0355196/1561 2018MM96656XB

Arrest Report

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
1937 BANANA GROVE ROAD
MOORE HAVEN, FL

Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
8/22/2018 07:48 PM	C-1191AA	FWSA18OFF007903 /FWLR18 CAD013736	BRODBECK, JAMES J

Originating Agency ORI	Occur Date Time Range	Jurisdiction	Clearance
FL0488000	08/22/2018 16:21:45 -		

Location of Occurrence

County	Location Type	Location Description
PALM BEACH	PUBLIC PLACE	BRIDGE 707 BRIDGE JUPITER X2[CR-707]

Street Number	Street	Apt/Lot/Bldg	City	State	Zip Code
	BEACH RD		JUPITER	FL	33469

Defendant

First Name	Middle Name	Last Name	Suffix	Race	Sex	Height	Weight	Hair	Eyes
JEFFREY	SCOTT	SMAJDOR		WHITE	MALE	510	140	BRO	BRO

MNI #	SSN	Date of Birth	Age	Place of Birth	Drivers License or other ID	State	ID Type
		07/12/1987	31	~~ST~~ BROWARD BEACH	S523437872520	FL	E

Address
* RESIDENCE / 354 NW CLARIA CT , PORT ST LUCIE, FL 34986 /

FILED
AUG 23 2018
SHARON R. BOCK
Clerk & Comptroller

Arrest

Arrest Date/Time	Arrest Location Type	Arrest Location Description
8/22/2018 4:53:45 PM	PUBLIC PLACE	

Street Number	Street	Apt/Lot/Bldg	County	City	State	Zip Code
	BEACH RD		PALM BEACH	JUPITER	FL	33469

Charge : STATE STATUTE

Counts	Charge	Bond Amount	
1	327.35(2)(a)	$0.00	☐ No Bond

Charge Degree	Charge Level	General Offense Code
FIRST DEGREE	MISDEMEANOR	DUI-UNLAW BLD ALCH

Charge Description
OPERATING A VESSEL WHILE NORMAL FACULTIES IMPAIRED

Charge : STATE STATUTE

Counts	Charge	Bond Amount	
1	327.359	$0.00	☐ No Bond

Charge Degree	Charge Level	General Offense Code
FIRST DEGREE	MISDEMEANOR	DUI-UNLAW BLD ALCH

Charge Description
BUI, REFUSAL TO SUBMIT TO 2ND OR SUBSEQUENT TEST (BREATH TEST)

NOT A CERTIFIED COPY

Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
8/22/2018 07:48 PM	C-1191AA	FWSA18OFF007903 /FWLR18 CAD013736	BRODBECK, JAMES J

Originating Agency ORI	Occur Date Time Range	Jurisdiction	Clearance
FL0488000	08/22/2018 16:20:46 -		

Bond Set by Court

Bond Amount	No Bond?
$0.00	No

Bond Type(s)

Probable Cause

On Wednesday, August 22, 2018 at approximately 1620 hours, I, Officer James Brodbeck of the Florida Fish and Wildlife Conservation Commission, was on vessel patrol in Jupiter, Palm Beach County. I observed a vessel, FL 9616 CE, accelerate to planing speed while in a posted Slow Speed Zone at the SR 707 Bridge, ICW. I obseved BLAKE R. LEWIS in actual physical control of the vessel. I activated my blue lights to initiate a vessel stop to address the violation. JEFFREY S. SMAJDOR, who was sitting on the side of the vessel, took control of the vessel and brought the vessel to a slow speed. I observed 5 persons on board the vessel, including a child. The vessel had only 4 life jackets on board. I observed numerous empty beer cans on the deck of the vessel as well as in a 5 gallon bucket in the stern. Both male subjects were very sunburned, had bloodshot eyes, and the odor of an alcoholic beverage emitting from their breath. Based on both male subjects operating the vessel, I asked both to perform Standardized Seated Field Sobriety Tasks. Both agreed. For SMAJDOR:

Horizontal Gaze Nystagmus:
During HGN, SMAJDOR displayed a lack of smooth pursuit in both eyes, distinct and sustained nystagmus at maximum deviation in both eyes, and an onset of nystagmus prior to 45 degrees in both eyes.

Finger to Nose:
During the Instruction Stage, the subject started before being told to do so. During the Performance Stage, on the first right, the subject did not use his fingertip (pad). On the second left, the subject did not use his fingertip (pad). On the second right, the subject did not use his fingertip (pad). On the third right, the subject did not use his fingertip (pad). On the third left, the subject did not use his fingertip (pad).

Palm Pat:
During the Performance Stage, the subject rolled his hands, had a double pat, had a chopped pat, did not increase speed after being told to do so, and rotated his hands.

Hand Coordination:
During the Instruction Stage, the subject was unable to follow instructions by not remaining in the demonstrated position. During the Performace Stage, Task 3, the subject counted improperly, and did not return his left fist to his chest. The subject did not perform Task 4.

At 1653 I placed the subject under arrest for BUI. Lt. Ben Hankinson transported the subject to the Palm Beach County Jail, arriving at 1805. At the Jail, the subject refused to provide a breath sample after being read implied consent.

NOT A CERTIFIED COPY

Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
8/22/2018 07:48 PM	C-1191AA	FWSA18OFF007903 /FWLR18 CAD013736	BRODBECK, JAMES J

Originating Agency ORI	Occur Date Time Range	Jurisdiction	Clearance
FL0488000	08/22/2018 16:21:45 -		

Court

Court County	Court Location
PALM BEACH	3228 GUN CLUB ROAD WEST PALM BEACH, FL 33406

Court	Court Phone	Court Appereance Date / Time	Court Fine
PALM BEACH COUNTY COURT AT GUN CLUB	(561) 688-4640	09/26/2018 1:00 PM	

Comments

Officer Name	Officer Rank	Involvement On Report	ID #	Org/Unit	Officer Agency
BRODBECK, JAMES J	OFFICER		WN957	FWSAISO REGION 4\PALM BEACH	FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the probable cause associated with this report:

Reporting Officer

Officer Name	Office Rank	Officer ID No
BRODBECK, JAMES J	OFFICER	WN957

Officer Agency

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

Officer Signature WN957

Sworn and subscribed before me, the undersigned authority

This the 22 day of August, 2018

DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT

KERIANE MARIE MOYNIHAN
Notary Public - State of Florida
Commission # GG 036116
My Comm. Expires Oct 5, 2020
Bonded through National Notary Assn.

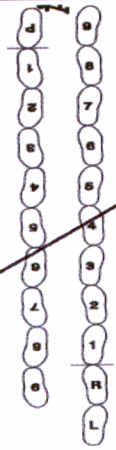
NOT A CERTIFIED COPY

Field Sobriety Task Performance Report

Subject Name

WALK AND TURN

- **Place your left foot on the line with your right foot in front of the left foot, with the heel of the right foot touching the toe of the left.** *(Demonstrate)*
- **Place your arms at your sides. Maintain this position until I have completed the instructions. Do not start to walk until I tell you to do so. Do you understand?** *(Response)*
- **When I tell you to begin, take nine heel-to-toe steps, turn and take nine heel-to-toe steps back.** *(Demonstrate 3 heel-to-toe steps)*
- **When you turn, keep the front foot on the line and turn by taking a series of small steps with the other foot, like this.** *(Demonstrate)*
- **While you are walking, keep your arms at your sides, watch your feet at all times and count your steps out loud. Once you start walking, do not stop until you have completed the task. Do you understand?** *(Response)*
- **Begin.**



Instruction Stage	
Loses balance during instructions	☐
Starts before told	☐
Performance Stage	
Stops while walking	☐
Does not touch heel-to-toe (1/2"+)	☐
Steps off line	☐
Uses arms to balance (6"+)	☐
Improper turn	☐
Wrong number of steps	☐
Total Clues	
Cannot perform task (explain)	☐

Evaluation Criteria: 2 or more clues

ONE LEG STAND

- **Stand with your feet together and your arms at your sides, like this.** *(Demonstrate)*
- **Do not start until I tell you to. Do you understand?** *(Response)*
- **When I tell you to start, raise one leg, either leg, approximately six inches off the ground, keeping your raised foot parallel to the ground.** *(Demonstrate)*
- **You must keep both legs straight, arms at your sides. While holding that position, count out loud in the following manner: one thousand and one, one thousand and two, one thousand and three, and so on until told to stop.**
- **Keep your arms at your sides at all times and keep watching the raised foot. Do you understand?** *(Response)*
- **Begin.** *(30 seconds)*

Clues	
Sways while balancing	☐
Uses arms to balance (6"+)	☐
Hopping	☐
Puts foot down	☐
Total Clues	
Cannot perform task (explain)	☐

Evaluation Criteria: 2 or more clues

Phase I: Vessel in Motion – Document initial observations to describe vessel maneuvers or operator/occupant behaviors that may be associated with alcohol/drug influence prior to the stop. If no Phase I observations are made, describe initial contact.

