

0429344

ARREST / NOTICE TO APPEAR

Juvenile Referral Report

1. Arrest
2. N.T.A.3. Request for Warrant
4. Request for Capias

Juvenile

1

OBTS Number

Agency ORI Number

FLO 500000

Agency Name

PALM BEACH COUNTY SHERIFF'S OFFICE

Agency Report Number (N.T.A.'s only)

06-

17091318

ADMINISTRATIVE

Charge Type:
Check as many as apply:
1. Felony
2. Traffic Felony
3. Misdemeanor
4. Traffic Misdemeanor5. Ordinance
6. Other

Weapon Seized / Type

2

1. Yes
2. No

Multiple Clearance Indicator

1

Location of Arrest (Including Name of Business)

2121 S MILITARY TRL WEST PALM BEACH FL 33415

Location of Offense (Business Name, Address)

2121 S MILITARY TRL WEST PALM BEACH FL 33415

Date of Arrest

06/16/17

Time of Arrest

0645

Booking Date

Booking Time

Jail Date

Jail Time

Location of Vehicle

BABBSCO TOWING

Name (Last, First, Middle)

PALACIO DARIO O

Alias (Name, DOB, Soc. Sec. #, Etc.)

Race

W - White 1 - American Indian

B - Black 0 - Oriental/Asian

Sex

W

M

Date of Birth

07/21/62

Height

509

Weight

180

Eye Color

BRO

Hair Color

BRO/GREY

Complexion

MED

Build

MED

DEFENDANT

Scars, Marks, Tatoos, Unique Physical Features (Location, Type, Description)

Marital Status

M

Religion

NONE

Indication of:

Y N

Unk.

Alcohol Influence

□

Drug Influence

□

Local Address (Street, Apt. Number)

(City)

(State)

(Zip)

Phone

(305) 748-9687

436 DAVIS RD

PALM SPRINGS

FL

33406

Permanent Address (Street, Apt. Number)

(City)

(State)

(Zip)

Phone

()

Business Address (Name, Street)

(City)

(State)

(Zip)

Phone

()

D/L Number, State

P-420-174-62-261-0

Soc. Sec. Number

INS Number

Place of Birth (City, State)

Citizenship

COLUMBIA SANTANDER

NO

CO-DEF

Co-Defendant Name (Last, First, Middle)

Race

W

M

Date of Birth

3. Felony

4. Misdemeanor

5. Juvenile

2. At Large

Co-Defendant Name (Last, First, Middle)

Race

W

M

Date of Birth

3. Felony

4. Misdemeanor

5. Juvenile

Name (Last)

(First)

2. At Large

Name (Last)

(Middle)

Address (Street, Apt. Number)

(City)

(State)

Notified by: (Name)

(Zip)

Residence Phone

Date

()

Time

()

Juvenile Disposition

1. Handled/processed within Dept. and Released.

2. TOT HRS / DYS

3. Incarcerated

Released To: (Name)

Date

Relationship

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)

Property Crime?

□ Yes □ No

Value of Property

Drug Activity

Description of Property

S. Sell

R. Smuggle

B. Buy

D. Deliver

P. Possess

E. Use

K. Dispense/

L. Distribute

M. Manufacture/

N. Produce/

O. Cultivate

Z. Other

Y. Other

X. Domestic

Violence

Y. N

Drug Type

B. Barbiturate

C. Cocaine

D. Marijuana

E. Heroin

F. Opium/Deriv.

G. Paraphernalia/

H. Hallucinogen

I. Equipment

J. Unknown

K. Other

L. Synthetics

Charge Description

DUI

Counts

1

Domestic

Violence

Y

N

Violation of ORD #

316.193 (1)

Drug Activity

Drug Type

Amount / Unit

Offense #

17091318

Warrant / Capias Number

Bond

Charge Description

Counts

Domestic

Violence

Y

N

Violation of ORD #

Drug Activity

Drug Type

Amount / Unit

Offense #

Warrant / Capias Number

Bond

Charge Description

Counts

Domestic

Violence

Y

N

Violation of ORD #

Drug Activity

Drug Type

Amount / Unit

Offense #

Warrant / Capias Number

Bond

Charge Description

Counts

Domestic

Violence

Y

N

Violation of ORD #

Drug Activity

Drug Type

Amount / Unit

Offense #

Warrant / Capias Number

Bond

Court Date and Time

Month JULY

15

Year 2017

Time 0830

AM ✓

PM

I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I 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)

