

0469672

17C135A1

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## ARREST / NOTICE TO APPEAR

AD M I N I S T R A T I O N	OBTS Number	Agency ORI Number <b>0500800</b>		Agency Name <b>West Palm Beach Police Department</b>		Agency Report Number (N.T.A.'s only) <b>9   4   2017-0003771</b>		1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias <b>1</b>		JUVENILE								
D E F E N D A N T	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		If Weapon Seized Enter Type <b>NOT APPLICABLE</b>		Multiple Clearance Indicator											
	Location of Arrest (Including Name of Business) <b>598 OKEECHOBEE BLVD/S ROSEMARY AVE WPB</b>					Location of Offense (Business Name, Address) <b>598 OKEECHOBEE BLVD/S ROSEMARY AVE, WEST PALM</b>												
	Date of Arrest <b>02/24/2017</b>		Time of Arrest <b>03:29</b>		Booking Date <b>02/24/2017</b>		Booking Time <b>03:39</b>		Jail Date		Jail Time							
	Name (Last, First, Middle) <b>ULETT, CLARA E</b>		Alias (Name, DOB, Soc. Sec. #, Etc.)															
C O D E F	Race W - White B - Black <b>W</b>		Sex <b>F</b>		Date of Birth <b>11/20/1990</b>		Height <b>5'01</b>		Weight <b>110</b>		Eye Color <b>BROWN</b>		Hair Color <b>BROWN</b>		Complexion <b>MEDIUM</b>		Build <b>Thin</b>	
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)					Marital Status <b>S</b>		Religion <b>UNKNOWN</b>		Indication of: Alcohol Influence Drug Influence Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unk. <input type="checkbox"/>		Residence Type: 1. City 2. County 3. Florida 4. Out of State <b>3</b>		Address Source <b>FL DL</b>		Occupation <b>Photographer</b>		
	Local Address (Street, Apt. Number) <b>1015 NW 124 TERRACE, SUNRISE, FL 33323</b>					(City)		(State)		(Zip)		Phone <b>(954) 243-4725</b>						
	Permanent Address (Street, Apt. Number) <b>1015 NW 124 TERRACE, SUNRISE, FL 33323</b>					(City)		(State)		(Zip)		Phone <b>(954) 243-4725</b>						
J U V E N I L E	Business Address (Name, Street) <b>U430145909200 / FL</b>					(City)		(State)		(Zip)		Phone						
	D/L Number, State <b>U430145909200 / FL</b>					Soc. Sec. Number		INS Number		Place of Birth (City, State) <b>NEW YORK, NY, United</b>		Citizenship <b>US</b>						
	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						
C H A R G E	<input type="checkbox"/> Parent <input type="checkbox"/> Legal Custodian Name (Last, First, Middle)					Address (Street, Apt. Number)					(City)		(State)		(Zip)		Residence Phone	
	Address (Street, Apt. Number)					(City)					(State)		(Zip)				Business Phone	
	Notified by: (Name)					Date		Time		JUVENILE DISPOSITION 1. Handled/Processed within Department and Released 2. TOT JAC 3. Incarcerated								
	Released To: (Name)					Relationship		Date		Time								
I N T A K E	The above address was 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's Office (Phone 355-2526) informed of any change of address.					School Attended		Grade										
	Property Crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					Description of Property		Value of Property										
	<input type="checkbox"/> Yes, by: <input type="checkbox"/> No:																	
	Drug Activity N. N/A P. Possess S. Sell D. Deliver T. Traffic R. Smuggle E. Use K. Disperse/ 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. Synthetic U. Unknown Z. Other												
C H A R G E	Charge Description <b>DRIVING WHILE UNDER INFLUENCE</b>					Statute Violation Number <b>316.193(1)</b>					Violation of ORD #							
	Drug Activity		Drug Type <b>N</b>		Amount / Unit <b>/</b>		Offense # <b>2017-0003771</b>		Counts <b>1</b>		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Warrant / Capias Number		Bond			
	Charge Description		Statute Violation Number		Violation of ORD #		Bond											
	Drug Activity		Drug Type		Amount / Unit		Offense #		Counts		Domestic Violence		Warrant / Capias Number		Bond			
C H A R G E	Charge Description		Statute Violation Number		Violation of ORD #		Bond											
	Drug Activity		Drug Type		Amount / Unit		Offense #		Counts		Domestic Violence		Warrant / Capias Number		Bond			
	Charge Description		Statute Violation Number		Violation of ORD #		Bond											
	Drug Activity		Drug Type		Amount / Unit		Offense #		Counts		Domestic Violence		Warrant / Capias Number		Bond			
N O T I C E T O A P P E A R	Health / Apparent Physical Condition of Defendant					Any knowledge of the following: <input type="checkbox"/> Mental <input checked="" type="checkbox"/> Escape Risk <input type="checkbox"/> Medication <input type="checkbox"/> Deformities <input type="checkbox"/> Injuries												
	Check which applies: <input type="checkbox"/> Released O.R. <input type="checkbox"/> Released to Parent/Guardian <input type="checkbox"/> T.O.T. County Jail					PROPERTY - Received By					Released By							
	<input type="checkbox"/> Posted Bond <input type="checkbox"/> South County Mental Health					Date Transported					Time Transported							
	Transported By					Other												
A D M I N	<input checked="" type="checkbox"/> INSTRUCTION NO. 1 - Mandatory appearance in court <input type="checkbox"/> INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.					Location (Court, Room) <b>Criminal Justice</b> Court Date and Time <b>03/23/2017 08:30:00</b>					CRIMINAL JUSTICE COMPLEX <b>3228 GUN CLUB ROAD</b>							
	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) <b>Non Compliant</b>					Date Signed <b>2/24/17</b>							
	HOLD for Other Agency					Signature of Arresting Officer <b>ANNESH MORRIS J.</b>					Name Verification (Printed by Arrestee) <b>FEB 24 AM 6:44</b>							
	<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other					I.D. # <b>01418</b>					(PRINT) <b>WBPDP</b>							
Intake Deputy <b>CPL HONDA 72040</b>					Pouch #					Witness here if subject signed with an "X". <b>1 OF 1</b>								