VESSEL ACCELERATED TO PLANING SPEED IN NO WAKE ZONE UNDER 707 BRIDGE. OBSERVED NUMEROUS EMPTY BEER CANS INSIDE VESSEL.

Phase II: Personal Contact – Document observations made during face-to-face contact with the operator.

Operator Actions
- ☐ Cannot find registration/wallet
- ☐ Tries to conceal something
- ☐ Produces wrong documents
- ☐ Fumbles items
- ☐ Excessive movement
- ☒ Forgets to respond to request
- ☐ Incorrect answers
- ☐ Problem using fingertips
- ☒ Avoids eye contact
- ☐ Ignores questions
- ☐ Lights cigarette or eats/chews
- ☐ Angry/abusive language
- ☒ Admits to drinking
- ☒ Difficulty with safety equip.
- ☐ Unusual statements

Breath

Alcoholic beverage:
- ☐ Strong
- ☒ Moderate
- ☐ None
- ☐ Marijuana
- ☐ Breath mint/cover odor

Face
- ☐ Pale
- ☐ Flushed
- ☒ Sweating
- ☒ Sunburned
- ☐ Normal

Eyes
- ☒ Bloodshot
- ☐ Watery
- ☒ Glassy
- ☐ Dilated pupils
- ☐ Constricted pupils
- ☐ Droopy eyelids
- ☐ Normal

Unusual Actions
- ☐ Hiccupping
- ☐ Belching
- ☐ Vomiting
- ☐ Gagging/dry heaves
- ☐ Fighting
- ☐ Laughing
- ☐ Crying

Attitude
- ☐ Jovial
- ☒ Talkative
- ☒ Cooperative
- ☐ Indifferent
- ☐ Sleepy
- ☐ Profanity
- ☐ Combative
- ☐ Belligerent
- ☐ Insulting

Clothing *(describe)*

Balance
- ☐ Normal
- ☐ Swaying
- ☐ Falling
- ☐ Sits down
- ☐ Supports against object
- ☐ Staggering
- ☐ Unsteady
- ☐ Wide stance
- ☐ Needs assistance

Notes: SLURRED SPEECH

Phase III – Pre-Arrest Screening – Document any other observations made during field sobriety evaluation to describe finding of probable cause to place subject under arrest for operating while impaired.

Officer: J. BLODBECK	**Agency:** FWC		**Case #:** FWSA18OFF00 7903
Date: 8/22/18	**Location:** JUPITER ICW		
Subject Name: BLAKE R. LEWIS			**D/O/B:** 4/22/88
Height: 6' 2"	**Weight:** 220	**Eyes:** BLU	**Hair:** BRO	**Gender:** M
Time of arrest: 1653 hours	**Evidentiary breath test results:** and		**completed @** hrs. **REFUSED** ☒

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Report Date / Time	Report Number	Report Case/Cad Number	Reporting Officer Rank / ID	Reporting Officer Name
8/22/2018 6:40:05 PM	**ISR053151 (01)**	**FWSA18OFF007903 /FWLR18CAD013736**	**OFFICER / WN957**	**BRODBECK, JAMES J**

Originating Agency ORI	Reported to Agency Date	Occur Date Range	Jurisdiction	Status: Clearance:
FL0508000		**08/22/2018 16:21:45 -**	**State Lands**	

Offense Description
S1B BUI - BOAT

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the narratives associated with this report:

Officer: Reporting Officer (Supplement01)

Officer Name	Office Rank	Officer ID No	Sworn and subscribed before me, the undersigned authority
BRODBECK, JAMES J	**OFFICER**	**WN957**	This the _____ day of _____, _____
Officer Agency			DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT OFFICER
FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION			
Officer Signature			