Date Signed

ADMIN

HOLD for other Agency

Name:

X

Signature of Arresting Officer

I.D. #

D/S

MACKEY

8369

(PRINT)

JUN 17 AM 9:52

Name of Arresting Officer (Print)

I.D. #

D/S

MACKEY

8369

Agency

D/PBSO

Transporting Officer

ID #

PBSO

Agency

D/PBSO

Agency

Intake Duty

D/PBSO

Pouch #

D/PBSO

Agency

D/P

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 17 DAY OF JUN 20 17, AT 06:40 AM PM
SUBJECT: PALACIO DARIO O CASE NUMBER: 17091318

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: MACKEY #8369

PERSONAL CONTACT

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

D/S Izzarone #5855 was driving her marked patrol south on S. Military trail in the 2000 block. She saw a red toyota FL tag (5470SA) stuck on the center median. D/S Izzarone saw a H/M activly attempting to move the car from the median. D/S Izzarone said she could hear the gears grinding as the driver attempted to move the car. D/S Izzarone said she approached the car and saw a H/M that appeared to be under the influence. She opened the drivers door, turned off the car and removed the keys for safety. I arrived to the scene and saw the male laying sideways in the drivers seat with one leg out of the car with his eyes closed. The male was identified as Dario Palacio.

OBSERVATION OF DRIVER:

As I approached the driver I could smell a pungent odor of an alcoholic beverage. As I spoke to the driver he slurred his words and did not open his eyes. When he opened his eyes they were glass and blood shot. He kept apologizing and speaking in a low mumbled tone.

DRIVER'S STATEMENTS:

Dario apologized several time and said he had too much to drink. Dario continued to mumble to himself. Dario thanked me for keeping him safe and not letting him drive anymore because he has had too much to drink. Dario told me he has half a brain, no left ear and cant see from his left eye.

ODORS:

pungent odor of an alcoholic beverage from his breath and clothing.

GENERAL OBSERVATIONS

SPEECH: slurred and mumbled

ATTITUDE: upset and crying to happy and apologetic.

CLOTHING: Blu/Wht collard Shirt, jeans and dress shoes

MEDICAL/OTHER: Said he had half a brain from a motorcycle accident

STATE OF FLORIDA
COUNTY OF PALM BEACH

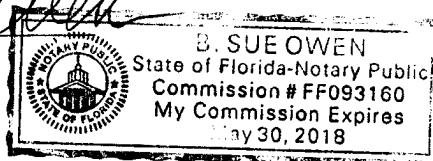
MACKEY #8369

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 17 day of JUN 20 17 by DIS Mackey

(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)



SCANNED

JUN 20 2017

SUBJECT: PALACIO DARIO O CASE NUMBER 17091318

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

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

Other Observations:

HORIZONTAL NYSTAGMUS WAS PRESENT IN LEFT EYE, DARIO KEPT COVERING HIS LEFT EYE SAYING HE COULD NOT SEE.

WALK & TURN:

REFUSED

ONE LEG STAND:

REFUSED

FINGER TO NOSE:

REFUSED

ROMBERG ALPHABET:

REFUSED

BREATH TEST RESULTS: 1) .186 2) .171 3) 4)

STATE OF FLORIDA
COUNTY OF PALM BEACH

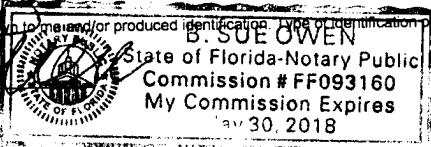
MACKEY #8369

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 17 day of JUN 2017 by D/S Mackey

(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)



SCANNED
JUN 20 2017

WITNESS LIST

17091318

CASE NUMBER:

ARRESTING OFFICER: **MACKEY #8369**

ADDRESS: PBSO

PHONE NUMBERS (HOME): _____ (WORK) **561-688-3600**

CAN TESTIFY TO: **arrest**

NAME: **D/S IZZORONE #5855**

ADDRESS: PBSO

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

CAN TESTIFY TO: _____

NAME: **D/S PALACIO**

ADDRESS PBSO

PHONE NUMBERS (HOME) _____ (WORK) **561-688-3600**

CAN TESTIFY TO: **TRANSLATED FOR ACCIDENT**

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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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: _____

SCANNED

JUN 20 2017

SUBJECT: Palacio, Dario CASE NUMBER: 17 CR1318

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) _____

SCANNED
JUN 20 2017

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? Dirt Road

DIRECTION OF TRAVEL? North WHERE DID YOU START? Military Forest Hill WHERE DID YOU STOP? Dove Store

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

WHAT IS TODAY'S DATE? 10-14-15 WHAT DAY OF THE WEEK IS IT? SAT

WHAT COUNTY AND CITY ARE YOU IN NOW? West Palm Beach

WHEN DID YOU LAST EAT? in morning WHAT DID YOU EAT? Eggs, bacon, cheese

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? Went home / Learned about Beck

HOW MUCH DO YOU WEIGH? I don't know HAVE YOU BEEN DRINKING? Drank WHAT? Beer

HOW MUCH? 8 WHERE? Malone WITH WHOM? Me myself

WHEN DID YOU HAVE YOUR FIRST DRINK? 4pm AND YOUR LAST DRINK? When you arrested me

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? At The Bar

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? / ARE YOU UNDER THE INFLUENCE? YES SIR

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

WHAT? / WHERE? / WHEN? /

WHAT LINE OF WORK ARE YOU IN? Parking Cars WHEN DID YOU LAST WORK? Workers on home

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? Yes WHAT? EAR & EYES

ARE YOU SICK OR INJURED? No WHAT'S WRONG? I'm ok

DO YOU LIMP? No DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? NEVER

WERE YOU IN AN ACCIDENT TODAY? No/Yes / I don't know

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

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

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? No WHAT? WHEN?

DO YOU HAVE: EPILEPSY? No

GLASS EYE? Left eye can't see

FALSE TEETH? No

EAR INFECTION? No

INNER EAR TROUBLE? Yes

DIABETES? No

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? Read

DO YOU TAKE INSULIN? No IF SO, WHEN WAS YOUR LAST INJECTION? SCANNED

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? No WHERE? JUN 20 2017

INTERVIEWER: D/S Mackey 8369

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

TESTING FACILITY TASK REPORT

AGENCY: PBSO

SUBJECT: PALACIO, DARIO

CASE NUMBER: 17-091318

DATE: 06/17/2017

VIDEO DVD NUMBER: 62808

BEGINNING TIME: 0742

ENDING TIME: 0814

BREATH TESTS RESULTS: 1) .186 TIME 0751 A.M. P.M. 2) .171 TIME 0754 A.M. P.M.
3) XX TIME XX A.M. P.M. 4) XX TIME XX A.M. P.M.

BREATH OPERATOR: S. PALMER #24520

MAINTENANCE TECHNICIAN: J Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SPANISH SPEAKING

ATTITUDE: UPSET, CRYING, TALKATIVE, RAMBLING

CLOTHING: WHITE/BLUE STRIPPED SHIRT, BLUE JEANS, GREY SNEAKERS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES GLASSY AND BLOODSHOT, ODOR OF UNKNOWN ALCOHOLIC BEVERAGE ON BREATH, ADMITTED TO DRINKING EIGHT BEERS (Q&A)

COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 0715
SUBJECT AGREED TO TAKE BREATH TEST
SUBJECT PROVIDED TWO ADEQUATE BREATH SAMPLES SUCCESSFULLY.
A/O READ RIGHTS, SUBJECT STATED HE UNDERSTOOD HIS RIGHTS
A/O CONDUCTED Q&A, SUBJECT ANSWERED QUESTIONS.

SCANNED
JUN 20 2017