

0507272

ARREST / NOTICE TO APPEAR

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

1

JUVENILE

OBTS Number	Agency ORI Number 0501700		Agency Name Jupiter Police Department		Agency Report Number (N.T.A.'s only) 5, 4 19-001957	
Charge Type: Check as many as apply.	☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		If Weapon Seized Enter Type NONE		Multiple Clearance Indicator	
Location of Arrest (Including Name of Business) INDIAN CREEK PKWY/GREENWAY DR			Location of Offense (Business Name, Address) 1399 INDIAN CREEK PKWY/GREENWAY DR, JUPITER, FL			
Date of Arrest 04/23/2019	Time of Arrest 02:36	Booking Date 04/23/2019	Booking Time 02:46	Jail Date // ::	Jail Time	Location of Vehicle 1399 INDIAN CREEK
Name (Last, First, Middle) PINKHAM, DEANA DANIELLE			Alias (Name, DOB, Soc. Sec. #, Etc.)			
Race W - White B - Black O - Oriental/Asian W	Sex F	Date of Birth 04/30/1983	Height 5'06	Weight 155	Eye Color BROWN	Hair Color BROWN
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)			Marital Status S	Religion	Complexion LIGHT	Build Small
Local Address (Street, Apt. Number) 19195 SE SOUTHGATE DR, TEQUESTA, FL 33469			(City) (State) (Zip)		Phone	
Permanent Address (Street, Apt. Number) 19195 SE SOUTHGATE DR, TEQUESTA, FL 33469			(City) (State) (Zip)		Phone	
Business Address (Name, Street) UTIKI,			(City) (State) (Zip)		Phone	
D/L Number, State P525164836500 / FL			Soc. Sec. Number	INS Number	Place of Birth (City, State) BRUNSWICK, ME,	Citizenship US
Co-Defendant Name (Last, First, Middle)			Race	Sex	Date of Birth	☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile
Co-Defendant Name (Last, First, Middle)			Race	Sex	Date of Birth	☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile
☐ Parent ☐ Legal Custodian Name (Last, First, Middle) Address (Street, Apt. Number) (City) (State) (Zip)			Relationship		Residence Phone	
Notified by: (Name)			Date	Time	JUVENILE DISPOSITION 1. Handled/Processed within Department and Released 2. TOT JAC 3. Incarcerated	
Released To: (Name)			Date	Time		
The above address was provided by ☐ defendant and/or ☐ 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	
☐ Yes, by: ☐ No:			Property Crime? ☐ Yes ☒ No		Description of Property	
Drug Activity N. N/A P. Possess S. Sell B. Buy T. Traffic R. Smuggle D. Deliver 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			
Charge Description DUI - DRIVING WHILE UNDER INFLUENCE			Statute Violation Number 316.193(1)		Violation of ORD #	
Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence ☐ Y ☒ N	Warrant / Capias Number
	N			1		
Charge Description			Statute Violation Number		Violation of ORD #	
Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence ☐ Y ☐ N	Warrant / Capias Number
Charge Description			Statute Violation Number		Violation of ORD #	
Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence ☐ Y ☐ N	Warrant / Capias Number
Health / Apparent Physical Condition of Defendant			Any knowledge of the following: ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deformities ☐ Injuries			
Check which applies: ☐ Released O.R. ☐ Released to Parent/Custodian ☒ T.O.T. County Jail			PROPERTY - Received By		Released By	
☐ Posed Bond ☐ South County Mental Health					Released To	
Transported By S. MCGILLICUDDY			Date Transported 04/23/2019	Time Transported 02:38	Other	
☒ INSTRUCTION NO. 1 - Mandatory appearance in court ☐ INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.			Location (Court, Room) North County PALM BEACH GARD		No Photo Available	
			Court Date and Time 05/29/2019 08:30:00			
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)						
HOLD for Other Agency			Signature of Arresting Officer			
☐ Dangerous ☐ Suicidal ☐ Resisted Arrest ☐ Other			Name of Arresting Officer (Print) MCGILLICUDDY, STEVEN Transporting Officer MCGILLICUDDY			
I.D. # 6841			Pouch #		I.D. # 388	
			Agency JUPITE		Witness here if subject signed with an "X".	

