Drug Type	Amount / Unit	Offense #		Warrant / Capias Number					Bond								
	Charge Description					Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number					Violation of ORD #										
CHARGE	Drug Activity					Drug Type	Amount / Unit	Offense #		Warrant / Capias Number					Bond								
	Charge Description					Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number					Violation of ORD #										
	Drug Activity					Drug Type	Amount / Unit	Offense #		Warrant / Capias Number					Bond								
	Charge Description					Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number					Violation of ORD #										
NOTICE TO APPEAR	Location (Court Room Number, Address) 3228 GUN CLUB RD, WEST PALM BEACH, FL 33406																						
	Court Date and Time Month SEPTEMBER Day 11 Year 2017 Time 08:30 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.																						
	Signature of Defendant (or Juvenile and Parent / Custodian) <i>[Signature]</i>												Date Signed 08/05/2017										
ADMIN	HOLD for other Agency Name					Signature of Arresting Officer <i>[Signature]</i>					Name Verification (Printed by Arrestee) SCANNED												
	<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:					Name of Arresting Officer (Print) D/S A. REYKA #17180					(PRINT)												
	Intake Deputy <i>[Signature]</i>					I.D. #	Pouch #	Transferring Officer <i>[Signature]</i>					ID # 17180	Agency ASD	Witness here if subject signed								
	DISTRIBUTION: WHITE - COURT COPY GREEN - STATE ATTORNEY YELLOW - AGENCY PINK - AGENCY GOLD - DEFENDANT (N.T.A.'s ONLY)																						



NOT A CERTIFIED

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 5 DAY OF AUGUST 20 17, AT 04:58 AM PM
SUBJECT: TEMAJ LOPEZ CINDY NOELY CASE NUMBER: 17-111037

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: D/S A. REYKA #17180

PERSONAL CONTACT

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

I was driving eastbound on Lake Avenue approaching S. F. St. in the City of Lake Worth when I observed headlights coming towards me from S. Dixie Hwy. As I continued driving eastbound, the unknown vehicle turned northbound onto N. H. St. I followed suit, and observed the same vehicle stopped just past the white stop bar, pausing in the road at the intersection of N. H. St. and Lucerne Ave. I pulled up behind the vehicle as the driver slowly made a left hand turn to go westbound on Lucerne Ave. The driver attempted to pull off onto the north side of the road, and I quickly activated the lights and siren on my patrol car, initiating a traffic stop on Lucerne Ave. just east of N. F. St. My in-car camera was also activated to capture the incident. The vehicle came to a complete stop. I approached from the passenger side, and observed a female driver staring straight ahead, unaware of my presence at her window. I knocked on the passenger window, startling the female. She rolled down the window, and I noticed her eyes appeared bloodshot and she had no shoes on. I identified myself, and advised the female I had pulled her over because she was driving the wrong way down Lake Avenue. The female, later identified by Florida driver's license as Cindy Noely Temaj-Lopez, stated that she knew she was driving the wrong way but was only trying to wait for her friend and accidentally made a wrong turn. While Cindy spoke, her words were slurred and I could smell the odor of an unknown alcoholic beverage emanating from within the vehicle.

OBSERVATION OF DRIVER:

I asked Cindy where she was coming from, to which she replied "Sneakers", a well-known bar in Lake Worth, located at 331 N. Dixie Hwy. As she spoke, the odor became stronger and more pronounced. I asked Cindy where she was headed, to which she replied "I'm trying to find Lake Worth and Boutwell". I then asked her if she had anything to drink this evening. Cindy stated that "I'm not going to lie I did have two vodkas". I informed her that I could tell she was obviously impaired, and it was my job to determine how impaired she was. I asked Cindy if she would consent to roadside sobriety tests, to which she stated yes. I asked her to exit her vehicle and walk to the rear, when she suddenly started crying and repeating "please don't let them take my kids". I asked her again to exit the vehicle, and she continued crying about her children but cooperated with my request. I walked to the front of my patrol car with Cindy, noting that she was swaying from side to side and struggling to walk straight with me. I requested she stand in front of the push bumper while I adjusted my camera and turned off my front lights. I then asked Cindy if she had any physical ailments or injuries that would prevent her from completing any roadside tasks. She stated that she takes Zoloft for her depression, but does not have any other issues that would inhibit her ability to follow my instructions. Various times throughout this period, Cindy repeatedly broke down in tears, hysterically sobbing that she hates her husband and doesn't want to lose her children.

