

#0327167

ARREST / NOTICE TO APPEAR
Juvenile Referral Report1. Arrest
2. N.T.A.
3. Request for Warrant
4. Request for Capias

Juv. N

ADMINISTRATIVE	OBTS Number		Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number (N.T.A.'s only) 06-18-156038	
	Charge Type: Check as many as apply: ☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		Weapon Seized / Type 2 1. Yes 2. No		Multiple Clearance Indicator 01			
	Location of Arrest (Including Name of Business) 6800 block Boynton Beach Blvd				Location of Offense (Business Name, Address) 6800 Block Boynton Beach Blvd, Boynton Beach, FL			
	Date of Arrest 12/15/2018	Time of Arrest 1942	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle	
DEFENDANT	Name (Last, First, Middle) Lutz, George, J				Alias (Name, DOB, Soc. Sec. #, Etc.)			
	Race W - White 1 - American Indian B - Black 0 - Oriental/Asian	Sex M	Date of Birth 03/24/1981	Height 5'09	Weight 180	Eye Color Bro	Hair Color Bro	Complexion Light
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)				Marital Status Married	Religion CATHOLIC	Indication of: Alcohol Influence Drug Influence ☐ Y ☐ N ☐ Unk.	
	Local Address (Street, Apt. Number) 3487 Federal Hwy, Boynton Beach, FL 33435		(City)	(State)	(Zip)	Phone (561) 859-3301	Residence Type: 1. City 2. County 3. Florida 4. Out of State 2	
CO-DEF	Permanent Address (Street, Apt. Number)		(City)	(State)	(Zip)	Phone	Address Source	
	Business Address (Name, Street)		(City)	(State)	(Zip)	Phone	Occupation Unemployed	
	D/L Number, State L320310811040, FL		Soc. Sec. Number		INS Number		Place of Birth (City, State) Brooklyn, Ny	Citizenship US
	Co-Defendant Name (Last, First, Middle)		Race	Sex	Date of Birth	☐ 1. Arrested ☐ 2. At Large	☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile	
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 ☐ Other:		Residence Phone					
	Address (Street, Apt. Number)		(City)	(State)	(Zip)	Business Phone		
	Notified by: (Name)		Date	Time	Juvenile Disposition 1. Handled/processed within Dept. and Released. 2. TOT HRS / DYS 3. Incarcerated			
CHARGE	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	
CHARGE	Charge Description Driving Under the Influence		Counts	Domestic Violence ☐ Y ☐ N	Statute Violation Number 316.193(4)		Violation of ORD #	
	Drug Activity N	Drug Type N	Amount / Unit	Offense # 18-156038	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	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	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	
NOTICE TO APPEAR	Location (Court, Room Number, Address) South County Courthouse, 200 W. Atlantic Ave, Delray Beach, FL 33444							
	Court Date and Time Month January Day 14 Year 2019 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. 12/15/2018							
	Signature of Defendant (or Juvenile and Parent / Custodian)				Date Signed			
ADMIN	HOLD for other Agency Name:		Signature of Arresting Officer		Name Verification (Printed by Arrestee)			
	☐ Dangerous ☐ Suicidal ☐ Resisted Arrest ☐ Other:		Name of Arresting Officer (Print) D/S Christopher Ward # 16305		(PRINT)			PAGE
	Intake Deputy 4835		Transporting Officer D/S C. Ward		ID # 16305	Agency PBSO	Witness here if subject signed with an "X" OF	
	DISTRIBUTION: WHITE - COURT COPY		GREEN - STATE ATTORNEY		YELLOW - AGENCY		PINK - AGENCY	