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Report Date / Time	Report Number	Report Case/Cad Number	Reporting Officer Rank / ID	Reporting Officer Name
8/22/2018 6:40:05 PM	ISR053151 (01)	FWSA18OFF007903 /FWLR18CAD013736	OFFICER / WN957	BRODBECK, JAMES J

Originating Agency ORI	Reported to Agency Date	Occur Date Range	Jurisdiction	Status: Clearance:
FL0508000		08/22/2018 16:21:45 -	State Lands	

Offense Description
S1B BUI - BOAT

Picture

Picture Date Time	Picture Height	Picture Width	Picture Size	Resized
8/22/2018 4:54:36 PM	1080	1440	1041 KB	True

Description

Empty beer cans in stern of vessel.



EXEMPT PUBLIC RECORDS COPY

Report Date / Time	Report Number	Report Case/Cad Number	Reporting Officer Rank / ID	Reporting Officer Name
8/22/2018 6:40:05 PM	ISR053151 (01)	FWSA18OFF007903 /F WLR18CAD013736	OFFICER / WN957	BRODBECK, JAMES J

Originating Agency ORI	Reported to Agency Date	Occur Date Range	Jurisdiction	Status: Clearance:
FL0508000		08/22/2018 16:21:45 -	State Lands	

Offense Description
S1B BUI - BOAT

Horizontal Gaze Nystagmus:
During HGN, LEWIS displayed a lack of smooth pursuit in both eyes, distinct and sustained nystagmus at maximum deviation in both eyes, and an onset of nystagmus prior to 45 degrees in both eyes.

FINGER TO NOSE:
During the Instruction Stage, LEWIS was unable to follow instructions by remaining in the demonstrated position, and started before being told to do so. During the Performance Stage, on the second right, the subject missed the tip of his nose. On the third right, the subject missed the tip of his nose. On the third left, the subject missed the tip of his nose.

PALM PAT:
During the Instruction Stage, the subject began the task before being told to do so. During the Performance Stage, the subject rolled his hands, had a chopped pat, did not increase speed, and did not keep his hands parallel.

HAND COORDINATION:
During the Instruction Stage, the subject was unable to follow instructions by not remaining in the demonstrated position, and started before being told to do so. During the Performance Stage, during Task 3, the subject counted from 1 to 3, did not bring his fist to his chest, and clapped his hands.

At 1653 hours I placed LEWIS under arrest for BUI and transported him to the Palm Beach County Jail, arriving at 1805 hours. At the Jail, the subject refused to provide a breath sample after being read implied consent and was charged accordingly.

Narrative

Narrative Date/Time	Narrative Synopsis
8/27/2018 11:56:59 AM	

Reporting Officer	Officer Rank	Officer ID No	Officer Org/Unit
BRODBECK, JAMES J	OFFICER	WN957	FWSA\SO REGION A\PALM BEACH

Officer Signature	Officer Agency
	FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

On Wednesday, August 22, 2018 at approximately 1620 hours, I, Officer James Brodbeck of the Florida Fish and Wildlife Conservation Commission, was on vessel patrol in Jupiter, Palm Beach County. I observed a vessel, FL 9616 CE, accelerate to planing speed while in a posted Slow Speed Zone at the SR 707 Bridge, ICW. I obseved BLAKE R. LEWIS in actual physical control of the vessel with his hands on the wheel and throttle. I activated my blue lights to initiate a vessel stop to address the violation. JEFFREY S. SMAJDOR, who was sitting on the starboard side of the vessel, took control

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Report Date / Time	Report Number	Report Case/Cad Number	Reporting Officer Rank / ID	Reporting Officer Name
8/22/2018 6:40:05 PM	ISR053151 (01)	FWSA18OFF007903 /F WLR18CAD013736	OFFICER / WN957	BRODBECK, JAMES J

Originating Agency ORI	Reported to Agency Date	Occur Date Range	Jurisdiction	Status: Clearance:
FL0508000		08/22/2018 16:21:45 -	State Lands	

Offense Description
S1B BUI - BOAT

Charge: FEDERAL CODE

Counts	Charge	Arrest Offense Code Description
1	327.50(1)(a)	INFRACTION

Charge Degree	Charge Level	General Offense Code
N/A	INFRACTION COURT NOT REQUIRED	

Charge Description
VIOLATION OF VESSEL SAFETY REGULATIONS (33CFR & 46CFR)

UCR Code / UCR Description

Administrative Code - Description
33CFR175.15 - PFD - INSUFFICIENT NUMBER (RECREATIONAL)

Charge: STATE STATUTE

Counts	Charge	Arrest Offense Code Description
1	327.35215(1)	INFRACTION

Charge Degree	Charge Level	General Offense Code
N/A	INFRACTION COURT NOT REQUIRED	

Charge Description
REFUSAL TO SUBMIT TO BLOOD/BREATH/URINE TO PURSUANT TO FS327.352

UCR Code / UCR Description

Charge: STATE STATUTE

Counts	Charge	Arrest Offense Code Description
1	328.48(5)	INFRACTION

Charge Degree	Charge Level	General Offense Code
N/A	INFRACTION COURT NOT REQUIRED	

Charge Description
BOATING-FAILURE TO DISPLAY / IMPROPER DISPLAY OF REGISTRATION DECAL, FAILURE TO REMOVE EXPIRED DECAL

UCR Code / UCR Description

Charge: STATE STATUTE

Counts	Charge	Arrest Offense Code Description
1	327.359	DUI-UNLAW BLD ALCH

Charge Degree	Charge Level	General Offense Code
FIRST DEGREE	MISDEMEANOR	

Charge Description
BUI, REFUSAL TO SUBMIT TO 2ND OR SUBSEQUENT TEST (BREATH TEST)

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2018MM9656NB

Incident Summary Report

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
1937 BANANA GROVE ROAD
MOORE HAVEN, FL.

Report Date / Time	Report Number	Report Case/Cad Number	Reporting Officer Rank / ID	Reporting Officer Name
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Originating Agency ORI	Reported to Agency Date	Occur Date Range	Jurisdiction	Status: Clearance:
FL0508000		08/22/2018 16:21:45 -	State Lands	

Offense Description
S1B BUI - BOAT

LOCATION(S)

County	Location Type	Location Description
PALM BEACH	INCIDENT LOCATION	BRIDGE 707 BRIDGE JUPITER X2[CR-707]

Street Number	Street	Apt/Lot/Bldg	City	State	Zip Code	Phone Number	Ext.
	BEACH RD		JUPITER	FL	33469		

Person: DEFENDANT

First Name	Middle Name	Last Name	Suffix	Race	Sex	Height	Weight	Hair	Eyes
JEFFREY	SCOTT	SMAJDOR		WHITE	MALE	5'07"	140	BROWN	BROWN

MNI #	SSN	Date of Birth	Age	Place of Birth	Drivers License or other ID	State	ID Type
		07/12/1987	31	, ,	S523437872520	FL	E

Addresses
• RESIDENCE / 354 NW CLARIA CT, PORT ST LUCIE, FL 34986 /

Person: DEFENDANT

First Name	Middle Name	Last Name	Suffix	Race	Sex	Height	Weight	Hair	Eyes
BLAKE	ROBERT	LEWIS		WHITE	MALE	6'02"	220	BROWN	BLUE

MNI #	SSN	Date of Birth	Age	Place of Birth	Drivers License or other ID	State	ID Type
		04/22/1988	30	, ,	L200076881420	FL	E

Addresses
• RESIDENCE / 2614 SE RANCH ACRES CIRCLE, JUPITER, FL 33478 /

Charge: STATE STATUTE

Counts	Charge	Arrest Offense Code Description
1	327.35(1)(a)	DUI-UNLAW BLD ALCH

Charge Degree	Charge Level	General Offense Code
FIRST DEGREE	MISDEMEANOR	

Charge Description
OPERATING A VESSEL WHILE NORMAL FACULTIES IMPAIRED

UCR Code / UCR Description

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SHARON R BOCK, CLERK
PALM BEACH COUNTY, FLORIDA
2018 AUG 30 PM 2:38
COUNTY CRIMINAL

Report Date / Time	Report Number	Report Case/Cad Number	Reporting Officer Rank / ID	Reporting Officer Name
8/22/2018 6:40:05 PM	ISR053151 (01)	FWSA18OFF007903 /F WLR18CAD013736	OFFICER / WN957	BRODBECK, JAMES J

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FL0508000		08/22/2018 16:21:45 -	State Lands	

