

☐ COURT   ☐ STATE ATTORNEY   ☐ AGENCY   ☐ CENTRAL RECORDS   ☐ JAIL   ☐ CRIME ANALYSIS   ☐ P. I. O.   ☐ DEFENDANT

# D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 2ND DAY OF July 2017 AT 8:38 AM PM  
SUBJECT Gregory Alan DuPilka CASE NUMBER: 17-003233  
AGENCY: Jupiter PD ARRESTING OFFICER: Paul Andreassen #336

## PERSONAL CONTACT

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

Driver (later identified by Florida DL D142281552100) was southbound on S A1A in the 3000 block located in Jupiter (Palm Beach County) Florida. Driving a 2004 Green Jaguar bearing FL tag 2511 Ilt at approximately 25 mph in a 30 mph zone with the front passenger tire and rear passenger tire flat and falling apart. I initiated a Traffic stop with my fully marked Jupiter Police car, Flashing Red & blue LED lights and audible siren. After approximately 10 seconds behind DuPilka, he slowed and made a left turn across the northbound lane and stopped perpendicular to the lane of travel and stopped halfway in the lane and halfway in the Pargell.

### OBSERVATION OF DRIVER:

Parking space perpendicular to both. I open cold can of 16oz Natural Ice empty, 1 open and cold 23 empty, 2 cold unopened. Odor of an unknown alcoholic beverage emitting from his breath. Movements were slow and at times his speech was slurred. Unsteady on his feet.

### DRIVER'S STATEMENTS:

stated he had one beer an hour ago, that he took a Xanax, then he did not. stated he was going to Publix, then stated he was trying to make it home with the low tires

### ODORS:

Unknown odor of an alcoholic beverage emitting from his breath

## GENERAL OBSERVATIONS

### SPEECH:

Slurred at times

### ATTITUDE:

Mostly cooperative

### CLOTHING:

Black T-shirt, blue shorts, tan Flip Flops

### MEDICAL/OTHER:

Advised he had been crushed in an accident but nothing recent

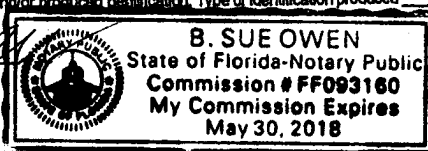
STATE OF FLORIDA  
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 2ND day of July 2017 by Paul Andreassen

(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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JUL 09 2017

SUBJECT: Gregory Alan DuPilkka CASE NUMBER: 17-003233

## 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:** used his head to turn a few times; when moving the pen to DuPilkka's left, he only followed with his eyes about halfway most of the time

### WALK & TURN:

Did not perform any heel to toe, by step 2 he stepped off the line. Step 3 he stepped off the line, step 6 he stepped off the line. On return, he did not perform any heel to toe, while returning instead of counting as instructed DuPilkka stated with each step "1001, 1002, 1003" at 1004, 1005, 1006, he stepped off & staggered.

### ONE LEG STAND:

Raised his leg 1-2 feet off the ground after being told and shown approximately 6 inches. Every time he raised his leg he put it back down, moved off the line onto pavement & failed at completing.

### FINGER TO NOSE:

On several of the finger to nose DuPilkka would repeatedly hold his finger on his nose and not lower his hand back to his side until being told to. 2ND Finger to nose went to bridge of nose.

### ROMBERG/ALPHABET:

12th Grade Education plus more school

Stated alphabet but speed up at "L, M, N, O, P" Then went back to saying it

### BREATH TEST RESULTS:

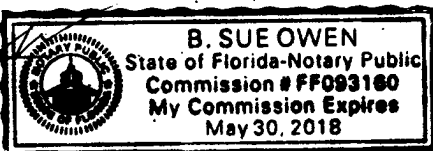
STATE OF FLORIDA  
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was notarized or sworn before me this 2<sup>ND</sup> day of July, 2017 by Paul Andersen

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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JUL 09 2017

# WITNESS LIST

CASE NUMBER: 17-003233

ARRESTING OFFICER: Paul Anderson  
ADDRESS: 210 Military Trail Jupiter, FL 33458  
PHONE NUMBERS (HOME):  
CAN TESTIFY TO: Driving pattern, physical control of vehicle, statements + road side beers  
NAME: Officer Sally Collins  
ADDRESS: 210 Military Trail Jupiter, FL 33458  
PHONE NUMBERS (HOME):  
CAN TESTIFY TO: Driving pattern, physical control of the vehicle, beers found  
NAME: Officer Matt Owen  
ADDRESS: 210 Military Trail Jupiter, FL 33458  
PHONE NUMBERS (HOME):  
CAN TESTIFY TO: Road side & submitting video, beers  
NAME:  
ADDRESS:  
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CAN TESTIFY TO:  
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JUL 09 2017

# TESTING FACILITY TASK REPORT

AGENCY: Jupiter P.D.  
 SUBJECT: Du Pika, Gregory Alan CASE NUMBER: 17-097579  
 DATE: 07/02/17 VIDEO TAPE NUMBER: DVD# 62908  
 BEGINNING TIME: 1018 ENDING TIME: 1025  
 BREATH TESTS RESULTS: 1) REFUSED TIME 1021 A.M./P.M. 2)            TIME            A.M./P.M.  
 3)            TIME            A.M./P.M. 4)            TIME            A.M./P.M.  
 BREATH OPERATOR: S. Owen # 3184  
 MAINTENANCE TECHNICIAN: J. Karlecke # 6467  
 TESTING OFFICER'S OBSERVATIONS  
 SPEECH:             
 ATTITUDE: quiet, co-operative  
 CLOTHING: Flip Flops, blue shorts, black T-shirt  
 MEDICAL CONDITIONS: None  
 MEDICATIONS: None  
 OTHER: 62 yoa

COMMENTS: Alo arrived at 0954 hrs  
Alo observed 20 minutes  
Alo requested breath test, A refused  
Alo read I/C, A understood, still refused  
Alo read c/w A understood rights  
A answered Q&A A said he took a  
Xanax to sleep Stopped answering  
questions asked about Alcohol & said  
he'd talk to his attorney

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SUBJECT: \_\_\_\_\_ CASE NUMBER: \_\_\_\_\_

## 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: Officer Paul Anderson 346

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL

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JUL 09 2017

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.

**SCANNED**

**JUL 09 2017**

SUSPECT'S SIGNATURE: (X) \_\_\_\_\_

WHITE - STATE ATTY.

YELLOW - DHS&MV

PINK - CENTRAL RECORDS

GOLD - JAIL