DRIVER'S STATEMENTS:

Cindy stated that she had drank two vodkas while at Sneakers Bar. I asked her if she truly thought she should be behind the wheel of a vehicle, to which she replied "no, I should not". She asked if her friend could just drive her home, to which I advised was dependent on what my investigation determined. After informing her that she was under arrest for DUI, she continued hysterically crying that she was a horrible person who had made a bad decision and kept repeating multiple reasons as to why she was drinking tonight (her brother left today, she hates her husband, she doesn't want to lose her children). See PC for more information.

ODORS:

Strong odor of an unknown alcoholic beverage coming from the interior of the vehicle.

GENERAL OBSERVATIONS

SPEECH: slurred and mumbled at time

ATTITUDE: various mood swings; cooperative but hysterical; yelling but then laughing at self for being arrested

CLOTHING: navy blue dress, black and brown sandals

MEDICAL/OTHER: Zoloft for depression

STATE OF FLORIDA
COUNTY OF PALM BEACH

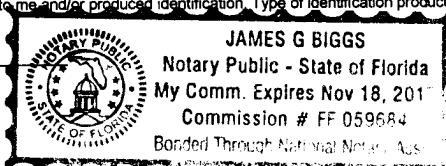
D/S A. REYKA #17180

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 5 day of AUGUST 20 17 by D/S A. REYKA #17180

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

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



SUBJECT: TEMAJ LOPEZ CINDY

CASE NUMBER 17-111037

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

- | | |
|---|---|
| <input type="checkbox"/> LT EYE-LACK OF SMOOTH PURSUIT | <input type="checkbox"/> RT EYE-LACK OF SMOOTH PURSUIT |
| <input checked="" type="checkbox"/> LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION | <input checked="" type="checkbox"/> RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION |
| <input checked="" type="checkbox"/> LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES | <input checked="" type="checkbox"/> RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES |

Other Observations:

Def had bloodshot eyes and swayed while standing. She had difficulty waiting to begin the tasks. She also did not have shoes on nor did she realize it until I pointed it out when she exited the vehicle.

WALK & TURN:

Def had trouble standing straight up and swayed unsteadily with each step. She used her hands for balance multiple times. Def failed to maintain heel-to-toe with her steps. She initially walked 15 steps before removing both feet off of the white line to turn around and walk back towards my vehicle. On her way back, she walked 11 more steps before I finally stopped the task.

ONE LEG STAND:

Def did not keep her leg straight out during the task but had it bent, in a position similar to the 'Captain Morgan pose'. Def was unable to count in a sequential order, repeating numbers (9, 14) and repeating sequences (7,8 and 14, 15). Def placed foot on the ground multiple times. Def was unable to keep her hands at her side, rather raising them slightly and tapping in the air with each number said out loud. Def struggled to know which numbers were next, scrunching her face to try to recall what came after the number she had just recited. Def swayed while completing task, and failed to keep her arms at her side but rather used them for balance multiple times.

FINGER TO NOSE:

Def failed to touch just the tip of her finger to the tip of her tongue. Repeatedly, she would place the pad of her finger on either her face surrounding her nose, the tip of her lip, or up her nostril. Twice def failed to immediately return her hand to her side. Def swayed while completing task.

ROMBERG ALPHABET:

Def was able to recite the entire alphabet, but did it in a rhythmical pattern with various pauses throughout as she had to think of what letter came next.

BREATH TEST RESULTS: 1) 0.158 2) 0.161 3) 4)

STATE OF FLORIDA
COUNTY OF PALM BEACH

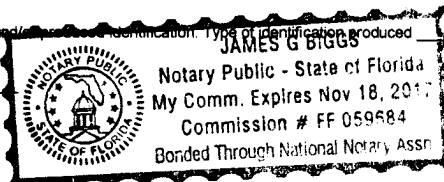
D/S A. REYKA #17180

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 5 day of AUGUST, 2017, by D/S A. REYKA #17180

(Print name of Arresting/Investigative Officer), who is personally known to me and has produced identification. Type of identification produced JAMES G BIGGS