Offense Description
S1B BUI - BOAT

UCR Code / UCR Description

Vessel: USED IN CRIME

Year	Make	Type	Color	Hull Material
1982	BOSTON WHALER INC	OPEN MOTORBOAT	WHITE	FIBERGLASS

Vessel Name	State	Registration Number	Tag Expiration	Vessel HIN	Vessel Doc Number
	FL	FL9616CE	07/12/2019	BWC1281CM82B	

Owner Type	Vessel Value ($)	Length	Fuel Type	Propulsion	Number of Engines / Type	Total HP
OTHER		15	GAS	Propeller	1 / OUTBOARD	

Vessel Owner	Vessel Released To Person	Vessel Released By Officer

Narrative

Narrative Date/Time	Narrative Synopsis
8/27/2018 11:42:57 AM	

Reporting Officer	Officer Rank	Officer ID No	Officer Org/Unit
BRODBECK, JAMES J	OFFICER	WN957	FWSA\SO REGION A\PALM BEACH

Officer Signature	Officer Agency
	FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

On Wednesday, August 22, 2018 at approximately 1620 hours, I, Officer James Brodbeck of the Florida Fish and Wildlife Conservation Commission, was on vessel patrol in Jupiter, Palm Beach County. I observed a vessel, FL 9616 CE, accelerate to planing speed while in a posted Slow Speed Zone at the SR 707 Bridge, ICW. I obseved BLAKE R. LEWIS in actual physical control of the vessel with his hands on the wheel and throttle. I activated my blue lights to initiate a vessel stop to address the violation. JEFFREY S. SMAJDOR, who was sitting on the starboard side of the vessel, took control of the vessel from LEWIS, and brought the vessel to a slow speed. I observed 5 persons on board the vessel, including a child. The vessel displayed a registration decal which expired 7/2018. I asked SMAJDOR if there were 5 life jackets on board. SMAJDOR held up a clear bag with 4 life jackets inside, and stated "Yes, they're in here." I observed numerous empty beer cans on the deck of the vessel as well as in a 5 gallon bucket in the stern. Both male subjects were very sunburned, had bloodshot eyes, and the odor of an alcoholic beverage emitting from their breath. Both were slow to answer questions related to safety equipment on board, how long they had been on the boat for, and where they were going. Based on my observations of both male subjects operating the vessel, I asked both to perform Standardized Seated Field Sobriety Tasks. Both agreed.

For LEWIS:

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of the vessel from LEWIS, and brought the vessel to a slow speed. I observed 5 persons on board the vessel, including a child. The vessel displayed a registration decal which expired 7/2018. I asked SMAJDOR if there were 5 life jackets on board. SMAJDOR held up a clear bag with 4 life jackets inside, and stated "Yes, they're in here." I observed numerous empty beer cans on the deck of the vessel as well as in a 5 gallon bucket in the stern. Both male subjects were very sunburned, had bloodshot eyes, and the odor of an alcoholic beverage emitting from their breath. Both were slow to answer questions related to safety equipment on board, how long they had been on the boat for, and where they were going. Based on my observations of both male subjects operating the vessel, I asked both to perform Standardized Seated Field Sobriety Tasks. Both agreed. For SMAJDOR:

Horizontal Gaze Nystagmus:
During HGN, SMAJDOR displayed a lack of smooth pursuit in both eyes, distinct and sustained nystagmus at maximum deviation in both eyes, and an onset of nystagmus prior to 45 degrees in both eyes.

Finger to Nose:
During the Instruction Stage, the subject started before being told to do so. During the Performance Stage, on the first right, the subject did not use his fingertip (pad). On the second left, the subject did not use his fingertip (pad). On the second right, the subject did not use his fingertip (pad). On the third right, the subject did not use his fingertip (pad). On the third left, the subject did not use his fingertip (pad).

Palm Pat:
During the Performance Stage, the subject rolled his hands, had a double pat, had a chopped pat, did not increase speed after being told to do so, and rotated his hands.

Hand Coordination:
During the Instruction Stage, the subject was unable to follow instructions by not remaining in the demonstrated position. During the Performace Stage, Task 3, the subject counted improperly, and did not return his left fist to his chest. The subject did not perform Task 4.

