

J-0494839

# Arrest Report

189767

P-2023

FLORIDA HIGHWAY PATROL  
P.O. BOX 540007, GREENACRES, FL 33454

Report Date / Time 1/12/2018 1:55:55AM	Report Number FHP99ARR762163	Case Number/CAD Number FHPL18OFF003384 / LWRC18CAD007242	Reporting Officer Name L. TAVARES
Originating Agency ORI	Occurrence Date Time Range 1/12/2018 1:35:19 AM -	Jurisdiction	Clearance

### Location of Occurrence

Location Type <b>OTHER</b>	Location Description I 95		
Street Number I-95 NB	Street Woodbright Rd <i>(circled)</i>	Apt/Lot/Bldg	
County PALM BEACH	City BOYNTON BEACH	State FL	Zip 33435

### Defendant

First Name DENIS	Middle Name	Last Name TRUBCHIKOV	Suffix	Date Of Birth 6/24/1978	Age 39	Race WHITE	Sex MALE
SSN	MNI #	Place of Birth MOSCOW, FF, RUSSIA	Height 510	Weight 180	Hair BLN	Eyes BLU	
DL or ID Number T612160782240	ID State FL	ID Type E	Address Type RESIDENCE				
Street Number 2583	Street LA CRISTAL CIR	Apt/Lot/Bldg					
County	City WEST PALM BEACH	State FL	Zip 33410	Phone Number	Extension		
Location Description							

### Arrest

Arrest Date/Time 1/12/2018 1:50:18AM	Arrest Location Type OTHER	Arrest Location Description	
Street Number I-95 NB	Street	Apt/Lot/Bldg	County PALM BEACH
City BOYNTON BEACH	State FL	Zip 33435	

### Charge(s)

Counts 1	Charge 316.193(1)	General Offense Code	Bond Amount \$ 0.00	<input type="checkbox"/> No Bond
Charge Degree	Charge Level CRIMINAL VIOLATION COURT REQUIRED	Arrest Offense Code Description <b>FILED</b>		
Charge Description D.U.I. - DRIVING UNDER THE INFLUENCE (MISDEMEANOR)		JAN 12 2018	JAN 12 AM 3:45	
		CIRCUIT & COUNTY COURTS (CRIMINAL DIV.)		

### Probable Cause

On January 12th, 2018 I Trooper Lucas M. Tavares (3913/1421) with the Florida Highway Patrol was on active DUI patrol in Palm Beach County, Florida. I was in a marked FHP unit equipped with overhead emergency lights and external siren. At approximately 1:33 a.m I was on an unrelated traffic stop on Interstate-95 (Northbound), Left shoulder, Just north of Atlantic Avenue. At that time a black in color dodge charger with a black male driver stopped behind me and stated that a SUV almost hit him and ran him off the road and he pointed to a Blue SUV that was traveling northbound on Interstate-95. I then terminated my traffic stop and attempted to catch up to the suspected vehicle.

Approximately half a mile north where I was initially located I observed a SUV straddling lane number one and lane number two. The vehicle was swearing severely all over the road. Posing an immediate safety risk to the surrounding public. The vehicle at one point drove off the roadway coming close to the center median divider. After observing the vehicle for

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approximately a quarter mile I activated my overhead emergency lights and sirens. The vehicle then slowed down almost to a stop in lane number two. The vehicle was still swerving, but slowly got over to the right side of the roadway. I had to go over my loud speaker and order the driver to stop on the shoulder and pull off the roadway. We stopped on the right shoulder just south of Woolbright Rd.

Suspect Vehicle: 2012 Blue Lincoln MKX with Kentucky Tag: (898XGL) attached.

The initial witness stopped behind me and stated that was in fact the vehicle that almost hit him. I then approached the driver's side of the vehicle. Seated in driver's seat was a white male, who was the only occupant. The driver opened his window, when doing so I could detect a very strong odor of an unknown alcoholic beverage coming from within the vehicle. The driver appeared to look confused and disoriented. His eyes were bloodshot and watery. I asked if he had anything to drink that night and he stated yes.

I asked if he was ok and why he was driving all over the road. The driver had a thick Russian accent and stated that he was ok but cannot understand me. I then had the driver step out of the vehicle. And to the rear. While walking the driver was swaying. I asked the driver again if he had anything to drink and he stated yes two drinks but could not tell me what. While talking to him I could detect a very strong odor of an alcoholic beverage on his breath that grew stronger as he spoke. He was swaying and his eyes were bloodshot, watery, and appeared to be drooping.

I later identified the driver as Denis Trubchikov by his Florida's Driver's License: (T612-160-78-224-0).

Based upon my observations I requested Mr. Trubchikov to perform field sobriety exercises in which he stated that he *didn't understand*. I tried my best to explain to him what I wanted him to do but he was confused. I then attempted Horizontal Gaze Nystagmus in which I had him stand with his feet together and hands down by his side. I eventually get him to stand in the position I wanted him to and asked if he wears glasses and he stated yes. I instructed him to keep his head straight and follow my red pen light with his eyes only.

Horizontal Gaze Nystagmus:

The following was observed during Horizontal Gaze Nystagmus:

The subject did have dilated pupils.

- 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

While standing within close proximity of the subject, I could detect a strong and distinct odor of an unknown alcoholic beverage, and their eyes were bloodshot and watery. Subject was swaying.

