

0317613

1504

ARREST / NOTICE TO APPEAR Juvenile Referral Report		1. Arrest 2. N.T.A.	3. Request for Warrant 4. Request for Capias	Juvenile ☒ N
OBTS Number				
Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number (N.T.A.'s only) 06-16-113749
Charge Type: Check as many as apply: ☐ 1. Felony ☐ 2. Traffic Felony ☒ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		Weapon Seized / Type 1. Yes 2. No		Multiple Clearance Indicator
Location of Arrest (Including Name of Business) 4400 block 10th Ave, Lake Worth, FL 33461		Location of Offense (Business Name, Address) 4400 block 10th ave N #--, Lake Worth, FL 33461		
Date of Arrest 08/13/2016	Time of Arrest 0059	Booking Date	Booking Time	Jail Date
Name (Last, First, Middle) Stickley, Devin, P		Alias (Name, DOB, Soc. Sec. #, Etc.)		
Race W - White I - American Indian B - Black O - Oriental/Asian W	Sex M	Date of Birth 09/07/1988	Height 5'02	Weight 226
Eye Color Blue		Hair Color Bro	Complexion Light	Build med
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) Multiple Tattoos		Marital Status	Religion	Indication of: Alcohol Influence Drug Influence Y ☐ N ☐ Unk. ☐
Local Address (Street, Apt. Number) (City) (State) (Zip) 5658 Pebble Brook Ln, Lake Worth, FL 33472		Phone (561) 964-7484		Residence Type: 1. City 2. County 3. Florida 4. Out of State 2
Permanent Address (Street, Apt. Number) (City) (State) (Zip) 5658 Pebble Brook Ln, Lake Worth, FL 33472		Phone (561) 964-7484		Address Source FL DL
Business Address (Name, Street) (City) (State) (Zip)		Phone ()		Occupation
D/L Number, State S324175883270		Soc. Sec. Number [REDACTED]	INS Number	Place of Birth (City, State) Atsburg, IA
Citizenship US				
Co-Defendant Name (Last, First, Middle)		Race	Sex	Date of Birth
Co-Defendant Name (Last, First, Middle)		Race	Sex	Date of Birth
Parent Legal Custodian Other: Address (Street, Apt. Number) (City) (State) (Zip)		Residence Phone ()		
Business Phone ()				
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 ☐ 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)		School Attended		
Grade				
Property Crime? ☐ Yes ☐ No		Description of Property		
Value of Property				
Drug Activity N. N/A P. Possess		S. Sell B. Buy T. Traffic	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 Driving Under the Influence		Counts	Domestic Violence ☐ Y ☐ N	Statute Violation Number 316.193(1)
Violation of ORD #				
Drug Activity N		Drug Type N	Amount / Unit --	Offense # 16-113749
Warrant / Capias Number		Bond		
Charge Description		Counts	Domestic Violence ☐ Y ☐ N	Statute Violation Number
Violation of ORD #				
Drug Activity		Drug Type	Amount / Unit	Offense #
Warrant / Capias Number		Bond		
Charge Description		Counts	Domestic Violence ☐ Y ☐ N	Statute Violation Number
Violation of ORD #				
Drug Activity		Drug Type	Amount / Unit	Offense #
Warrant / Capias Number		Bond		
Charge Description		Counts	Domestic Violence ☐ Y ☐ N	Statute Violation Number
Violation of ORD #				
Drug Activity		Drug Type	Amount / Unit	Offense #
Warrant / Capias Number		Bond		
Location (Court, Room Number, Address) South County Courthouse, 200 W. Atlani				
Court Date and Time Month September Day 12 Year 2016 Time 8:30 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 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) Unask to Sr				
Date Signed 08/13/2016				
HOLD for other Agency Name:		Signature of Arresting Officer [Signature]		Name Verification (Printed by Arrestee) SCANNED
☐ Dangerous ☐ Suicidal		☐ Resisted Arrest ☐ Other:		Name of Arresting Officer (Print) D/S C. Ward
I.D. #		I.D. # 16305		Agency 16305
Transferring Officer [Signature]		I.D. # 16305		Agency 16305
PAGE 1 OF 1				