At 1653 I placed the subject under arrest for BUI. Lt. Ben Hankinson transported the subject to the Palm Beach County Jail, arriving at 1805. At the Jail, the subject refused to provide a breath sample after being read implied consent. SMAJDOR had a prior refusal to submit to a lawful test of breath, blood, or urine, and was charged accordingly. Additionally, SMAJDOR was issued Uniform Boating Citations for Insufficient number of PFD's on board and Displaying expired registration.

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Originating Agency ORI	Reported to Agency Date	Occur Date Range	Jurisdiction	Status: Clearance:
FL0508000		08/22/2018 16:21:45 -	State Lands	

Offense Description
S1B BUI - BOAT

Picture

Picture Date Time	Picture Height	Picture Width	Picture Size	Resized
8/22/2018 4:54:42 PM	1080	1440	1067 KB	True

Description
Empty beer cans on deck of vessel.



NOT CERTIFIED COPY

Sup #	Officer Name	Officer Rank	Involvement On Report	Reporting Role	ID #	Org/Unit	Officer Agency
01	BRODBECK, JAMES J	OFFICER		REPORTING OFFICER	WN957	FWSA\SO REGION A\PALM BEACH	FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

Field Sobriety Task Performance Report

Subject Name BLAKE R. LEWIS Start time 1641

PRE-TASK QUESTIONS (select)

	Y	N	Notes:
Do you have any physical defects or disabilities?	☐	☒	
Do you have any defects with your eyes?	☐	☒	
Are you sick or injured?	☐	☒	
Are you under the care of a doctor or dentist?	☐	☒	
Are you taking any medication or drugs?	☐	☒	

GENERAL INSTRUCTIONS:

Please sit straight at the front edge of your seat. Put your arms down at your sides. Place your feet shoulder-width apart so you are comfortable and stable. Are you stable? *(Response)* YES **Do not move your feet until the tasks are over. Stay in this position and do not do anything else until I tell you to do so. Do you understand?** *(Response)* YES

HORIZONTAL GAZE NYSTAGMUS

Have the subject remove their eyeglasses, if worn.

Are you wearing contact lenses? ☐ *Yes* ☒ *No*

I am going to check your eyes. Hold your head still and follow the stimulus with your eyes only. Do you understand? *(Response)*

Elevate the stimulus about 12-15" from the subject's nose. Check for equal pupil size, resting nystagmus and equal tracking.

Clues	Left	Right
Lack of smooth pursuit	☒	☒
Distinct & sustained nystagmus at max. deviation	☒	☒
Onset of nystagmus prior to 45-degrees	☒	☒
Total Clues		6

Vertical nystagmus: **Yes** ☐ **No** ☒ **Evaluation Criteria: 4 or more clues**

FINGER TO NOSE

- **Make a fist with both hands, extend your index fingers and turn your palms forward. Remain in this position while I explain the task.** *(Demonstrate)* **Do you understand?** *(Response)* YES
- **When I say begin, tilt your head back to about a 45° angle and close your eyes.** *(Demonstrate)*
- **When I tell you to, touch the tip of your nose with the tip of your index finger and immediately return it to your side.** *(Demonstrate and explain the fingertip, pad and side of fingers and demonstrate touching tip of the nose)*
- **When I say right, you must touch your right index finger to your nose; when I say left, you must touch your left index finger to your nose. Do you understand?** *(Response)* YES
- **Begin.** *(After head tilt...)* **Left...Right...Left...Right...Right...Left** *(After performance...)* **Open your eyes and straighten your head.**

Instruction Stage		Performance Stage	
Unable to follow instructions	☒	Did not close eyes	☐
Started at wrong time	☒	Did not tilt head	☐
		Opened eyes during task	☐
		Moved head during task (1"+)	☐

	Left	Right	Left	Right	Right	Left	
Wrong hand	☐	☐	☐	☐	☐	☐	Wrong hand
Wrong finger	☐	☐	☐	☐	☐	☐	Wrong finger
Hesitated	☐	☐	☐	☐	☐	☐	Hesitated
Searched	☐	☐	☐	☐	☐	☐	Searched
Not fingertip	☐	☐	☐	☐	☐	☐	Not fingertip
Missed nose	☐	☐	☐	☒	☐	☒	Missed nose
Did not bring down	☐	☐	☐	☐	☐	☐	Did not bring down

SUBJ. DID NOT REMAIN IN DEMONSTRATED POSITION.
SUBJ. STARTED TASK BEFORE BEING TOLD TO DO SO.