☐ COURT 
 ☐ STATE ATTORNEY 
 ☐ AGENCY 
 ☐ CENTRAL RECORDS 
 ☐ JAIL 
 ☐ CRIME ANALYSIS 
 ☐ P. I. O. 
 ☐ DEFENDANT

# DUI PROBABLE CAUSE AFFIDAVIT

On the 24th Day of February 2017 at 0329 A.M. P.M.

Subject: Ulett, Clara E Case Number: 17-3771

Agency: West Palm Beach Police Department Arresting Officer: Ofc Morris J Annese 1418

## Personal Contact

<b>Driving Pattern</b>	Actual physical control (physical evidence putting the driver behind the wheel)
<p>I was westbound on Okeechobee Blvd in the left lane approaching the intersection of S Rosemary Ave. A black Toyota, FI tag AZBK31, was southbound on S Rosemary Ave and stopped in the intersection. This vehicle was blocking my lane. The hazard lights were on. As I approached the vehicle, the female driver had her head down and appeared to be passed out. The vehicle was still in drive and running.</p> <p>Witness Mitchell and Walpole later told me they both observed the vehicle southbound on S Rosemary Ave. The vehicle had hit 2 planters and then had stopped in the intersection where I made contact with the driver.</p>	

<b>Observation of Driver</b>
<p>When I met with the driver, she had a blank stare. She had bloodshot glassy eyes, slurred speech and a strong odor of unknown alcoholic beverages on her breath. The driver was advised to put the vehicle into park. She was very argumentative and did not do it. The vehicle moved forward and she was told again to put it into park. After the vehicle was turned off, she was asked to step out of the vehicle and was asked for her license. She handed me a Mastercard debit card. The driver was uncooperative and cursing. She would not listen to instruction or let me explain anything to her as she continued to talk.</p>

<b>Drivers Statements:</b>
<p>The driver stated she drank 2 shots of whiskey and 1 beer.</p>

<b>Odors:</b>
<p>Strong odor of unknown alcoholic beverages on her breath.</p>

## General Observations

<b>Speech:</b> slurred
<b>Attitude:</b> uncooperative
<b>Clothing:</b> tan/black skirt, tan shirt, black boots
<b>Medical Problems/Medications:</b> none
<b>Other:</b> The driver was requested to perform roadside exercises. She was non compliant and was asked several times. She was advised that the exercises were voluntary but by refusing they could be used against her in court. The driver eventually agreed to perform th exercises.

SUBJECT: Ulett, Clara E CASE NUMBER: 17-3771

## **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 determining its alcohol content.

OR

I am now requesting that you submit to a lawful test of your ☐ **BLOOD** for the purpose of determining its alcohol content.

**NOTE: READ ONLY IF THE SUBJECT DOES NOT COMPLY WITH YOUR REQUEST.**

I am **Ofc Morris J Annese 1418** of the West Palm Beach Police Department. 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.

SUBJECTS SIGNATURE: \_\_\_\_\_ on video

## **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 can not 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.