		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		Juvenile ☐		N ☒		
ADMIN	OBTS Number											
	Agency ORI Number	FLO- 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE				Agency Report Number 06- 16-113749				
CHARGES	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)	Stickley, Devin, P						Alias	Race W	Sex M	Date of Birth 09/07/1988	
VICTIM	Charge Description	Driving Under the Influence				316.193(1)		Charge Description				
	Charge Description											
PROBABLE CAUSE STATEMENT	Victim's Name (Last, First, Middle)	State of FL, ,						Race -	Sex -	Date of Birth -		
	Local Address (Street, Apt. Number)	(City)		(State)		(zip)		Phone ()		Address Source		
	Business Address (Name, Street)	(City)		(State)		(zip)		Phone ()		Occupation		
	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 _____ who told _____ 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 <u>13</u> day of <u>Auguste</u> 20<u>16</u> at <u>0037</u> ☒ A.M. ☐ P.M. (Specifically include facts constituting cause for arrest.)											
Pen Light Task (Hoizontal Gaze Nystagmus [HGN]): The defendant was placed with their feet together and hands down by their side. The defendant was clearly instructed to await the competition of the instructions prior beginning the task. The defendant moved his hands and feet multiple times even though he was told to remain in the starting position. The defendant acknowledged that they clearly understood my instructions prior to me beginning my instructions for the task. The defendant stated that they clearly understood my instructions for the task. I placed my stimulus in front of the defendant and ask the defendant if they could see it to which he said "yes." I asked the defendant what color the stimulus was to which they answered. "blue." I asked the defendant to touch the tip of the stimulus with his finger which the defendant did. Upon commencing the Pent Light Task (HGN) the defendant moved their head side to side in lieu of following with their eyes only, anticipated the stimulus, and did not follow the stimulus. I had to reinstruct the defendant multiple times during the task to follow the stimulus with their eyes. During the task I observed that the defendant had equal pupil size and did not exhibit resting nystagmus. The defendant's eyes tracked equally. At this time I found probable cause to arrest the defendant, Devin Stickley, for driving under the influence pursuant to Florida State Statute 316.193(1). I hand cuffed him to the rear, checked for proper fit, and double locked. I then placed the defendant in the rear of my PBSO patrol vehicle. I then transported him to the Mobile Breath Alcohol Testing (B.A.T.) facility that was parked in front of the PBSO district 16 substation. Once at the Mobile Breath Alcohol Testing Center the defendant remained in the rear of my PBSO patrol vehicle where they could be easily monitored. I attempted to observe the defendant for 20 minute observation period during which time the defendant stated that he had to regurgitate. I had him step out of my vehicle where he regurgitated a small amount into the grass. Breath Tech Operator (BTO) Parent # 7909 requested I take the defendant to the main Breath Alcohol Testing center due to his lack of cleaning products and the subjects regurgitation. While enroute to the main B.A.T. the defendant regurgitated multiple times in the back of my PBSO patrol vehicle. The regugitation had the odor of an unknown alcoholic beverage.												
ADMINISTRATIVE	STATE OF FLORIDA COUNTY OF PALM BEACH		D/S C. Ward									
	(Signature of Arresting/Investigative Officer)											
	The foregoing instrument was sworn to or affirmed and subscribed before me this <u>13</u> day of <u>August</u> 20 <u>16</u> by <u>D/S C. Ward</u> (Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced <u>Known Leo</u>											
	Notary Public, Clerk of Court, Officer (F.S.S. 117.10)											

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 13 DAY OF Auguste 20 16 AT 0037 ✓ AM PM

SUBJECT: Stickley, Devin, P

CASE NUMBER: 16-113749

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: D/S C. Ward

PERSONAL CONTACT

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

I was patrolling north bound in the area of Haverhill Rd and 10th ave north when I saw defendant's vehicle, a Red Ram 1500 bearing FL tag 470QCU, traveling south bound at 71 mph in a 40 mph zone. I made a u-turn the get behnd the vehicle and watched as it made the left turn to go east bound on 10th ave N. The vehicle then accelerated quickly. I activated my overhead emergency lights, stopping the vehicle.