CENTRAL RECORDS

APR 23 2019

OBTS Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Copies		1	JUVENILE
A D M I N I S T R A T I V E	Agency ORI Number	Agency Name		Agency Report Number					
	FL 0501700	JUPITER POLICE DEPARTMENT		5 4 19-001957					
C H A R G E S	Charge Type: Check as many as apply.		☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		Special Notes:				
D E F E N D A N T	Name (Last, First, Middle)				Race		Sex		Date of Birth
	PINKHAM, DEANA DANIELLE				W		F		04/30/1983
C H A R G E S	Charge Description				Charge Description				
	316.193(1) DUI - DRIVING WHILE UNDER INFLUENCE								
V I C T I M	Victim's Name (Last, First, Middle)				Race		Sex		Date of Birth
	State Of Florida								
P R O B A B L E	Local Address (Street, Apt. Number)				(City)		(State)		(Zip)
C A U S E	Business Address (Name, Street)				(City)		(State)		(Zip)
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 . . . ☐ committed the below acts in my presence. ☐ confessed to _____ admitting to the below facts. ☒ was observed by SGT COUNIHAN who told ME that he/she saw the arrested person commit the below acts. ☒ was found to have committed the below acts, resulting from my (described) investigation. On the 23 day of April, 2019 at 01:11 (Specifically include facts constituting cause for arrest.) On 4/23/2019 at approximately 0111 hrs, I heard Sgt. Counihan advise on the radio that he observed a vehicle traveling west bound in the east bound lanes of Indian Creek Parkway. I responded to the area and during my response, heard Sgt. Counihan affect a traffic stop on the vehicle. The vehicle in question is a Honda CRV bearing FL tag HXA259 (VEHICLE-1). When I arrived on scene of the traffic stop, I observed VEHICLE-1 pulled facing south bound on Greenway Drive just south of Indian Creek Parkway. I made contact with Sgt. Counihan, who advised me that the driver of the vehicle, now identified as Deana Pinkham (DEFENDANT) was observed operating VEHICLE-1 in oncoming lanes of traffic of Indian Creek Parkway, which is a divided road. He stated that she smelled of alcoholic beverage, had red glassy eyes, and spoke with slurred speech. After Sgt. Counihan completed writing citations for operating in wrong lanes of travel, failure to display registration and failure to exhibit DL. Pinkham had in her possession a Maine license that was showing a surrendered status, but DAVID showed a valid FL driver's license. I then took over the DUI part of the investigation. I made contact with Pinkham, and advised her that Sgt. Counihan had expressed concern over the fact that she was possibly showing signs of impairment. As Pinkham spoke to me, I detected the odor of alcohol emitting from her breath, which got stronger as she spoke. She also spoke with slurred speech and I observed her to have glassy, bloodshot eyes. I asked her how many drinks she had tonight and she stated "one". I asked her on a scale from 0-10, with 0 being sober and 10 being highly intoxicated what she was at and she stated 1. I advised her that I wanted to conduct field sobriety exercises and she agreed to participate. The following is a result of said exercises: Horizontal Gaze Nystagmus (HGN) -Equal pupils -Equal tracking -Lack of smooth pursuit in both eyes									
S W O R N A N D S U B S C R I B E D B E F O R E M E	SWORN AND SUBSCRIBED BEFORE ME				SIGNATURE OF ARRESTING / INVESTIGATING OFFICER				
	 NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) 7/23/19 DATE				368/1216 MCGILLICUDDY, STEVEN (1216) NAME OF OFFICER (PLEASE PRINT) 04/23/2019 DATE				
PAGE 1 OF 3									

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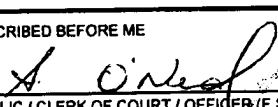
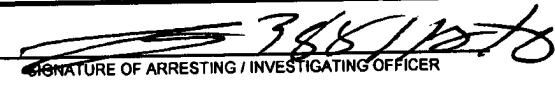
STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIME ANALYSIS

P. I. O.

OBTS Number		PROBABLE CAUSE AFFIDAVIT SUPPLEMENT		1. Arrest 2. N.T.A.	3. Request for Warrant 4. Request for Capias	1	JUVENILE
A D M I N I S T R A T I V E	Agency ORI Number FL 0501700		Agency Name JUPITER POLICE DEPARTMENT		Agency Report Number 5 4 19-001957		
	Charge Type: Check as many as apply. ☐ 1. Felony ☐ 2. Traffic Felony		☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		Special Notes:		
Name (Last, First, Middle) PINKHAM, DEANA DANIELLE					Race W	Sex F	Date of Birth 04/30/1983
-Distinct and sustained nystagmus at maximum deviation in both eyes -Onset of nystagmus prior to 45 degrees in both eyes WALK AND TURN The walk and turn was conducted on smooth, dry land. She was placed into the starting position and given the standardized instructions. As I was giving her the instructions, she interrupted me and stated "I already know how to do this". I advised her that I still needed to finish explaining the exercise to her. I explained and demonstrated the exercise for her so that she understood what was being asked of her. While in the starting position, Pinkham fell off of the line once and then failed to remain in the starting position one time. She advised that she understood the instructions and I told her to begin. She took six steps, failing to walk heel to toe, walking off the line and flailed her arms, all while not counting out loud. She then took six steps back in a similar manner, without flailing her arms as much but missing heel to toe on all steps and stepping off the line multiple times. Upon completing the second set of steps, she advised me that she only did six even though I asked for nine. She then attempted the exercise again. She walked nine steps up, missing the line multiple times and using her arms for balance, and then returned nine steps in a similar fashion. ONE LEG STAND Pinkham was given the standardized instructions. She asked multiple questions where the instructions had to be repeated. Once told to begin, Pinkham raised her right leg for the exercise. She originally cocked her knee at a 45 degree angle, used her arms for balance and did not look at her foot. I gave her a correction and she continued to use her arms for balance. FINGER TO NOSE Pinkham was given the instructions and was given the standard set of L, R, L, R, R, L. She stated that she understood and was told to begin. For the first 5 she touched of her nose and for the final L she touched the bridge just above the tip of her nose. RHOMBERG ALPHABET Pinkham was given the instructions for sequence C-X. Pinkham advised she knew the alphabet. She was told to give that sequence without singing it. She started the exercise, then opened her eyes, did not have her head tilted back and began to sing the alphabet against instructions. Based on my observations, I had probable cause to believe that Pinkham was operating a motor vehicle under the influence of an alcohol beverage and/or chemical or controlled substance, and that by doing so her basic functions were impaired. I then transported her to the Palm Beach County Breath Alcohol Testing Center where we arrived at 0230 hrs. I placed her under a 20 minute observation period where I did not observe her consume nor regurgitate anything. We then went on video and I requested a breath sample with							
SWORN AND SUBSCRIBED BEFORE ME  NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) 4/23/19 DATE				 SIGNATURE OF ARRESTING / INVESTIGATING OFFICER MCGILICUDDY, STEVEN (1216) NAME OF OFFICER (PLEASE PRINT) 04/23/2019 DATE			
PAGE 2 OF 3							