SUBJECTS SIGNATURE: \_\_\_\_\_ asked for attorney



**West Palm Beach Police Department**  
**Breath Testing Facility Report**



Defendant: Ulett, Clara E Case #: 17-3771  
Arresting Officer: Ofc Morris J Annese 1418 Date: 2/24/17

Breath Test Results: Refused g/210L 0438 Time Refused g/210L --- Time  
--- g/210L --- Time --- g/210L --- Time

Note: Times are in Military Time

Breath Operator: Ofc Morris J Annese 1418  
Maintenance Technician Ofc. R. Secord #1639

**Testing Officer Observations:**

Speech: slurred  
Attitude: very uncooperative  
Clothing: tan/black skirt, tan shirt, black boots  
Medical Conditions: none  
Medications: none  
Other:

Arrival Time at Facility/ Time Twenty (20) Minute Observation Started: 0400

**Comments:**

I observed the driver during the 20 minute observation period. She was very uncooperative stating she passed the roadsides and began to walk down the line in the BAT. She was asked to submit to the breath test. She refused and was read Implied Consent. She then agreed but wanted to know what her "rights" were and wanted a copy so she was given a copy of the Implied Consent that I read to her. When the test began, she refused. She then read the Miranda Warnings from the same paper. The Question and Answers were not done because she said numerous times her parents were lawyers.

DEFENDANT: Ulett, Clara E

CASE NUMBER: 17-3771

## 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 OPERATION A MOTOR VEHICLE AT THE TIME OF THE STOP/ACCIDENT: \_\_\_\_\_

WHERE WERE YOU GOING? \_\_\_\_\_

WHAT STREET OR HIGHWAY WERE YOU ON? \_\_\_\_\_

DIRECTION OF TRAVEL? \_\_\_\_\_

WHERE DID YOU START FROM? \_\_\_\_\_

WHAT TIME DID YOU START? \_\_\_\_\_

WHAT TIME IS IT NOW? \_\_\_\_\_

WHAT IS TODAY'S DATE? \_\_\_\_\_

WHAT DAY OF THE WEEK IS IT? \_\_\_\_\_

WHAT COUNTY AND CITY ARE YOU IN NOW? \_\_\_\_\_

WHEN DID YOU LAST EAT? \_\_\_\_\_

WHAT DID YOU EAT? \_\_\_\_\_

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE(3) HOURS? \_\_\_\_\_

HOW MUCH DO YOU WEIGHT? \_\_\_\_\_

HAVE YOU BEEN DRINKING? \_\_\_\_\_

WHAT? \_\_\_\_\_

HOW MUCH? \_\_\_\_\_

WHERE? \_\_\_\_\_

WITH WHOM? \_\_\_\_\_

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? \_\_\_\_\_

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 YOUR HEAD RECENTLY? \_\_\_\_\_

WERE YOU IN AN ACCIDENT TODAY? \_\_\_\_\_

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? \_\_\_\_\_

WHEN? \_\_\_\_\_

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? \_\_\_\_\_

WHO? \_\_\_\_\_

WHEN? \_\_\_\_\_

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? \_\_\_\_\_

WHAT? \_\_\_\_\_

WHEN? \_\_\_\_\_

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 CORRECTABLE BY GLASSES? \_\_\_\_\_

DO YOU TAKE INSULIN? \_\_\_\_\_ IF SO, WHEN WAS YOUR LAST INJECTION? \_\_\_\_\_

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? \_\_\_\_\_

WHERE? \_\_\_\_\_

INTERVIEWER: \_\_\_\_\_

**600 Banyan Blvd  
West Palm Beach, Florida 33401  
(561)822-1900**

Arresting Officer: Ofc Morris J Annese 1418 Case Number: 17-3771  
Address: (West Palm Beach Police Department) 600 Banyan Blvd, West Palm Beach, FL 33401  
Phone Number Home:                      Cell:                      Work: (561)822-1900  
Can Testify to: Roadsides and BAT

Witness Name: Ofc Ryan Secord 1639 Case Number: 17-3771  
 Address: West Palm Beach Police Department - 600 Banyan Blvd, West Palm Beach, FL 33401  
 Phone Number Home: \_\_\_\_\_ Cell: \_\_\_\_\_ Work: 561-822-1869  
 Can Testify to: Agency Intox Inspector

**Witness Name:** Ofc Lisette Lantigua 2042 **Case Number:** 17-3771

**Address:** West Palm Beach Police Department - 600 Banyan Blvd, West Palm Beach, FL 33401

**Phone Number** **Home:**                      **Cell:**                      **Work:** 561-822-1900

**Can Testify to:**                      assisting officer in BAT

**Witness Name:** Ryan Walpole **Case Number:** 17-3771

**Address:** 1657 Brandywine Rd #7118 West Palm Beach, FL 33409

**Phone Number** **Home:**  **Cell:** 215-932-7765 **Work:**

**Can Testify to:** witness

**Witness Name:** Michael Mitchell **Case Number:** 17-3771

**Address:** 9207 Sun Pointe Dr Boynton Beach, FL 33437

**Phone Number** **Home:**                      **Cell:** 772-237-9666 **Work:**                     

**Can Testify to:** witness

Item(s): \_\_\_\_\_

Date will be furnished: \_\_\_\_\_

Why not supplied at filing: \_\_\_\_\_

**Note: It is the responsibility of the officer filing the case to insure that the foregoing list is complete and correct**

**Signature of the Filing Officer**

2/24/17

Date \_\_\_\_\_