OBSERVATION OF DRIVER:

I made contact with the defendant, later identified by FL DL as, Devin Stickley. I observed that the defendant had red, watery, bloodshot eyes, slurred, slowed, lethargic, speech, and the odor of an unknown alcoholic beverage, based on my training and life experiences, that came from their breath which intensified as they spoke to me. The defendant was moving in a slow and lethargic manner. I asked how much they had had to drink and they stated none. I asked him why I could smell the odor of an alcoholic beverage coming from his person and he stated that he did not know.

I asked the defendant to exit the vehicle. The defendant swayed while standing and while walking. I asked the defendant if he had any medical problems and he said no.

I asked the defendant to perform voluntary roadside tasks. The defendant consented.

I conducted the SFSTs, in front of my in car video system with the following results;

DRIVER'S STATEMENTS:

Pre Miranda / spontaneous roadside admissions: While in side the vehicle the defendant stated that he had not been drinking. When I asked him why I could smell the odor of an alcoholic beverage coming from his person he stated that he did not know.

While outside of vehicle: I asked the driver if he had any medical problems or had taken any medications and he said no. I again asked him if he had been drinking and he stated that he had 2 long island ice teas. I then confirmed how much he had to drink stating, "so you had four drinks" and he said yes. I again asked him what he had to drink and he stated 1 long island ice tea an 2 Washington apples.

Post Miranda admissions at Hospital: When asked how much he had to drink he stated that he didn't know. I asked him if he had the long island ice tew and the two Washington apples and he said yes. When I asked him if that was all he had to drink he said yes. I asked him if he had any medical issues and he stated that he did not. He stated that he takes Clonazepam and Adderall. When asked when was the last time he took them he stated, "6 hours ago." I asked him if he had taken them prior to drinking and he stated that he had.

ODORS:

The strong odor of an unknown alcoholic beverage, based on my training and life experinces, that came from his breath and intensified as he spoke to me.

GENERAL OBSERVATIONS

SPEECH: Slow, Lethargic, Slurred

ATTITUDE: Calm, Slow

CLOTHING: Dissheveled

MEDICAL/OTHER: Defendant stated that he had not medical problems. He stated that he takes Clonazepam and Adderall.

STATE OF FLORIDA
COUNTY OF PALM BEACH

D/S C. Ward

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 13 day of August 20 16 by D/S C. Ward

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

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

SUBJECT: Stickley, Devin, P

CASE NUMBER 16-113749

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:



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

Other Observations:

See P.C.

WALK & TURN:

I had the defendant use a straight white fog line that was located on the side of the roadway. The defendant agreed that the ground was flat, level, and clear of debris. I had the defendant place their left foot on the line with their right foot in front of the left, heel to toe. I told the defendant to remain in the position throughout my instructions and demonstration. The defendant was instructed not to start the task prior to me telling them to begin. The defendant acknowledged and stated they completely understood my instructions. The defendant was then instructed on the task which was also demonstrated. The defendant swayed during my instructions. The defendant came out of the stance multiple times prior to me telling him to begin. Once the task was started the defendant missed heel to toe with every step, stepped off the line, used their arms for balance. The defendant walked the incorrect number of steps, at least 13, prior to stopping. The defendant stopped the task prior to turning around. When asked him if he was done he stated that I just told him to walk to my vehicle. The defendant did not count out loud as instructed and swayed throughout completing the task.