2018 CT 22372

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PROBABLE CAUSE AFFIDAVIT		1 Arrest 2 NTA	3 Request for Warrant 4 Request for Capias	1	Juvenile
ADMIN	OBTS Number				
	Agency ORI Number FLO 5 0 0 0 0 0	Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE	Agency Report Number 18-156038		
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) Lutz, George		Alias	Race W	Sex M
	Date of Birth 03/24/1981				
VICTIM	Charge Description DUI		Charge Description		
	Charge Description		Charge Description		
	Victim's Name (Last, First, Middle) State of Florida		Race	Sex	Date of Birth
PROBABLE CAUSE STATEMENT	Local Address (Street, Apt Number) (City) (State) (Zip) Phone		Address Source		
	Business Address (Name, Street) (City) (State) (Zip) Phone		Occupation		
	<p>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</p> <p>The Person taken into custody</p> <p>☐ committed the below acts in my presence. ☐ was observed by _____ who told _____</p> <p>☐ confessed to _____ ☒ that he/she saw the arrested person commit the below acts.</p> <p>admitting to the below facts. was found to have committed the below acts, resulting from my (described) investigation.</p> <p>On the <u>15</u> day of <u>December</u> 20 <u>18</u> at <u>7:14</u> ☐ A.M ☒ P.M (Specifically include facts constituting cause for arrest.)</p> <p><u>On the above date and time, I responded to the intersection of Boynton Beach Blvd. and S Jog Rd. in reference to a complainant who was following a vehicle that was swerving all over the road and allegedly struck and jumped over a curb. Prior to arrival, I advised PBSO dispatch to have the complainant activate his hazard/flushing lights so we could easily identify him. Also prior to my arrival, the complainant provided FL tag: GIBX23 to dispatch. Upon arriving at the intersection which had a red light for Southbound traffic, I saw the complainant at the intersection with his hazard lights on. I made contact with the driver who pointed the the vehicle in front of him that was a Gray Hyundai Elantra bearing the same tag that the complainant provided. Upon initially seeing the vehicle, I noted that the vehicle was in the far right lane to go straight. Additionally, I noted that the vehicle had no rear tire left as it was driving solely on the rim. As I got behind the vehicle, the driver made an improper right turn from the straight lane. I followed the vehicle but had not activated by overhead lights or sirens in order to establish a driving pattern. While following the vehicle, I noted that a green can flew out of the front right passenger window. That can then rolled on the ground and into the drain on the North side of the road. I continued following the vehicle. While following the vehicle, due to the fact that the vehicle was driving on a rim, and the alleged report from the complainant, as well as the improper right turn at the intersection, I decided to conduct a traffic stop to check the welfare of the driver.</u></p> <p><u>As I approached the vehicle, noted that both tires on the driver's side of the vehicle were driving on rims. I then made contact with the driver, George Lutz. As I began to speak with him, I smelled the odor of an unknown alcoholic beverage emanating from inside of the vehicle. I also noted that George seemed to be slurring his speech a little. George said that he was coming from a friends house and was heading home. He then indicated by pointing and saying that home was at Woolbright Rd. and Federal Hwy. However, George pointed towards the West when the intersection her provided is East. Also, as I began to explain to George the reason why I pulled him over, he interrupted my talking and said, I know my tire is really low. At that time I advised George that he was driving on rims. I then contacted PBSO dispatch and ensured that a DUI unit was en-route. D/S Ward #16305 responded and conducted an investigation.</u></p>				
ADMINISTRATIVE	STATE OF FLORIDA COUNTY OF PALM BEACH <u>Bradley Labrys</u> 12782 (Signature of Arresting Investigative Officer)				
	The foregoing instrument was sworn to or affirmed and subscribed before me this <u>15</u> day of <u>December</u> 20 <u>18</u> by <u>Bradley Labrys #12782</u>				
	(Print name of Arresting Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced <u>PERSONALLY KNOWN</u>				
Notary Public, Clerk of Court, Officer (F.S.S. 117.14) <u>10305</u>					

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 15 DAY OF December 2018, AT 1913 AM PM
SUBJECT: Lutz, George, J CASE NUMBER: 18-156038

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: D/S Christopher Ward # 5

PERSONAL CONTACT

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

I responded to the scene of a traffic stop at the 6800 Block Boynton Beach Blvd, in unincorporated Palm Beach County, Florida. I arrived at the scene at approximately 1928 hrs.

