

JKT # 0225676

14CT 23256

PUN 3688

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

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

1 Juvenile 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) 06-16164778	
	Charge Type: Check as many as apply: <input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input checked="" type="checkbox"/> 3. Misdemeanor <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		Weapon Seized / Type <input checked="" type="checkbox"/> 1. Yes <input type="checkbox"/> 2. No NA		Multiple Clearance Indicator 01			
DEFENDANT	Location of Arrest (Including Name of Business) LAKE WORTH RD @ JOG RD, GREENACRES, FL 33463				Location of Offense (Business Name, Address) LAKE WORTH RD @ JOG RD, GREENACRES, FL 33463			
	Date of Arrest 12/14/16	Time of Arrest 2322	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle D&D AUTOMOTIVE W 561-582-3022	
DEFENDANT	Name (Last, First, Middle) PAPPA, JAMES				Alias (Name, DOB, Soc. Sec. #, Etc.)			
	Race W - White 1 - American Indian B - Black 0 - Oriental/Asian W	Sex M	Date of Birth 5/13/1963	Height 5'10	Weight 300	Eye Color BRN	Hair Color GRAY	Complexion MED
DEFENDANT	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) NONE				Marital Status SINGLE		Religion NONE	
	Local Address (Street, Apt. Number) (City) (State) (Zip) 4255 Oak Terrace Lake Worth, FL 33463				Phone 561-689-1921		Residence Type: 1. City 2. County 3. Florida 4. Out of State 2	
DEFENDANT	Permanent Address (Street, Apt. Number) (City) (State) (Zip) SAME AS LOCAL				Phone ()		Address Source DAVID / DL	
	Business Address (Name, Street) (City) (State) (Zip) UNK				Phone ()		Occupation CONSTRUCTION	
DEFENDANT	D/L Number, State P100-440-63-173-0/FL		Soc. Sec. Number [REDACTED]		INS Number [REDACTED]		Place of Birth (City, State) YORK, PA	
	Citizenship USA							
CO-DEF	Co-Defendant Name (Last, First, Middle)				Race	Sex	Date of Birth	<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile
	Co-Defendant Name (Last, First, Middle)				Race	Sex	Date of Birth	<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large <input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile
JUVENILE	Parent Name (Last) (First) (Middle) <input type="checkbox"/> Legal Custodian <input type="checkbox"/> Other:				Residence Phone ()			
	Address (Street, Apt. Number) (City) (State) (Zip)				Business Phone ()			
JUVENILE	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
JUVENILE	The above address provided by <input type="checkbox"/> defendant and / or <input type="checkbox"/> 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. <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No: (Reason)				School Attended			
	Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No				Description of Property		Value of Property	
CODE	Drug Activity N. N/A P. Possess				S. Sell B. Buy T. Traffic			
	R. Smuggle D. Deliver E. Use				K. Dispense / Distribute			
CHARGE	M. Manufacture / Produce / Cultivate				Z. Other			
	Drug Type N. N/A A. Amphetamine				B. Barbiturate C. Cocaine E. Heroin			
CHARGE	H. Hallucinogen M. Marijuana O. Opium/deriv.				P. Paraphernalia / Equipment S. Synthetics			
	U. Unknown Z. Other							
CHARGE	Charge Description DUI				Counts 01	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number 316.193(1)	
	Drug Activity U				Drug Type U	Amount / Unit NA	Offense # 16164778	Violation of ORD #
CHARGE	Charge Description				Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number	
	Drug Activity U				Drug Type U	Amount / Unit NA	Offense # 16164778	Violation of ORD #
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CHARGE	Charge Description				Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number	
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CHARGE	Charge Description				Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number	
	Drug Activity U				Drug Type U	Amount / Unit NA	Offense # 16164778	Violation of ORD #
NOTICE TO APPEAR	Location (Court, Room Number, Address) CRIMINAL JUSTICE COMPLEX @ 3228 GUN CLUB RD WPB, FL 33406							
	Court Date and Time Month 1 Day 5 Year 2017 Time 8:30 AM <input checked="" type="checkbox"/> PM							
ADMIN	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 / Guardian) [Signature]				Date Signed DEC 15 2016			
ADMIN	HOLD for other Agency Name:				Signature of Arresting Officer [Signature]		Name Verification (Printed by Arrestee) (PRINT)	
	<input type="checkbox"/> Dangerous <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Suicidal <input type="checkbox"/> Other:				Name of Arresting Officer (Print) DANIEL MERCIER		I.D. # 8236	
ADMIN	Intake Deputy W61800				Transporting Officer DANIEL MERCIER		ID # 8236	
	Agency PBSO				Agency PBSO		PAGE 1 OF 1	

SCANNED

DEC 15 2016

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 14TH DAY OF DECEMBER 20 16, AT 2252 AM PM ✓

SUBJECT: PAPPA, JAMES

CASE NUMBER: 16164778

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: INV. DANIEL MERCIER 8236
PERSONAL CONTACT

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

I stopped the defendant's vehicle, a black and white Ford work truck bearing FL tag 324MIA, near the intersection of Lake Worth Rd and Jog Rd, in the city of Greenacres, Palm Beach County, Florida, for reasonable suspicion of DUI. The defendant made a proper U turn in front of me, and headed east on lake Worth Rd, but as he traveled east, he swerved right of the fog line multiple times, and accelerated to 60mph in a 45mph zone. As he passed the access road to the Red Lobster parking lot, he slammed on the brakes, before spinning and smoking his tires as he turned sharply onto the access road. (All speeds were determined by visual estimation and confirmed by proper pacing technique using PBSO pace car asset #70103 / VIN# 1FAHP2MK8FG119488, which was properly calibrated and certified at the time).

OBSERVATION OF DRIVER:

I made contact with the defendant, later identified by FL DL as, James Pappa. I observed that the defendant had red, watery, bloodshot eyes, slurred speech, and the odor of an unknown alcoholic beverage that came from his breath and intensified as he spoke to me. I asked how much he had had to drink. He said, "I had a couple of beers."

I asked the defendant to exit the vehicle. The defendant didn't sway while standing, stumbled while walking, and leaned on the car for balance.

I asked the defendant to perform voluntary roadside tasks. The defendant refused, so I gave the Taylor Warnings and explained the evidence that I already had against him (red, watery, bloodshot eyes, slurred speech, odor of alcohol, driving pattern, other). The defendant consented or refused again.

I conducted the SFSTs with the following results;

DRIVER'S STATEMENTS:

Pre Miranda / spontaneous roadside admissions: "I HAD A COUPLE OF BEERS"

Post Miranda roadside admissions: NA

Post Miranda admissions enroute to / or at BAT: REFUSED BREATH after Implied Consent, which he said he understood. Agreed to Q&A then requested a lawyer half way through Miranda

ODORS:

Obvious odor of an unknown alcoholic beverage that intensified as the defendant spoke to me.

GENERAL OBSERVATIONS

SPEECH: slurred, mumbling, halting, incessant

ATTITUDE: playful, coy, annoying. post arrest he was polite, friendly, and cooperative

CLOTHING: black shirt, tan shorts, brown sandals

MEDICAL/OTHER: SFSTs conducted on in car video. Defendant states no medical problems or medications. Based on my training and experience, and the totality of the circumstances, I determined that probable cause existed for the defendant's arrest for DUI, in violation of FSS 316.193(1).

STATE OF FLORIDA
COUNTY OF PALM BEACH

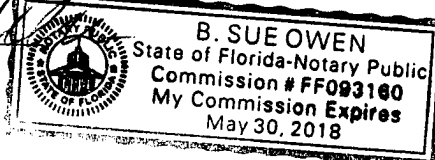
INV. DANIEL MERCIER 8236

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 14th day of DECEMBER 20 16 by INV. DANIEL MERCIER

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

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



SCANNED

DEC 15 2016

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:

I saw no resting nystagmus, equal pupil size, and equal tracking. Although I repeated the instructions and the task multiple times, the defendant never followed my instructions and I was unable to check for the standardized clues. The defendant also to maintain the instructional stance, failed to follow and anticipated the stimulus, moved his head, and argued that I was holding the light too close to his eyes. We never finished the task.

WALK & TURN:

After stating that he understood the instructions, the defendant raised his arms for balance, made an improper turn, stopped walking to regain his balance, and asked for further instructions.

ONE LEG STAND:

After stating that he understood the instructions, the defendant put his foot down multiple times, used his arms for balance, failed to count out loud as instructed, and spontaneously stopped the task, saying he couldn't do it because he is 50 years old.

FINGER TO NOSE:

The defendant failed to maintain the instructional stance, after my instructions to, "stay like that until I tell you." He made me repeat the instructions three separate times. After stating that he understood the instructions, the defendant failed to keep his eyes closed, failed to return his hands to his sides multiple times, in spite of my instructions and repeated reminders to do so, used the wrong hand on the last right, and hesitated, searched, and missed tip of finger and or tip of nose multiple times.

ROMBERG ALPHABET:

The defendant stated that he could say the alphabet in English. After stating that he understood the instructions, the defendant failed to keep his eyes closed and head back, and misstated the letters as follows, "A through G then X" before stopping and restarting approximately three times. Then he spontaneously stopped the task saying, "how embarrassing" and "that's it."

BREATH TEST RESULTS:

1) REFUSED

2)

3)

4)

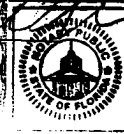
STATE OF FLORIDA
COUNTY OF PALM BEACH

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

B. SUE OWEN
State of Florida-Notary Public
Commission # FF093160
My Commission Expires
May 30, 2018SCANNED
DEC 15 2016

SUBJECT: PAPPA, JAMES

CASE NUMBER 16164778

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

- | | |
|----------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> LT EYE-LACK OF SMOOTH PURSUIT | <input checked="" 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 |

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

STATE OF FLORIDA
COUNTY OF PALM BEACH

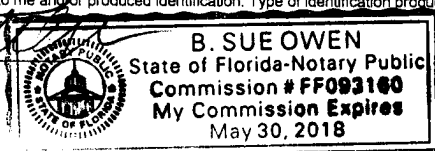
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(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced KNOWN LEO

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



SCANNED
DEC 15 2016

TESTING FACILITY TASK REPORT

AGENCY: PB50
SUBJECT: Pappa, James CASE NUMBER: 16-164778
DATE: 12/14-15/2016 VIDEO TAPE NUMBER: DVD# 61822
BEGINNING TIME: 0015 ENDING TIME: 0018

BREATH TESTS RESULTS: **REFUSED** 1) 6017 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. Karleck # 6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: _____

ATTITUDE: Friendly, co-operative

CLOTHING: sandals, tan shorts, black polo shirt

MEDICAL CONDITIONS: high blood pressure, high cholesterol,

MEDICATIONS: citapril, meds for cholesterol

OTHER: 53 yoa

COMMENTS: A/O & arrived at 2353 hrs

A/O observed 20 minutes

A/O requested breath test, A refused

A/O read I/C, A understood, A still refused

A/O read c/w, A understood, ask for attorney

SCANNED

DEC 15 2016

SUBJECT: Pappa, James CASE NUMBER: 16-164778

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 Inv. Mercier 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: (X) Read on Camera

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) Read on Camera

SCANNED

DEC 15 2016

SUBJECT: Pappa, James CASE NUMBER: 16-164778

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: _____

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DEC 15 2016

WITNESS LIST

CASE NUMBER: **16164778**

ARRESTING OFFICER: **INV. DANIEL MERCIER 8236**

ADDRESS: _____

PHONE NUMBERS (HOME): _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS: _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

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SCANNED

DEC 15 2016

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AGENCY: PB50

SUBJECT: Pappa, James

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DATE: 12/14-15/2016

VIDEO TAPE NUMBER: DVD# 61822

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BREATH TESTS RESULTS:

REFUSED

1) 6017 AM/PM. 2) TIME A.M./P.M.
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BREATH OPERATOR: S. Owen #3184

MAINTENANCE TECHNICIAN: J. Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH:

ATTITUDE: Friendly, Co-operative

CLOTHING: sandals, tan shorts, black polo shirt

MEDICAL CONDITIONS: high blood pressure, high cholesterol,

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I am Inv. Mercier of the PRBSO

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) Read on Camera

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.
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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

SCANNED

DEC 15 2016