

0212811

19CT-19477

3530

ARREST / NOTICE TO APPEAR Juvenile Referral Report		1. Arrest 2. N.T.A.	3. Request for Warrant 4. Request for Capias	Juvenile
DBTS Number				
Agency ORI Number FLO 502600		Agency Name PALM BEACH GARDENS POLICE DEPARTMENT		Agency Report Number (N.T.A.'s only) 78-19-006127
Charge Type: Check as many as apply: ☐ 1. Felony ☐ 2. Traffic Felony ☒ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other		Weapon Seized / Type ☒ 1. Yes ☐ 2. No		Multiple Clearance Indicator
Location of Arrest (Including Name of Business) Interstate 95/PGA Blvd		Location of Offense (Business Name, Address) Interstate 95/PGA Blvd		
Date of Arrest 10/18/2019	Time of Arrest 23:16	Booking Date	Booking Time	Jail Date
Name (Last, First, Middle) Smith, Jeffrey, Richard		Alias (Name, DOB, Soc. Sec. #, Etc.)		
Race W - White I - American Indian B - Black O - Oriental/Asian W	Sex M	Date of Birth 02/19/1972	Height 6-02	Weight 235
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) None		Martial Status Married	Religion CHRISTIAN	Indication of: Alcohol Influence ☒ Y ☐ N Drug Influence ☐ Y ☒ N
Local Address (Street, Apt. Number) 9794 154th Rd N, Jupiter, FL 33478		Phone (843) 323-6939		Residence Type: 1. City 2. County 3. Florida 4. Out of State 1
Permanent Address (Street, Apt. Number) 9794 154th Rd N, Jupiter, FL 33478		Phone ()		Address Source FL DL
Business Address (Name, Street) ()		Phone ()		Occupation Business Development
D/L Number, State S-530-436-72-059-0 FL		INS Number		Place of Birth (City, State) Summerville, SC
Citizenship US				
Co-Defendant Name (Last, First, Middle) None		Race	Sex	Date of Birth
Co-Defendant Name (Last, First, Middle)		Race	Sex	Date of Birth
☐ Parent ☐ Legal Custodian ☐ Other		Name (Last) (First) (Middle)		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
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	Drug Type N. N/A A. Amphetamine	
B. Barbiturate C. Cocaine E. Heroin		H. Hallucinogen M. Marijuana O. Opium/Deriv.	P. Parapharmacie/ Equipment S. Synthetics	U. Unknown Z. Other
Charge Description DUI		Counts 1	Domestic Violence ☐ Y ☒ N	Statute Violation Number 316.193(1)
Drug Activity N		Drug Type N	Amount / Unit N/A	Offense #
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D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 18th DAY OF October 20 19, AT 2212 ☒ AM ☐ PM
SUBJECT: Smith, Jeffrey, Richard CASE NUMBER: 19-006127

AGENCY: PALM BEACH GARDENS POLICE DEPT. ARRESTING OFFICER: Ofc. Trudeau #493

PERSONAL CONTACT

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

On 10/18/2019 at approximately 2212 hours, Ofc. Stevenson #353 was in his marked patrol vehicle conducting stationary traffic enforcement near the intersection of Northlake Blvd/Burma Rd on the North side of the roadway in the driveway of 3551 Northlake Blvd. Ofc. Stevenson felt his vehicle shake from a passing vehicle and observed a black Dodge pickup truck bearing FL tag (850QPQ) traveling West on Northlake Blvd maneuver off roadway almost striking his patrol vehicle, onto the sidewalk and then on the grassy area on the North side of Northlake Blvd. The vehicle then corrected back onto the roadway back into the outside straight travel lane of west-bound Northlake Blvd. Ofc. Stevenson caught up to the vehicle at which time the vehicle was North on Interstate 95 from Northlake Blvd. Ofc. Stevenson utilized his overhead light bar and audible siren to conduct a traffic stop however the vehicle continued North on I95 in the inside straight travel lanes. Ofc. Stevenson observed the vehicle fail to maintain a single lane as it drifted back and forth between the inside lane and the middle lanes. Ofc. Stevenson then observed the vehicle travel to the outside lane and onto the off ramp at East-bound PGA Blvd. As the vehicle traveled on the off-ramp, the front passenger tire struck the positive concrete barrier at which point the driver applied the brakes and the vehicle came to a stop. Ofc. Stevenson approached the vehicle and observed a white male, later identified as Jeffrey Smith, sitting in the driver's seat and the sole occupant of the vehicle.

OBSERVATION OF DRIVER:

Upon arrival, I observed Jeffrey standing outside of the vehicle and leaning against the tailgate of his pickup truck. Jeffrey had a blank stare and a flushed face. I also observed the whites of his eyes to be reddened and watery as well as his pupils to be dilated more than a normal person's. I asked Jeffrey to walk to the front of my patrol vehicle to administer the field sobriety exercises. As he walked, I observed Jeffrey have an ataxic gait and almost fall over toward the concrete barrier, which prompted Ofc. Barker #459 to place his hand on Jeffrey's shoulder and assist him to stand up straight. Jeffrey was extremely unbalanced and uncoordinated as he was given directions in walking and in standing.

DRIVER'S STATEMENTS:

When questioned about his driving pattern, Jeffrey stated "I'm not sure." Jeffrey stated he did not remember which roads he traveled on before he was stopped. When questioned where he was coming from he stated he started drinking at the Marriott Hotel located at 4000 RCA Blvd, PBG FL, and he went to another bar on PGA Blvd but was unable to remember which bar it was. When asked how he got to Northlake blvd, he stated he did not remember. Jeffrey stated he consumed 3-4 vodka mixed drinks but did not remember what they were mixed with.

ODORS:

Strong odor of the additives of an unknown alcoholic beverage emitting from his breath from a conversational distance.

GENERAL OBSERVATIONS

SPEECH: Thick tongued, Slurred, mumbled, and incoherent at times. Low volume

ATTITUDE: Passive, confused, cooperative

CLOTHING: Ruffled

MEDICAL/OTHER: Jeffrey stated he did not take any prescription medications and did not have any medical ailments that would prohibit him from operating a motor vehicle safely or performing any daily tasks such as walking and balancing. He also stated he was not under the care of a doctor or dentist, was not diabetic, epileptic, and does not have any inner ear trouble or have a head injuries recently. I did not observe any signs of a medical emergency while conducting the investigation.

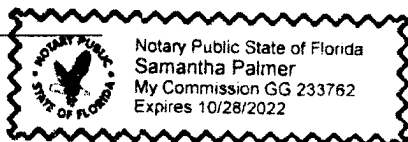
STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 18th day of October 20 19 by Ofc. Trudeau

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

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



SCANNED
OCT 19 2019

SUBJECT: Smith, Jeffrey, RichardCASE NUMBER 19-006127

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:

VGN was observed. During HGN I observed an orbital sway and unsteady balance causing him to almost fall over. I observed equal pupil size and no resting Nystagmus. During the instructions, Jeffrey was unable to follow direction and needed to be redirected several times during the exercise, requiring me to restart the exercise.

WALK & TURN:

During the instruction stage, Jeffrey was unable to place his feet on the line without falling over. Jeffrey stated he understood the instructions but he was unable to stand on the line without stepping off or falling over. The starting position instructions were given several times. Due to the safety of Jeffrey as well as the other officers on scene and the motoring public, the exercise was terminated.

ONE LEG STAND:

During the instruction stage Jeffrey placed his hands in front of his pants, and spread his feet shoulder width apart as he lost balance. Jeffrey was given the instructions and he stated he understood. He also stated he wished to raise his right foot. As the exercise began, Jeffrey raised his right foot and fell backward causing him to lose his footing. He attempted the exercise again and raised his right foot however he again fell backward requiring Ofc. Barker and Ofc. Stevenson to assist him and hold him from falling over. Due to the safety of Jeffrey as well as the other officers on scene and the motoring public, the exercise was terminated.

ROMBERG ALPHABET:

Modified Romberg Balance: I advised Jeffrey of the instructions and demonstrated the exercise. He stated he understood and did not have any questions. During the exercise Jeffrey raised his right arm above his head and put his right index finger on his nose. He then raised his left arm in a motion as if he was questioning what he was supposed to do. Jeffrey was given the instructions and demonstrated the exercise again in which he again stated he understood. During the exercise Jeffrey closed his eyes and tilted his head back. He then tilted his head forward, opened his eyes and looked at me and then closed his eyes again. Jeffrey continued this pattern until told to stop. When questioned he stated he counted to 20 seconds in his head, however over 1 minute had passed.

FINGER TO NOSE:

1. Left— He brought his hand to his chest, and then to his nose touching the pad of his finger to the tip of his nose and stared at me with his eyes open
2. Right— Pad of his right index finger touched his top lip then touched the tip of his nose
3. Left— Pad of his left index finger touched the tip of his nose. He needed to be reminded to bring his hand back down.
4. Right— Pad of his right index finger touched the tip of his nose.
5. Right— He brought his left finger to his chest, then put it down and raised his right arm. The pad of his right finger touched the tip of his nose
6. Left— Pad of his left index finger touched the tip of her nose. He needed to be reminded to bring his hand back down.

BREATH TEST RESULTS:

1) Refused

2) Refused

3)

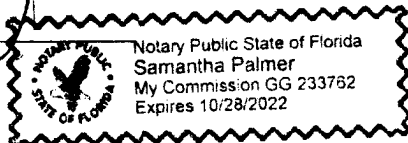
4)

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 18th day of October, 20 19 by Ofc. Trudeau(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced Personally Known

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

SCANNED
OCT 19 2019

STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH AND/OR URINE TEST

I, Ofc. Trudeau, a duly certified Law Enforcement Officer or Correctional Officer,
 (Name of Officer reading Implied Consent Warning)

am a member of Palm Beach Gardens Police Department, and I do swear
 (Name of law enforcement agency)

or affirm that on or about the 18th day of October, 20 19, at 23:16 ☐ P.M. ☒ A.M.

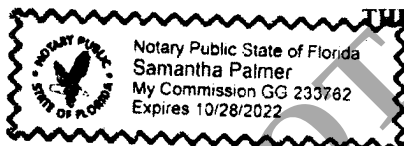
DRIVER Jeffrey Richard Smith
 (Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# S-530-436-72-059-0, state of FL, was placed under lawful arrest for
 the offense of DUI by Ofc. Trudeau and
 issued Citation # A56H48E
 (Name of Arresting Officer)

That on or about the 19th day of October, 20 19, at 0000 ☐ P.M. ☒ A.M.
 in PALM BEACH County,

I requested that the driver submit to a ☒ **breath and/or** ☐ **urine** test to determine his or her blood alcohol level and/or the presence of chemical or controlled substances. I informed the driver that the refusal to submit to such test(s) would result in the suspension of his or her driving privilege for a period of one (1) year for a first refusal, or for a period of eighteen (18) months if his or her driving privilege had been previously suspended for refusing to submit to a breath, urine or blood test. I also informed the driver that he or she commits a misdemeanor by refusing to submit to a lawful test as requested above if his or her driving privilege has been previously suspended for refusal to submit to a lawful test of his or her breath, urine, or blood. Additionally, I informed the driver that if he or she holds a CDL, or was operating a CMV, refusal will result in the disqualification of the Commercial Driver's License/driving 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 any such lawful test. Nonetheless, the driver refused to submit to the test(s) requested.

[Signature]
 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

Title

Date

(AFFIX SEAL)
 The foregoing instrument was sworn and subscribed before
 me this 18th day of October, 20 19,
 by Ofc. Trudeau,

who is personally known to me or who has produced

Personally Known

as identification

Notary Public [Signature]

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.

HSMV-BAR1001 (REV. 10/2016)

SCANNED
OCT 19 2019



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

PBSO CASE # 19-127783 PBSO ZONE 3-13

AGENCY CASE # 19006127 CRASH CASE # N/A

TIME OF STOP/CRASH 2212 DATE 10/18/19 DAY Friday

SUBJECT'S NAME Smith, Jeffrey RACE W SEX M

HGT 6-2 WGT 235 DOB 2-19-72

LOCATION I95/PGA Blvd

ARRESTING OFFICER'S NAME & ID TRUDIEAU 443 AGENCY P13610

DIVISION: Road 2324

NOTIFIED BY COMMO _____

ARRIVAL AT FACILITY 2338

BREATH RESULTS:

Arrest Time 2316

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

TESTING OFFICER'S ID 24520 PBSO VIDEOTAPE # N/A

SCANNED
OCT 19 2019

SUBJECT:

Smith, Jeffrey

CASE NUMBER:

19 000127

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 Off. Trudeau # 493 of the Palm Beach Gardens PD

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
OCT 19 2019

SUBJECT: Smith, Jeffrey CASE NUMBER: 19 006127

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: OFC. Trudeau #493

WHITE - STATE ATTY. YELLOW - DHSMV PINK - CENTRAL RECORDS GOLD - JAIL

TESTING FACILITY TASK REPORT

AGENCY: PBG/TRUDEAU
SUBJECT: SMITH, JEFFREY
CASE NUMBER: 19-127783
DATE: Oct 18, 2019
VIDEO DVD NUMBER: N/A
BEGINNING TIME: 2358
ENDING TIME: 0001

BREATH TESTS RESULTS: 1) R TIME 0000 A.M. ☒ P.M. ☐ 2) XX TIME XX A.M. ☐ P.M. ☐
3) XX TIME XX A.M. ☐ P.M. ☐ 4) XX TIME XX A.M. ☐ P.M. ☐

BREATH OPERATOR: S. PALMER #24520

MAINTENANCE TECHNICIAN: J Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED,

ATTITUDE: UPSET, ARROGANT,

CLOTHING: GREEN SHIRT, BLUE JEANS, BLACK SNEAKERS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES: GLASSY AND BLOODSHOT, ODOR OF UNKNOWN ALCOHOLIC BEVERAGES COMING FROM BREATH, UNSTEADY ON HIS FEET

COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 2338
SUBJECT REFUSED TO TAKE BREATH TEST
A/O READ I/C
SUBJECT STATED HE UNDERSTOOD I/C
AND AGAIN REFUSED TO TAKE BREATH TEST @ 0000
A/O READ RIGHTS
SUBJECT STATED HE UNDERSTOOD HIS RIGHTS
AND REFUSED QUESTIONING

SCANNED
OCT 19 2019

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A/O READ RIGHTS
SUBJECT STATED HE UNDERSTOOD HIS RIGHTS
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SCANNED
OCT 19 2019



**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 FS	Other: All records relating to pawnbroker transactions.	
	☐	119.0712(2)	Other: Personal information contained within a motor vehicle record	

REVIEW COMPLETED BY

Booking Number: 2019034006	Date: 10/19/2019
	Specialist Name/ID: howardt7185

SCANNED
OCT 19 2019