D/S B. Labrys # 12728 told me, in a signed sworn PC Supplement, that he had stopped the defendant's vehicle, a Gray Hyundai Elantra FL tag GIBX23 because the defendant's vehicle was driving on the rims on the passenger side. He stated that when he originally got behind the vehicle it was south bound lanes. The vehicle then made a right turn from the straight lanes. D/S Labrys stated to me that he saw a green unknown can thrown from the vehicle while driving. D/S Labrys noticed that the defendant had articulable indicators of impairment, so he requested me to respond to conduct a possible DUI investigation. D/S Labrys identified the defendant, to me, as the driver / sole occupant of the defendant's vehicle, at the time of the stop.

OBSERVATION OF DRIVER:

I made contact with the defendant, later identified by FL DL as, George J. Lutz. I observed that the defendant had watery and bloodshot eyes. The defendant had slurred, 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. I asked how much they had had to drink and he stated nothing.

I asked the defendant to exit the vehicle. The defendant swayed while standing.

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

I conducted the Standardized Field Sobriety Tasks (SFSTs) with the following results;

DRIVER'S STATEMENTS:

Pre Miranda / spontaneous roadside admissions: While in the vehicle when asked if he had anything to drink he stated that he did not. He stated that he was coming from friends residence. Out side I again asked the defendant if he had anything to drink and he stated that he had one beer. He stated that he did not have anything else to drink. He stated that he had no medical issues.

Post Miranda admissions enroute to / or at BAT:

ODORS:

I could smell the obvious odor of an unknown alcoholic beverage, based on my training and experience, that came from the defendant and intensified as the defendant spoke to me.

GENERAL OBSERVATIONS

SPEECH: slurred,

ATTITUDE: polite, friendly, cooperative,

CLOTHING:

MEDICAL/OTHER:

I conducted the Standardized Field Sobriety Tasks (SFSTs) in front of my PBSO patrol vehicle (Asset # 41833) in car video system with the following results. The area was flat and even, well lit and clear of any large debris. It was cool and not wady. The area was wet; Defendant states no medical problems or medications.

STATE OF FLORIDA
COUNTY OF PALM BEACH

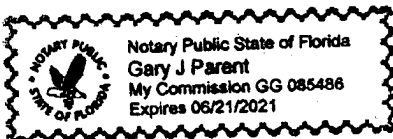
D/S Christopher Ward # 5

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 15 day of December 2018 by D/S Christopher Ward # 5

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

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



SUBJECT: Lutz, George, J

CASE NUMBER 18-156038

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:

Not Performed.

WALK & TURN:

I had the defendant use and imaginary line. 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. I asked the defendant if the ground was level and flat and they stated yes. I asked the defendant if the area was clear of debris and they stated yes. 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 prior to me telling him to begin. Once the defendant was told to begin the task they missed heel to toe (stepping on their toe for most of the steps, stepped off the line, made an improper turn, slowed to balance/steady their self, and stopped to ask for additional instructions. The defendant 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 begin the defendant put their foot down prior to being told to stop, used their arms for balance, and swayed. The defendant did not count in the manner instructed. The defendant had to be reminded to look at their toe as instructed.

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. The defendant mimicked me by tilting their head back and raising their arms prior to being told to start. 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/search for the tip of their nose with the tip of their finger, started with the wrong hand, and did not bring their hand immediately bring back as instructed after numerous reminders to do so.

MODIFIED ROMBERG:

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 asked the defendant if they knew how long half a minute was. The defendant stated to me that half a minute that it was 60 seconds and then 30 seconds. I confirmed with him how long half a minute was and he stated 30 seconds. The defendant estimated 30 seconds to be approximately 22 seconds.

BREATH TEST RESULTS:

1) 206 2) 201 3) 4)

STATE OF FLORIDA
COUNTY OF PALM BEACH

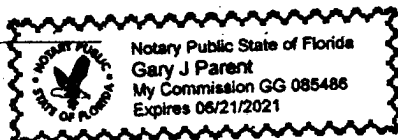
D/S Christopher Ward # 5

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 15 day of December 20 18 by D/S Christopher Ward # 5

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

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



PALM BEACH COUNTY SHERIFF'S OFFICE – **SWORN STATEMENT**

Per FL statute 837.012, whoever knowingly makes a false statement under oath shall be guilty of a misdemeanor of the first degree punishable by imprisonment up to 1 year.



