

0472073

3164

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

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

ADMINISTRATIVE	OBTS Number		Agency ORI Number FLO 502600		Agency Name Palm Beach Gardens Police Department		Agency Report Number (N.T.A.'s only) 78- 17005715	
	Charge Type: Check as many as apply.		Location of Arrest (Including Name of Business) Donald Ross Road East of Military Trail		Location of Offense (Business Name, Address) Military Trail and Donald Ross Road		Weapon Seized / Type 1. Yes 2. No	
	Date of Arrest 09/28/2017		Time of Arrest 0405		Booking Date		Booking Time	
	Name (Last, First, Middle) Quiteno Fabian, Franklin E		Date of Birth 05/27/1990		Height 510		Weight 145	
DEFENDANT	Race W - White I - American Indian B - Black O - Oriental/Asian		Sex M		Eye Color BRO		Hair Color BRO	
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) R-Shoulder: Myan Symbol; L-bicep Scripture; L-Leg stars		Marital Status SINGLE		Religion None		Indication of: Alcohol Influence Drug Influence	
	Local Address (Street, Apt. Number) 17824 BRIDLE LN JUPITER FL 33478		City JUPITER		State FL		Zip 33478	
	Permanent Address (Street, Apt. Number) 326 JUPITER LAKES BLVD 230 JUPITER FL 33458		City JUPITER		State FL		Zip 33458	
	Business Address (Name, Street)		City		State		Zip	
	D/L Number, State Q-351-245-90-187-0 FL		Soc. Sec. Number		INS Number		Place of Birth (City, State) Elsalvador	
CO-DEF	Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth	
	Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth	
JUVENILE	Parent Legal Custodian		Name (Last)		(First)		(Middle)	
	Address (Street, Apt. Number)		(City)		(State)		(Zip)	
	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	
CHARGE	Charge Description DRIVING UNDER THE INFLUENCE		Counts 1		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number 316.193(1)	
	Drug Activity N		Drug Type N		Amount / Unit N/A		Offense # 1	
	Charge Description		Counts		Domestic Violence		Statute Violation Number	
	Drug Activity		Drug Type		Amount / Unit		Offense #	
	Charge Description		Counts		Domestic Violence		Statute Violation Number	
NOTICE TO APPEAR	Location (Court, Room Number, Address) North County Courthouse 3188 PGA Blvd, Palm Beach Gardens, FL 33410		Court Date and Time Month NOVEMBER Day 01 Year 2017 Time 10:00 AM <input checked="" type="checkbox"/> 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)		Signature of Arresting Officer [Signature]		Name Verification (Printed by Arrestee) [Signature]			
ADMIN	HOLD for other Agency Name		Signature of Arresting Officer (Print) Ofc. Cameron Carver #471		I.D. # #471		PAGE 1 OF 1	
	Transporting Officer Ofc. Carver		ID # 471		Agency PBGPD		Witness here if subject signed with an -X-	

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 28 DAY OF SEPTEMBER 20 17, AT 03:18HRS AM PM

SUBJECT: Quiteno Fabian, Franklin E CASE NUMBER: 17005715

AGENCY: PALM BEACH GARDENS POLICE DEPT. ARRESTING OFFICER: Ofc. Cameron Carver #471

PERSONAL CONTACT

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

Normal driving pattern.

OBSERVATION OF DRIVER:

I made contact with the driver (later identified as Franklin Quiteno Fabian), and noticed the driver's eyes were watery, bloodshot and I detected the odor of an unknown alcoholic beverage emanated from his breath. I explained to Franklin the reason for the stop, which he stated he was aware of his tag being expired and stated he was going to take care of it on Friday. I requested his driver's license, registration and proof of insurance. Franklin began to look for his information and stopped to tell me about a shooting that just occurred prior to the traffic stop. Franklin struggled to divide his attention to obtain his paperwork and tell me the story of the

DRIVER'S STATEMENTS:

shooting.

ODORS:

I detected the odor of an unknown alcoholic beverage emanated from his breath.

GENERAL OBSERVATIONS

SPEECH: Slurred, Mushed Mouth

ATTITUDE: Cooperative at times, Argumentative at others, Emotional

CLOTHING: Gray Shirt, Black Pants

MEDICAL/OTHER: None

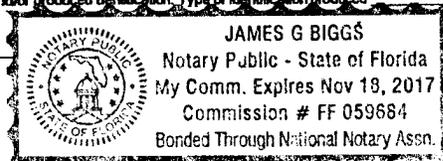
STATE OF FLORIDA
COUNTY OF PALM BEACH

[Signature] #471
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 28 day of Sept 20 17 by Cameron Carver

(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)



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:

Franklin had vertical nystagmus in both left and right eye.

WALK & TURN:

I explained the instructions from a pre-printed pamphlet, to which Franklin stated he understood. While giving instructions, Franklin continually moved and swayed. Franklin had to step out of position to keep balance. After being instructed to start the Walk and Turn Franklin started, however did not look down at his feet and did not count. Franklin was re-instructed to count and he complied. Franklin continued to the ninth step, then stopped, asked what to do next, starting his tenth step. He was told that he stated he understood the instructions and stopped walking. He remembered the instructions, continued to do the turn, however did not perform the turn as instructed. Franklin continued to walk back and stopped at the ninth step. During the task, Franklin swayed and looked up from his feet.