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



WITNESS LIST

CASE NUMBER: 17-111037

ARRESTING OFFICER: D/S A. REYKA #17180

ADDRESS: 3228 GUN CLUB RD, WEST PALM BEACH, FL 33406

PHONE NUMBERS (HOME): _____ (WORK) 561-688-3000

CAN TESTIFY TO: ARREST AND ARREST PAPERWORK

NAME: D/S P. ZEITZ #24970

ADDRESS: 3228 GUN CLUB RD, WEST PALM BEACH, FL 33406

PHONE NUMBERS (HOME) _____ (WORK) 561-688-3000

CAN TESTIFY TO: BACKUP

NAME: D/S S. MONROY #12463

ADDRESS 3228 GUN CLUB RD, WEST PALM BEACH, FL 33406

PHONE NUMBERS (HOME) _____ (WORK) 561-688-3000

CAN TESTIFY TO: BACKUP

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) 0 _____ (WORK) 0

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

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CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

TESTING FACILITY TASK REPORT

AGENCY: PBSO-REYKA

SUBJECT: TEMAJ LOPEZ, CINDY N

CASE NUMBER: 17-111037

DATE: Aug 5, 2017

VIDEO DVD NUMBER: 63125

BEGINNING TIME: 0610

ENDING TIME: 0624

BREATH TESTS RESULTS: 1) .158 TIME 0615 A.M. ☒ P.M. ☐ 2) .161 TIME 0618 A.M. ☒ P.M. ☐
3) XX TIME XX A.M. ☐ P.M. ☐ 4) XX TIME XX A.M. ☐ P.M. ☐

BREATH OPERATOR: J Biggs# 7607

MAINTENANCE TECHNICIAN: D/S J Karkleck #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED, THICK TONGUE

ATTITUDE: COOPERATIVE, JOVIAL, UPSET, CRYING (MOOD SWINGS)

CLOTHING: BLUE/WHITE DRESS

MEDICAL CONDITIONS: DEPRESSION

MEDICATIONS: ZOLOFT

OTHER:

EYES GLASSY, BLOODSHOT

ODOR OF AN UNKNOWN ALCOHOLIC BEVERAGE ON SUBJECT

COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 0550
SUBJECT ADVISED SHE WOULD SUBMIT TO THE TEST
SUBJECT WAS GIVEN THE INSTRUCTIONS FOR THE TEST
SUBJECT COMPLETED BOTH SAMPLES SUCCESSFULLY
RESULTS WERE GIVEN TO THE SUBJECT
SUBJECT WAS READ MIRANDA
SUBJECT SUBMITTED TO THE QUESTIONS

SUBJECT: Tenaj Lopez, Cindy N

CASE NUMBER: 17-111037

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) Read on Camera

SUBJECT: Temag Lopez, Cindy N CASE NUMBER: 17-111037

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? HOME

WHAT STREET OR HIGHWAY WERE YOU ON? LAKE or LUCERNE

DIRECTION OF TRAVEL? off beach WHERE DID YOU START? Sneakers - Bar on Dixie

WHAT TIME DID YOU START? 10:00 WHAT TIME IS IT NOW? 4 or 5 am

WHAT IS TODAY'S DATE? 8/5/17 WHAT DAY OF THE WEEK IS IT? Sat.

WHAT COUNTY AND CITY ARE YOU IN NOW? Palm Beach - FL

WHEN DID YOU LAST EAT? 5pm WHAT DID YOU EAT? pizza - pop.

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

HOW MUCH DO YOU WEIGH? 195 HAVE YOU BEEN DRINKING? WHAT?

HOW MUCH? 4 vodka rum WHERE? friend WITH WHOM? friend

WHEN DID YOU HAVE YOUR FIRST DRINK? AND YOUR LAST DRINK?

HOW DID YOU CONSUME YOUR LAST TWO DRINKS?

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? ARE YOU UNDER THE INFLUENCE? prob

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

WHAT? WHERE? WHEN?

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

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? WHAT?

ARE YOU SICK OR INJURED? WHAT'S WRONG?

DO YOU LIMP? DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY?

WERE YOU IN AN ACCIDENT TODAY?

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

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? WHO? WHY?

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? Y WHAT? Zolof WHEN? 5pm

DO YOU HAVE:	EPILEPSY?	<u>NO</u>
	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?

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

INTERVIEWER: DIS A. IZEYKA 77180

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL