

ARREST REPORT

Report Date / Time 02/06/2017 08:55 PM	Agency Case/Offense Number FHPL17OFF009700	OCA Number	Originating Agency Case Number	OBTS Number	Offender Based Transaction System	Jail Booking Number	Other Number LWRC17CAD021529
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LOCATION OF OCCURRENCE

County PALM BEACH	Address I-95 SB, BOCA RATON, FL 33487	
Range of Occurrence Date/Time 02/06/2017 07:53 PM to 02/06/2017 10:30 PM	Latitude N 26 23.8878	Longitude W 80 6.1476

PERSON: SUSPECT

First Name ERIC	Middle Name CHRISTOPHER	Last Name FARETRA	Suffix	Date of Birth 03/07/1983	Age 33	Race W	Sex M	Height 603	Weight 280	Hair BRO	Eyes BLU
Master Name Index Number	Place of Birth LYNN	Nation USA	SSN	Driver's License or Other ID F636203830870	State FL	Class or Type E					
Address 4607 BELVEDERE RD	City HAVERHILL	County	State FL	Zip Code 33415	Phone						

CHARGES

Counts 1	Charge Number 316.193.1	Charge DUI-UNLAW BLD ALCH
Charge Degree	Charge Level MISDEMEANOR	General Offense Code PRINCIPAL
DUI ALCOHOL OR DRUGS		<input type="checkbox"/> Hate Crime <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Bond Amount \$0.00

PROBABLE CAUSE

On the above date and time I was working in Palm Beach County. At 7:54 pm Dispatch received a phone call from a concerned motorist advising of a vehicle that was traveling all over the road and was unable to maintain his lane. The witness advised the vehicle was traveling northbound from Woolbright Road. At the time I was stationary on the left shoulder on Interstate 95 northbound just South of Boynton Beach Blvd. Dispatch then advised the vehicle and the witness exited onto Gateway Blvd then reentered Interstate 95 southbound. The witness stayed landline with dispatch until I had visual of the caller as well as the vehicle which was southbound on Interstate 95 just north of Linton Blvd. Once behind the vehicle I observed the vehicle to be swerving between the outside center lane and the outside lane. I then activated my lights and sirens just North of Linton Blvd. The vehicle continued to travel southbound. I then drove next to the vehicle and observed a white male in the driver seat. I then pressed on my horn to get his attention since my lights and sirens failed to do so. As I drove next to the vehicle and pressed my horn the driver looked at me and gave me a thumbs up and continued to travel the driver had a glazed look on his face as well as red blood shot eyes. At that point I went back behind the vehicle in attempt to see if he would pull over. The vehicle continued to travel. I then drove in front of the vehicle to get the driver's attention at that point the driver became aware I was there and began to slow. The vehicle then pulled over southbound on Interstate 95 just south of Congress Avenue in the right apex of Congress Avenues entrance to Interstate 95. I then approached the vehicle from the driver side. I then advised the driver who I was and reason for the stop. I then asked the subject if he was ok to which he replied "yes". Once the subject replied I observed an odor commonly associated with that of an alcoholic beverage emitting from his breath. I then had the subject put his car and park and hand me his keys. I then asked the driver if he could provide me with his license. The driver advised "he did not have one" I then asked if he had an ID on him to which he replied "he did not have". I then asked the subject for his name when he advised I could not understand due to he had a thick slurred speech. I then asked the subject if he had anything with his name on it he then advised "yes" and when he opened his wallet he had a Florida Identification Card. At that point I was able to identify the driver as Eric Christopher Faretra. I then had the subject exit his vehicle. Once the subject exited his vehicle I observed the subject to have a lack of balance. I then advised the driver that due to his driving pattern and the odor commonly associated with that of an alcoholic beverage emitting from his breath that I was under the suspicion he was operating a motor vehicle under the influence of alcohol and or a controlled substance and if he would perform field sobriety exercised. The subject refused. I then asked again to which the subject still refused. I then advised the subject as well as dispatch at 8:11 pm that he was being placed under arrest pursuant to Florida Statue 316.193 operating a motor vehicle under the influence of alcohol and or a controlled substance. Trooper White #1687 came on scene as back up and was able to get a witness statement from the caller (See statement for driving pattern). Trooper White did stay on scene till Westway Towing took possession of the vehicle. I then advised dispatch that I was transporting the subject to Palm Beach County Jail. Once at the jail I observed the subject for twenty minutes before entering the breathalyzer room. Once inside the subject was asked to provide us a sample of his breath. At 9:18 pm the subject refused to give a sample of his breath. The subject was then read implied consent to which he advised he understood and still refused to provide a sample of his breath. Video of the traffic stop as well as transportation to the county jail are available upon request with FHP custodian