☒ WITNESS ☐ VICTIM ☐ OTHER

CASE #: 18-156038	ZONE: 6-51	SUSPECT: Lutz, George	DATE & TIME OF ORIGINAL EVENT/OFFENSE: 12/15/18 2:130
EVENT TYPE: DUI	DEPUTY: D6 C. Ward	ID#: 10815	

COMPLETE EVERYTHING BELOW – PRINT LEGIBLY

LAST NAME: ENDRES		FIRST NAME: ANTHONY		MIDDLE INITIAL: A	RACE: C	SEX: M
DATE OF BIRTH: (MM/DD/YYYY) 4/8/1968	YOUR HEIGHT: 5'8"	YOUR WEIGHT: 200	YOUR HAIR COLOR: Brown		YOUR EYE COLOR: HEZL	
YOUR HOME ADDRESS: 8721 JADE CT		☐ CHECK IF HOMELESS		CITY: BOCA RATON BEACH	STATE: FL	ZIP: 33472
YOUR WORK NAME & ADDRESS:		☐ CHECK IF UNEMPLOYED OR RETIRED		CITY:	STATE:	ZIP:
WORK PHONE: ☐ CHECK IF NONE ()	CELL PHONE: ☐ CHECK IF NONE (954) 444-4525	HOME PHONE: ☒ CHECK IF NONE ()	EMAIL: mottr@99@aol.com		☐ CHECK IF NONE	

WRITE WHAT HAPPENED IN YOUR WORDS IN FULL DETAIL – PRINT LEGIBLY

YOUR NAME: 1 ANTHONY ENDRES	DO HEREBY VOLUNTARILY MAKE THE FOLLOWING STATEMENT WITHOUT THREAT, COERCION, OFFER OF BENEFIT, OR FAVOR BY ANY PERSONS WHOMSOEVER...
---------------------------------------	--

I WAS GOING SOUTH ON JAG RD BETWEEN LANTANA + HILLSBORO WHEN SEVERAL PEOPLE AHEAD OF ME HIT THEIR BRAKES. WHEN THEY WENT AROUND A CAR IN THE RT LANE, HE JUMPED THE CURB. HE SWERVED BACK INTO TRAFFIC AND WAS GOING BACK 9 FORTH FROM THE RIGHT LANE TO THE MIDDLE. I FOLLOWED HIM AS HE WAS GOING FROM 15-35 MPH. HE KEPT GOING ALL OVER HIS LANE & DRIVING OVER THE LANE NEXT TO HIM. HE WAS DRIVING A HONDA ELANTRA

PAGE 1 OF 1

READ AND SIGN

I SWEAR AND AFFIRM THIS AND/OR THE ATTACHED STATEMENTS ARE CORRECT AND TRUE:	☒ DEPUTY SHERIFF ☐ NOTARY PUBLIC FSS: 117.10
YOUR SIGNATURE: X	SWORN TO AND SUBSCRIBED BEFORE ME TODAY: DATE: 12/15/18 TIME: 1940 SIGNATURE: ID: 31774

IF YOU DO NOT WISH TO PROSECUTE, COMPLETE THE ABOVE STATEMENT, READ THIS DISCLAIMER AND INITIAL BELOW: I AM OF LEGAL AGE AND I AM THE REPORTED VICTIM OF A CRIME UNDER FLORIDA LAW. I HEREBY STATE THAT I WILL NOT COOPERATE ANY FURTHER WITH THE INVESTIGATION OF THE ALLEGED CRIME. I FURTHER RELEASE THE PALM BEACH COUNTY SHERIFF'S OFFICE OF ANY PRESENT OR FUTURE RESPONSIBILITY AS TO MY CASE. I ACKNOWLEDGE THAT I UNDERSTAND MY RIGHTS AS A CRIME VICTIM, PARTICULARLY REGARDING VICTIM COMPENSATION ELIGIBILITY, WHICH INCLUDES SUCH BENEFITS AS REIMBURSEMENT FOR: DISABILITY; LOST WAGES; LOSS OF SUPPORT; MEDICAL, DENTAL, MENTAL HEALTH COUNSELING AND FUNERAL EXPENSES. I AM AWARE I MAY BE GIVING UP THESE RIGHTS FOR MY FAMILY AND MYSELF BY INITIALING BELOW. I AM TAKING THIS POSITION OF MY OWN FREE WILL KNOWING THAT THE CASE CAN ONLY BE FURTHER INVESTIGATED AND PROSECUTED WITH MY COOPERATION. ☐ DO NOT WISH TO PROSECUTE (INITIAL _____)