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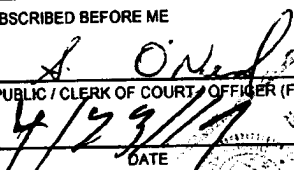
STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIME ANALYSIS

P. I. O.

OBT Number		PROBABLE CAUSE AFFIDAVIT SUPPLEMENT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1	JUVENILE
A D M I N I S T R A T I V E	Agency ORI Number	Agency Name		Agency Report Number					
	FL 0501700	JUPITER POLICE DEPARTMENT		5 4 19-001957					
N	Charge Type: Check as many as apply.		☐ 1. Felony ☐ 2. Traffic Felony		☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor		☐ 5. Ordinance ☐ 6. Other		Special Notes:
D E F	Name (Last, First, Middle)				Race		Sex		Date of Birth
	PINKHAM, DEANA DANIELLE				W		F		04/30/1983
BAT Technician O'Neal (ID #6212). She first advised that she did not want to give one. After being read/explained implied consent she agreed to provide breath. Breath results were .139 BAC and .138 BAC. I then read her her Miranda rights and asked for her to answer questions. She answered the first question, admitting to driving VEHICLE-1 when stopped by Sgt. Counihan. She then asked for a lawyer after being asked subsequent questions. I completed my paperwork and booked Pinkham into the Palm Beach County jail. She was given an arraignment date of 5/29/2019 at 0830 hrs at the North County Courthouse in Palm Beach Gardens. BWC utilized.									
NOT A CERTIFIED COPY									
A D M I N I S T R A T I V E	SWORN AND SUBSCRIBED BEFORE ME				SIGNATURE OF ARRESTING / INVESTIGATING OFFICER				
	 NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S. 117.40) DATE 4/23/19				MC GILLICUDDY, STEVEN (1216) NAME OF OFFICER (PLEASE PRINT) DATE 04/23/2019				
									PAGE 3 OF 3

COURT

STATE ATTORNEY

CENTRAL RECORDS

JAIL

CRIME ANALYSIS

P. I. O.

WITNESS LIST

CASE NUMBER: 19-001957

ARRESTING OFFICER: MCGILLICUDDY

ADDRESS: 210 Military Trl. Jupiter, FL 33458

PHONE NUMBERS (HOME): _____ (WORK) (561) 746-6201

CAN TESTIFY TO: PC

NAME: SGT. J. COUNIHAN

ADDRESS: 210 MILITARY TRL, JUPITER, FL 33458

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: TRAFFIC STOP

NAME: OFC. IMPERIALE

ADDRESS 210 MILITARY TRL, JUPITER, FL 33458

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: BACKUP ON STOP/OBSERVED SFST'S

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: _____

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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: _____

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PBSO #0129A REV.11/02

SUBJECT: DIANA PINKHAM CASE NUMBER: 19-001957

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? _____

WHAT STREET OR HIGHWAY WERE YOU ON? _____

DIRECTION OF TRAVEL? _____ WHERE DID YOU START? _____

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 HOURS? _____

HOW MUCH DO YOU WEIGH? _____ 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 THE 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? _____ WHY? _____

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 CORRECTED 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: _____

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL

SUBJECT: DIANA TAKHAN

CASE NUMBER: 19-001957

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) READ 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 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 VIDEO

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)
L/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)(i)	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	☐	539.003	Other: Florida Pawnbroking Act	
	☐	119.0712(2)(b)	Other: Personal information contained in a motor vehicle record.	

REVIEW COMPLETED BY

Booking Number: 2019013427	Date: 04/23/2019
	Specialist Name/ID: WATSON/6665