Horizontal Gaze Nystagmus (HGN): REFUSED

Walk and Turn: REFUSED

One Leg Stand: REFUSED

Finger to Nose: REFUSED

Rhombberg with Recitation: REFUSED

LEO BOND

Bond Amount \$	None	<input type="checkbox"/> ROR	<input type="checkbox"/> Cash	<input type="checkbox"/> Any	<input type="checkbox"/> PreTrial If Qualify
	<input type="checkbox"/> Pro				<input type="checkbox"/>

COURT APPEARANCE INFORMATION

Court (CRIMINAL) PALM BEACH SOUTH COUNTY COURTHOUSE	Court Phone 561-274-1530	Court Date & Time 02/06/2017 08:30 AM
Court Address 200 WEST ATLANTIC AVE., DELRAY BEACH, FL 33444		
Instructions		

ARREST REPORT

FHP99ARR119795

SCANNED
FEB 07 2017

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FEB 6 2017 7 AM 6:29

Report Date / Time 02/06/2017 08:55 PM	Agency Case/Offense Number FHPL17OFF009700	OCA Number , Original Agency Case Number	OBTS Number Offender Based Transaction System	Jail Booking Number	Other Number LWRC17CAD021529
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ARREST INFORMATION

Arrest Date / Time 02/06/2017 08:11 PM	Residency Within state	Injured None	Extent of Injury N/A	Resist Arrest No
Prior Arrests Yes	Arrest Jurisdiction Within state	Alcohol Yes	Drugs No	

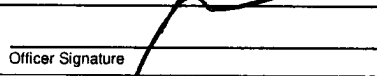
ARREST LOCATION

County PALM BEACH	Address I-95 SB , BOCA RATON, FL 33487
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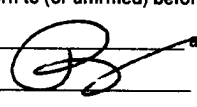
ARREST DELIVERED TO

Jail / Booking Facility PALM BEACH COUNTY CORRECTIONS	Location 3228 GUN CLUB ROAD, WEST PALM BEACH, FLORIDA 33406	Phone (561) 688-4400
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ARRESTING OFFICER

Officer Call Number 1486	Officer Name FERNANDEZ, RYAN P	Officer Signature 
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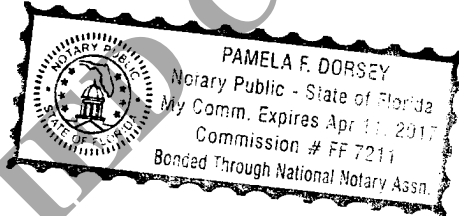
Subscribed and sworn to (or affirmed) before me this 16 day of February A.D., 17 by _____ who is _____ personally known to me or has produced _____ as identification.

Signature  Notary Public X LEO CO Commission No: FF 7211 My Commission Expires: 4-11-17

ARREST REPORT

FHP99ARR119795

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FEB 07 2017

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 6TH DAY OF FEBRUARY 20 17, AT 8:05PM AM ☒ PM
SUBJECT: ERIC CHRISTOPHER FARETRA CASE NUMBER: FHPL17OFF009700
AGENCY: FHP ARRESTING OFFICER: TPR.FERNANDEZ#3798

PERSONAL CONTACT

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

SEE NARRATIVE

OBSERVATION OF DRIVER:

SEE NARRATIVE

DRIVER'S STATEMENTS:

SEE NARRATIVE

ODORS:

ODOR COMMONLY ASSOCIATED WITH THAT OF AN ALCOHOLIC BEVERAGE EMITTING FROM HIS BREATH

GENERAL OBSERVATIONS

SPEECH: SLURRED DELAYED

ATTITUDE: COMPLIANT

CLOTHING: JERSEY/YELLOW LONG SLEEVE SHIRT/BLUE JEANS/BROWN BOOTS

MEDICAL/OTHER: N/A

STATE OF FLORIDA
COUNTY OF PALM BEACH

TPR.FERNANDEZ#3798
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this _____ day of _____ 20____ by _____

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

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

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FEB 07 2017

SUBJECT: ERIC CHRISTOPHER FARETRA

CASE NUMBER FHPL17OFF009700

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

- | | |
|--|--|
| <input type="checkbox"/> LT EYE-LACK OF SMOOTH PURSUIT | <input type="checkbox"/> RT EYE-LACK OF SMOOTH PURSUIT |
| <input type="checkbox"/> LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION | <input type="checkbox"/> RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION |
| <input 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:

REFUSED

WALK & TURN:

REFUSED

ONE LEG STAND:

REFUSED

FINGER TO NOSE:

REFUSED

ROMBERG ALPHABET:

REFUSED

BREATH TEST RESULTS: 1) REFUSED 2) 3) 4)

STATE OF FLORIDA
COUNTY OF PALM BEACH

TPR.FERNANDEZ#3798

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this _____ day of _____, 20____, by _____

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

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

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FEB 07 2017



PALM BEACH COUNTY SHERIFF'S OFFICE
DUI TESTING FACILITY
INFORMATION SHEET

PBSO CASE # 17-036446 AGENCY CASE# FHPL17OFF009700

AGENCY ZONE _____ CRASH CASE # _____

TIME OF STOP/CRASH 8:05PM DATE 02/06/2017 DAY MONDAY

SUBJECT'S NAME ERIC CHRISTOPHER FARETRA RACE W SEX M

HGT 6'4 WGT 280 DOB 03/07/1983

LOCATION SB SR 9 JSP

ARRESTING OFFICER'S NAME & ID TPR.FERNANDEZ#3798 AGENCY FHP

DIVISION: _____

NOTIFIED BY COMMO yes

ARRIVAL AT FACILITY 0852

BREATH RESULTS:

ARREST TIME 08:11PM

1. REFUSED
2. _____
3. _____
4. _____

TESTING OFFICER'S ID 7064 PBSO VIDEOTAPE # 62097

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FEB 07 2017

**STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES
AFFIDAVIT OF
REFUSAL TO SUBMIT TO BREATH, URINE, OR BLOOD TEST**

I, TROOPER RYAN FERNANDEZ #3798, a duly certified Law Enforcement Officer or Correctional Officer,
(Person reading Implied Consent Warning)

am a member of FLOIRDA HIGHWAY PATROL, and I do swear
(Name of enforcement agency)

or affirm that on or about the 6TH day of FEBRUARY, 20 17, at 8:11PM P.M. A.M.
(Circle One)

NAME ERIC CHRISTOPHER FARETRA
(Type or Print) FIRST MIDDLE OR MAIDEN LAST

DL# F-636-203-83-087-0, state of FLORIDA, was placed under lawful arrest for
the offense of DUI by TROOPER RYAN FERNANDEZ#3798 and
(Name of Arresting Officer)
issued Citation # 7549-XBS

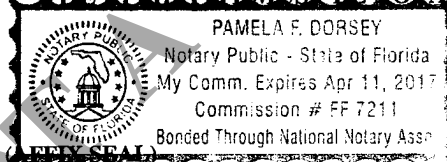
That on or about the 6TH day of FEBRUARY, 20 17, at 9:18P P.M. A.M.
(Circle One)
in PALM BEACH County, **[PLEASE CHECK THE BOX OR BOXES THAT APPLY]** I did request said

person to submit to a ☒ **breath**, ☐ **urine**, or ☐ **blood** test to determine the content of alcohol in his or her blood or breath or the presence of chemical or controlled substances therein. I did inform said person that any refusal to submit to such test or tests would result in the suspension of his or her privilege to operate a motor vehicle for a period of one (1) year for a first refusal, or for a period of eighteen (18) months if the driving privilege of such person had been suspended previously for refusing to submit to such test or tests. I did inform said person that he or she commits a misdemeanor, if said person refuses to submit to a lawful test as requested above, and his or her driving privilege has been previously suspended for a prior refusal to submit to a lawful test of his or her breath, urine, or blood. If driver holds a CDL or is operating a CMV, I did inform the driver that this refusal will result in the disqualification of the driver's Commercial Driver's License/privilege for a period of one (1) year in the case of a first refusal or permanently if he or she has previously been disqualified as a result of a refusal to submit to such test.

Said person did at that time and place refuse to submit to such test or tests.

Signature of Law Enforcement Officer or
Correctional Officer

THE AFFIDAVIT MUST BE NOTARIZED OR ATTESTED TO (F.S. 117.10)



The foregoing instrument was sworn and subscribed before me:

Signature of Attesting Officer

The foregoing instrument was sworn and subscribed before

me this 6TH day of FEBRUARY, 20 17,

by TPR.FERNANDEZ #3798,

who is personally known to me or who has produced

PERSONALLY KNOWN as identification

Notary Public _____

Note: Mail or hand deliver to the designated Bureau of Administrative Reviews office, Department of Highway Safety and Motor Vehicles, with the driver's license, the appropriate copy of the UTC, and the probable cause affidavit.