(PROSECUTION WAIVER NOT TO BE USED FOR CASES INVOLVING DOMESTIC OR DATING VIOLENCE PER G.O. 508.00)

WHITE - RECORDS COPY CANARY - STATE ATTORNEY COPY PINK - OFFICER'S COPY GOLD - WITNESS / VICTIM COPY

WITNESS LIST

CASE NUMBER: 18-156038

ARRESTING OFFICER: D/S Christopher Ward # 5

ADDRESS: 3228 Gun Club Rd, West Palm Beach, FL 33406

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

CAN TESTIFY TO: DUI Investigation

NAME: D/S B. Labrys # 12782

ADDRESS: 3228 Gun Club Rd, West Palm Beach, FL 33406

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

CAN TESTIFY TO: Traffic Stop/ Wheel Witness

NAME: D/S R. Gonzalez

ADDRESS 3228 Gun Club Rd, West Palm Beach, FL 33406

PHONE NUMBERS (HOME) 561-688-3000 (WORK) 5'09

CAN TESTIFY TO: Tow

NAME: Anthony Endres

ADDRESS 8721 Jade Ct, Boynton Beach, FL 33472

PHONE NUMBERS (HOME) 0 (WORK) 0

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

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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: _____

TESTING FACILITY TASK REPORT

AGENCY: PBSO

SUBJECT: LUTZ GEORGE J.

CASE NUMBER: 18-156038

DATE: 12/15/18

VIDEO TAPE NUMBER: N/A

BEGINNING TIME: 2059

ENDING TIME: 2118

BREATH TESTS RESULTS: 1) .206 TIME 2105 A.M./P.M. (P.M.) 2) .201 TIME 2108 A.M./P.M. (P.M.)
3) N/A TIME — A.M./P.M. 4) N/A TIME — A.M./P.M.

BREATH OPERATOR: G. PARENT #2909

MAINTENANCE TECHNICIAN: KARLENE #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED

ATTITUDE: CALM, QUIET, CO OPERATIVE

CLOTHING: LT. BLUE SHORTS, BLACK T-SHIRT, BLACK SLIPPERS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER: EYES GLASSY AND SLIGHTLY REDDISH, ODOR OF AN UNKNOWN ALCOHOLIC BEVERAGE ON BREATH

Δ ADMITTED TO DRINKING 3 TO 3 1/2 BEERS (Q+A)

COMMENTS: ARRIVED AT CENTER A/O BEGAN THE 20 MINUTE OBSERVATION PERIOD AT 2036 HRS.

Δ ASKED WHAT HAPPENS IF HE DOESN'T TAKE TEST

A/O READ I/C

Δ STATED HE UNDERSTOOD I/C AND AGREED TO TEST

A/O READ RIGHTS

Δ STATED HE UNDERSTOOD RIGHTS

TECH READ BREATH TEST RESULTS Δ STATED WHAT DOES THAT MEAN A/O ADVISED HE 2 1/2 TIMES THE LEGAL LIMIT

A/O CONDUCTED Q+A

Δ ANSWERED QUESTIONS

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL

SUBJECT: LUTZ, GEORGE J. CASE NUMBER: 18-156038

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) _____

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL

SUBJECT: LUTZ, GEORGE J. CASE NUMBER: 18-156038

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? Tring Road

DIRECTION OF TRAVEL? E WHERE DID YOU START? Rooster, ...