ONE LEG STAND:

I explained the instructions from a pre-printed pamphlet, to which Franklin stated he understood. While giving instructions, Franklin swayed to keep balance. Franklin was instructed to begin and was instructed to raise his foot higher. Franklin stopped counting and raised his foot. He then had to put his foot down to maintain balance. Franklin started the task again, and re-started his count. Due to the delay from the initial start to the second start I continued the task for an additional 30 seconds. While performing the task, Franklin swayed while balancing and lowered his foot and continued to lower his foot until it rested on the ground, which ended the timeframe.

FINGER TO NOSE:

I explained the instructions from a pre-printed pamphlet, to which Franklin stated he understood. While performing the task, Franklin lowered his head down, closer to level position. Franklin touched the side-tip of his nose with the finger commanded and brought the finger back down to his side.

ROMBERG/ALPHABET:

I explained the instructions from a pre-printed pamphlet, to which Franklin stated he understood. While conducting the task, Franklin's head moved down, closer to level position and he had a slight sway. Franklin was also instructed to close his eyes, after already being told in the instruction phase. Franklin used a rhythmic song-like manner to complete the task.

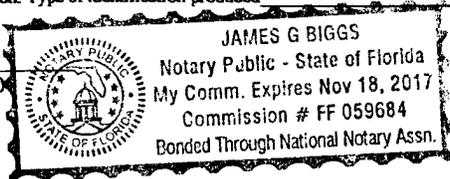
BREATH TEST RESULTS: Franklin blew a 0.101 at 05:09hrs and 0.099 at 5:13hrs.

STATE OF FLORIDA
COUNTY OF PALM BEACH

[Signature]
(Signature of Arresting/Investigative Officer)

The foregoing instrument was notarized or sworn before me this 28 day of Sept, 2017 by Cameron Coner
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)



TESTING FACILITY TASK REPORT

AGENCY: PBG-CARVER

SUBJECT: QUITNENO FABIAN, FRANKLIN E

CASE NUMBER: 17-132736

DATE: Sep 28, 2017

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 0505

ENDING TIME: 0524

BREATH TESTS RESULTS: 1) .101 TIME 0510 A.M. P.M. 2) .099 TIME 0513 A.M. P.M.
3) XX TIME XX A.M. P.M. 4) XX TIME XX A.M. P.M.

BREATH OPERATOR: J Biggs# 7607

MAINTENANCE TECHNICAN: D/S J Karklecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED, MUSHED MOUTH

ATTITUDE: COOPERATIVE AT TIMES, ARGUEMNTIVE AT OTHERS

CLOTHING: GRAY SHIRT, BLACK PANTS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES RED, BLOOD SHOT
ODOR OF AN UNKNOWN ALCOHOLIC BEVERAGE ON SUBJECT

COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 0445
SUBJECT ADVSIED HE WOULD SUBMIT TO THE TEST
SUBJECT WAS GIVEN THE INSTRUCTIONS FOR THE TEST
SUBJECT COMPLETED BOTH SAMPLES SUCCESSFULLY
MIRANDA WAS READ
SUBJECT ANSWERED THE QUESTIONS ASKED

SUBJECT: Quintana, Oscar, Francisco CASE NUMBER: 17005715 116

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? Millway and Dudd Keys

DIRECTION OF TRAVEL? N WHERE DID YOU START? A LA + North Ave

WHAT TIME DID YOU START? Unknown WHAT TIME IS IT NOW? Unknown

WHAT IS TODAY'S DATE? 09/20/2017 WHAT DAY OF THE WEEK IS IT? Thursday

WHAT COUNTY AND CITY ARE YOU IN NOW? W Palm Beach Palm Beach County

WHEN DID YOU LAST EAT? 09/19/17 WHAT DID YOU EAT? ...

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? ...

HOW MUCH DO YOU WEIGH? 145 HAVE YOU BEEN DRINKING? Yes WHAT? Wine

HOW MUCH? ... WHERE? Home WITH WHOM? ...

WHEN DID YOU HAVE YOUR FIRST DRINK? 11pm 9/17 AND YOUR LAST DRINK? 2am 18

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? ...

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? No ARE YOU UNDER THE INFLUENCE? No

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? No HOW MUCH? ...

WHAT? ... WHERE? ... WHEN? ...

WHAT LINE OF WORK ARE YOU IN? ... WHEN DID YOU LAST WORK? 09/18

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? No WHAT? N/A

ARE YOU SICK OR INJURED? No WHAT'S WRONG? N/A

DO YOU LIMP? No DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? No

WERE YOU IN AN ACCIDENT TODAY? No

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

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

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? No WHAT? N/A WHEN? N/A

- DO YOU HAVE:
- EPILEPSY? No
 - GLASS EYE? No
 - FALSE TEETH? No
 - EAR INFECTION? No
 - INNER EAR TROUBLE? No
 - DIABETES? No

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? No

DO YOU TAKE INSULIN? No IF SO, WHEN WAS YOUR LAST INJECTION? N/A

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? No WHERE? N/A

INTERVIEWER: [Signature] #9.1

SUBJECT: _____ CASE NUMBER: _____

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) _____