SUBJECT: Faretra, Eric CASE NUMBER: FHPL1706F009700

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: Ferrets, Eric CASE NUMBER: FHPL170FF009700

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 TPR Fernandez of the FHP

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) Rodriguez 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.

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DEC 07 2017

SUSPECT'S SIGNATURE: (X) _____

TESTING FACILITY TASK REPORT

AGENCY: FHP

SUBJECT: Faretra, Eric C

CASE NUMBER: 17-036446

DATE: 2-6-17

VIDEO TAPE NUMBER: 62097

BEGINNING TIME: 2116

ENDING TIME: 2118

BREATH TESTS RESULTS: 1) R TIME 2118 A.M./P.M. 2) _____ TIME _____ A.M./P.M.

3) _____ TIME _____ A.M./P.M. 4) _____ TIME _____ A.M./P.M.

BREATH OPERATOR: P. Dorsey 7064

MAINTENANCE TECHNICIAN: J. Kardec 6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: Slurred

ATTITUDE: talkative

CLOTHING: Blue jeans Blue jersey

MEDICAL CONDITIONS: No

MEDICATIONS: No

OTHER: Eyes red glassy unknown odor of
Strong Alcoholic Beverage from D

COMMENTS: Alo and D arrived Alo observe
D NO requested Breath D
refused to State his name D
refused Alo read implied consent D
A refused Q&A after rights
were read

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FEB 07 2017

WITNESS LIST

Name <u>MANUEL NUNO</u>	On Scene <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Statement <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Home Address <u>6500 CONGRESS AVE BOCA RATON FL 33442</u>		
Place of Employment <u>BOCA RATON FIRE RESCUE(FIREFIGHTER)</u>		
Employment Address _____		
Phone Numbers: Primary <u>561-982-4000</u>	Mobile _____	Secondary _____ Select One
Can Testify To: <u>DRIVING PATTERN</u>		
Name _____ On Scene <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Statement <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Home Address _____		
Place of Employment _____		
Employment Address _____		
Phone Numbers: Primary _____	Mobile _____	Secondary _____ Select One
Can Testify To: _____		
Name _____ On Scene <input type="checkbox"/> Yes <input type="checkbox"/> No Statement <input type="checkbox"/> Yes <input type="checkbox"/> No		
Home Address _____		
Place of Employment _____		
Employment Address _____		
Phone Numbers: Primary _____	Select One _____	Secondary _____ Select One
Can Testify To: _____		
Name _____ On Scene <input type="checkbox"/> Yes <input type="checkbox"/> No Statement <input type="checkbox"/> Yes <input type="checkbox"/> No		
Home Address _____		
Place of Employment _____		
Employment Address _____		
Phone Numbers: Primary _____	Select One _____	Secondary _____ Select One
Can Testify To: _____		

Case Number: FHPL17OFF009700

THI Case Number: _____

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WITNESS INTERVIEW / STATEMENT

Name	<u>MANUEL NUÑO</u>	Date/Time	<u>2/6/17</u>
Address	<u>6500 Congress AVE, Boca Raton FL 33442</u>		
Place of Employment	<u>Boca Raton Fire Rescue (Firefighter/Paramedic)</u>		
Phone Number(s): Home	<u>(561) 982-4000</u>	Work	<u>()</u>
Interview Conducted By:			
Identification Produced:	<u>FLDL</u>		

I was heading North on I-95 passing Congress AVE when I witnessed a Black Kia SUV swerving in and out of lanes. I called 911 and advised them of my location and what I saw. 911 dispatcher transferred me to FHP dispatch. At this time I advised FHP my location and speed of the vehicle. Driver continued swerving in and out of lanes where he later exited I-95 on Gateway Blvd and entered I-95 south-bound. I continued to update FHP of location and speed. Shortly after passing Linton RD exit I saw the FHP officer behind me with his emergency lights on. FHP had a ~~difficult~~ difficult time stopping Driver. I remained on scene until I spoke with FHP.

Sworn to me this 6th day of February,
2017

(Law Enforcement Officer Signature)
Section 117.10 Florida Statute

Tpr. Fernandez 3798
(Print Name / PIN)

I swear/affirm that this statement is true and correct

(Witness Signature)

Statement Page 1 of 1

Case Number: FHPL17OFF009700

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NOT A CERTIFIED

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