WHAT TIME DID YOU START? 2000-2100 WHAT TIME IS IT NOW? 2100-2200

WHAT IS TODAY'S DATE? 12/14/18 WHAT DAY OF THE WEEK IS IT? Saturday

WHAT COUNTY AND CITY ARE YOU IN NOW? Farmington County

WHEN DID YOU LAST EAT? 2 hours ago WHAT DID YOU EAT? Pizza

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? Hang out with friends & trying to get home

HOW MUCH DO YOU WEIGH? 165 HAVE YOU BEEN DRINKING? yes WHAT? Beer

HOW MUCH? 3/4 WHERE? At home WITH WHOM? Friends

WHEN DID YOU HAVE YOUR FIRST DRINK? 1900 AND YOUR LAST DRINK? 2000

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? Two drinks beer

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? unemployed WHEN DID YOU LAST WORK? ---

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? NO WHAT? ---

ARE YOU SICK OR INJURED? NO WHAT'S WRONG? ---

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? ---

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? NO WHO? --- WHY? ---

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? NO WHAT? --- WHEN? ---

DO YOU HAVE:

EPILEPSY?	<u>NO</u>
GLASS EYE?	<u>NO</u>
FALSE TEETH?	<u>NO</u>
EAR INFECTION?	<u>NO</u>
INNER EAR TROUBLE?	<u>NO</u>
DIABETES?	<u>NO</u>

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? ---

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? NO WHERE? ---

INTERVIEWER: D/S ...

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL

**FLORIDA DEPARTMENT OF LAW ENFORCEMENT
ALCOHOL TESTING PROGRAM
BREATH ALCOHOL TEST AFFIDAVIT**

Instrument Type: Intoxilyzer 8000
Instrument Registered To: PALM BEACH CO SO
Instrument Serial Number: 80-006238 Software: 8100.27
Date of Test: 12/15/2018

Date of Last Agency Inspection: 12/14/2018

Observation Period Began: 20:36

Subject's Name: GEORGE J LUTZ

DOB: 03/24/1981 Sex: M

The subject was observed for at least twenty-minutes prior to the administration of the breath test to ensure that the subject did not take anything orally and did not regurgitate.

Results:	Test	g/210L	Time
	Diagnostics Check	OK	21:03
	Air Blank	0.000	21:03
	Control Test	0.080	21:04
	Air Blank	0.000	21:04
	Subject Sample #1	0.206	21:05
	Air Blank	0.000	21:06
	Air Blank	0.000	21:08
	Subject Sample #2	0.201	21:08
	Air Blank	0.000	21:09
	Control Test	0.079	21:09
	Air Blank	0.000	21:10
	Diagnostics Check	OK	21:10

Cylinder Lot: 13518080A5
Exp: 08/05/2020

State of Florida, County of Palm Beach.

Personally appeared before me the undersigned authority, who (☒) is personally known to me or (☐) produced _____ as identification, and who after being placed under oath, states:

I GARY J PARENT, hold a valid Breath Test Operator permit issued by the Florida Department of Law Enforcement, I administered the above breath test to the subject named above in accordance with Chapter 11D-8, Florida Administrative Code, and this form is a true and accurate report of that breath test.

Breath Test Operator: _____

Signature

Date: 12/15/18

Sworn to (or affirmed) before me this 15 day of DECEMBER, 2018

Signature of Notary Public-State of Florida

D/S C. WARD
Printed Name of Notary Public-State of Florida

Note: Pursuant to section 117.10, Florida Statutes, law enforcement officers, correctional officers, traffic accident investigation officers and traffic infraction enforcement officers are notaries public when engaged in the performance of official duties. In accordance with section 316.1934(5), F.S., this completed form is admissible without further authentication and is presumptive proof of the results herein. To be used in accordance with Section 316.1934(5), F.S., and in administrative proceedings pursuant to 322.2615, F.S.



**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	☐	539.001, F.S., 539.003, F.S.	Other: Pawn Broker Information	
	☐	943.031(2)	Other: Names of Gangs Criminal Activity	

REVIEW COMPLETED BY

Booking Number: 2018041498	Date: 12/16/2018
	Specialist Name/ID: M. Took #8557