ONE LEG STAND:

The defendant was instructed to stand with their feet together and their hands down by their side. They were then instructed to remain in the position throughout the instructions and demonstration until instructed to begin. The defendant acknowledged and stated that they clearly understood the instructions. The defendant swayed while in the instructional position. After being told to start the defendant put their foot down almost immediately and did not keep it up for more than a few seconds at each attempt. The defendant used their arms for balance and swayed. The defendant did not count in the manner instructed. The defendant kept his knee bent on the leg he was holding up and did not point his toe so that his foot was parallel to the ground. The defendant spontaneously stopped the task prior to being told to do so stating that he has a hard time balancing. When I asked him why he stated that he just doesn't balance well.

FINGER TO NOSE:

The defendant was instructed to stand with their feet together and their hands down by their side. The defendant was then instructed to remain in the position throughout the instructions and demonstration until instructed to begin. The defendant acknowledged and stated that they clearly understood these instructions. The defendant swayed while in the instructional position. I instructed the defendant on the task and demonstrated the task. The defendant acknowledged the instructions stating that they clearly understood them. The defendant proceeded to miss the tip of their nose with the tip of their finger on every attempt but attempt 6, started with the wrong hand on right 3, and did not bring their hand immediately back as instructed on every attempt as instructed to do so even though he was reminded with every attempt. The defendant did not keep their head tilted back and/or opened their eyes during the task.

ROMBERG ALPHABET:

The defendant was instructed to stand with their feet together and their hands down by their side. The defendant was then instructed to remain in the position throughout the instructions and demonstration until instructed to begin. The defendant acknowledged and stated that they clearly understood these instructions. The defendant swayed while in the instructional position. The defendant mimicked me by tilting their head back prior to me telling them to begin. The defendant stated that they knew their English alphabet from A to Z. The defendant acknowledged the instructions stating that they clearly understood them. The defendant then proceeded to misstate their alphabet multiple times and at did not at any point complete the alphabet. The defendant did not keep their head tilted back and/or opened their eyes during the task.

BREATH TEST RESULTS: **Refused**

STATE OF FLORIDA
COUNTY OF PALM BEACH

D/S C. Ward

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 13 day of August, 20 16 by D/S C. Ward

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

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

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 **D/S C. Ward** of the **PBSO**

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: **Not Signed due to Vomit on Hands** **Stickley, Devin, P**

CONSTITUTIONAL WARNINGS

I AM REQUIRED TO WARN YOU BEFORE YOU MAKE ANY STATEMENTS THAT YOU HAVE THE FOLLOWING RIGHTS:

You have the right to remain silent and not answer any questions.

Any statement must be freely and voluntarily given.

You have the right to the presence of a lawyer of your choice before you make any statement and during any questioning.

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.

If at any time during the interview you do not wish to answer any questions, you are privileged to remain silent.

I can make no threats or promises to induce you to make a statement. This must be of your own free will.

Any statement can and will be used against you in a court of law.

SUSPECT'S SIGNATURE: **Not Signed due to Vomit on Hands** **Stickley, Devin, P**

CERTIFIED COPY



WITNESS LIST

CASE NUMBER: 16-113749

ARRESTING OFFICER: D/S C. Ward

ADDRESS: 3228 Gun Club Rd, West Palm Beach, FL 33415

PHONE NUMBERS (HOME): 561-688-300-0 (WORK) _____

CAN TESTIFY TO: Stop, DUI Investigation, Refusal

NAME: D/S O. Rojas # 15519

ADDRESS: 3228 Gun Club Rd, West Palm Beach, FL 33415

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

CAN TESTIFY TO: Back Up officer on road side.

NAME: Inv. D. Mercier # 8236

ADDRESS 3228 Gun Club Rd. West Palm beach, FL 3415

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

CAN TESTIFY TO: Witness Blood Sample Request, Implied Consent, Miranda, Questioning

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) 0 (WORK) 0

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: _____