The following was observed during Vertical Gaze Nystagmus:

- Subject had Vertical Nystagmus.

To continue the field sobriety exercises I requested a Russian Speaking translator from my dispatcher. A short while later my

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dispatch advised that there is no Russian Speaking translator for any surrounding jurisdictions at the time.

Based upon my observations and the totality of circumstances, Mr. Trubchikov was placed under arrest for DUI pursuant to Florida Statute 316.193.1 at 01:50 AM. Mr. Trubchikov was then searched and placed in my patrol vehicle, and transported to the Palm Beach County Jail. While in transport to the Palm Beach County Jail there was an obvious strong odor of an unknown alcoholic beverage within my vehicle that was not present prior to placing the defendant in the vehicle.

The defendant arrived at the Palm Beach County Jail at 02:11 AM. After the defendant's 20min observation, the defendant was then given the opportunity to provide a sample of their breath which they consented to provide (On Video). The defendant's first breath was given at 02:42 AM and resulted in a .173. The defendant's second breath was given at 02:45 AM and resulted in a .149. Due to the defendant's second breath sample, which was not within .02 of the first sample, a third breath sample was required. The defendant's third breath was given at 02:49 AM and resulted in a .147.

Mr. Trubchikov was also issued Uniform Traffic Citation for failure to maintain single lane.

Video of the incident, roadsides and transport are available through the FHP custodian. The above incident did occur in Palm Beach County, Florida.

**Jail Booking Facility**

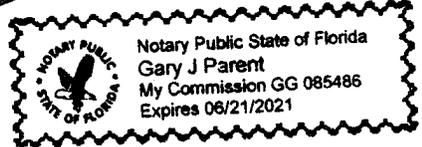
Booking Date/Time 1/12/2018 2:58:42AM	Booking County PALM BEACH	Booking Facility PALM BEACH COUNTY CORRECTIONS	Booking Facility Phone Number (561) 688-4400
Booking Facility Location 3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406			Booking Number
Booking Comments			

**Court**

Court County PALM BEACH	Court Location 200 WEST ATLANTIC AVE. DELRAY BEACH, FL 33444		
Court PALM BEACH SOUTH COUNTY COURTHOUSE	Court Phone 561-274-1530	Court Appearance Date 2/12/2018	Court Fine
Comments			

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the probable cause associated with this report:

**Reporting Officer**

Officer Name L. TAVARES	Officer Rank TROOPER	Officer ID No 3913	Sworn and subscribed before me, the undersigned authority This the <u>12</u> day of <u>January</u> , <u>2018</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT OFFICER
Officer Agency FLORIDA HIGHWAY PATROL	Officer Signature 		
			

Arrest Report

SCANNED  
JAN 14 2018

Report Date / Time 1/12/2018 1:55:55AM	Report Number FHP99ARR762163	Case Number/CAD Number FHPL18OFF003384 / LWRC18CAD007242	Reporting Officer Name L. TAVARES
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**Approving Supervisor**

Officer Name	Officer Rank	Officer ID No	Officer Agency
Officer Signature			

Arrest Report

NOT A CERTIFIED COPY

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JAN 14 2018

Sunshine State

DRIVER LICENSE CLASS E

T612-160-78-224-0

GENS

ANDREYKOV

102 GRENNS WAY APT 102

DADE COUNTY, FL 33118-4096

SEX: M

TEMPORARY

Operation of a motor vehicle constitutes consent to any sobriety test required by law.

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JAN 14 2018

# TESTING FACILITY TASK REPORT

AGENCY: FHP-L  
SUBJECT: TRUBLEKOV, DENES CASE NUMBER: 18-025483  
DATE: 01/12/18 VIDEO TAPE NUMBER: N/A  
BEGINNING TIME: 0236 ENDING TIME: 0252  
BREATH TESTS RESULTS: 1) .173 TIME 0242 (A.M.) P.M. 2) .149 TIME 0245 (A.M.) P.M.  
3) .147 TIME 0249 (A.M.) P.M. 4) N/A TIME --- A.M./P.M.  
BREATH OPERATOR: G. PARENT #7909  
MAINTENANCE TECHNICIAN: KARLECKE #6467

## TESTING OFFICER'S OBSERVATIONS

SPEECH: BROKEN ENGLISH (RUSSIAN)  
ATTITUDE: CALM, QUIET, CO OPERATIVE  
CLOTHING: GREY SHORTS, WHITE L/S ZIPPER SHIRT, BLACK SHOES  
MEDICAL CONDITIONS: NONE  
MEDICATIONS: NONE

OTHER: EYES GLASSY AND BLOODSHOT, SWAYING, ODDOR OF AN UNKNOWN ALCOHOLIC BEVERAGE ON BREATH

COMMENTS: ARRIVED AT CENTER A/O BEGAN THE 20 MINUTE OBSERVATION PERIOD AT 0211 HRS.

A AGREED TO TAKE TEST

TECH. READ BREATH TEST RESULTS A STATED HE UNOBSERVED TEST RESULTS

A/O DID NOT READ RIGHTS OR ATTEMPT Q+A DUE TO THE LANGUAGE BARRIER

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GOLD - JAU  
JAN 14 2018

**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) Not Read on Camera \_\_\_\_\_

SCANNED  
JAN 4 2018

# 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: Tpx. L. Tavaros (3913)

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

**SCANNED**

**JAN 11 4A 2018**