Total Clues

Evaluation Criteria: 9 or more clues

PALM PAT

- **Place your hands palm to palm with one hand up and one hand down, like this.** *(Demonstrate)* **Remain in this position while I explain the task. Do you understand?** *(Response)* YES
- **When I tell you to begin, turn the top hand over and count out loud "one," then turn the hand back over and count out loud "two," counting only when the hands make contact, like this.** *(Demonstrate at least two sets)*
- **Repeat this, speed up as you go, and do not stop until told. Make sure to keep your hands and fingers parallel during each pat, like this.** *(Demonstrate)* YES
- **Do you understand?** *(Response)* **Begin.** *(If necessary, tell to speed up)*

Instruction Stage	
Unable to follow instructions	☐
Started at wrong time	☒
Performance Stage	
Did not count as instructed	☐
Rolled hands	☒
Double pat	☐
Chopped pat	☒
Other improper pat (document)	☒
Did not increase speed	☒
Rotated hands	☐
Stopped before told	☐
Total Clues	

Evaluation Criteria: 2 or more clues

ALSO DID NOT KEEP HANDS PARALLEL.

HAND COORDINATION

- **Make fists with both hands, place your left fist at the center of your chest and your right fist against your left fist, like this.** *(Demonstrate)*
- **Remain in this position while I explain the tasks. Do you understand?** *(Response)* YES
- **When I say begin, you must perform four tasks.**
- **The first task is to count out loud from one to four while you move your fists in a step-like fashion, making contact between your fists at each step.** *(Demonstrate while counting out loud 1, 2, 3, 4)*
- **The second task is to memorize the position of your fists after you have counted to four, clap your hands three times and return your fists to the memorized position.** *(Demonstrate)*
- **The third task is to move your fists in a step-like fashion in reverse order; counting out loud from five to eight and returning your left fist to your chest.** *(Demonstrate while counting out loud 5, 6, 7, 8)*
- **The fourth task is to open your hands with palms down and place them in your lap.** *(Demonstrate)*
- **Do you understand?** *(Response)* **Begin.** YES

*DEMONSTRATED 3 TIMES

CLAPPED AGAIN AFTER TASK 3

Instruction Stage	
Unable to follow instructions	☒
Started at wrong time	☒
Performance Stage	
Task 1 – Forward Steps	
Improper count	☐
Improper touch	☐
Did not perform	☐
Task 2 – Hand Clapping	
Improper count	☐
Improper touch	☐
Improper return	☐
Did not perform	☐
Task 3 – Return Steps	
Improper count	☒
Improper touch	☐
Did not return left fist to chest	☒
Did not perform	☐
Task 4 – End Position	
Improper position	☐
Did not perform	☒
Total Clues	

Evaluation Criteria: 3 or more clues

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Arrest Report

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
1937 BANANA GROVE ROAD
MOORE HAVEN, FL.

Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
8/22/2018 06:40 PM	C-1190AA	FWSA18OFF007903 /FWLR18 CAD013736	BRODBECK, JAMES J

Originating Agency ORI	Occur Date Time Range	Jurisdiction	Clearance
FL0488000	08/22/2018 16:21:45 -		

Location of Occurrence

County	Location Type	Location Description
PALM BEACH	PUBLIC PLACE	BRIDGE 707 BRIDGE JUPITER X2[CR-707]

Street Number	Street	Apt/Lot/Bldg	City	State	Zip Code
	BEACH RD		JUPITER	FL	33469

Defendant

First Name	Middle Name	Last Name	Suffix	Race	Sex	Height	Weight	Hair	Eyes
BLAKE	ROBERT	LEWIS		WHITE	MALE	604			

MNI #	SSN	Date of Birth	Age	Place of Birth	Drivers License or other ID	State	ID Type
		04/22/1988			L200076881420	FL	E

Address
* RESIDENCE / 2614 SE RANCH ACRES CIRCLE , JUPITER, FL 33478 /

Arrest

Arrest Date/Time	Arrest Location Type	Arrest Location Description
8/22/2018 4:53:45 PM	PUBLIC PLACE	

Street Number	Street	Apt/Lot/Bldg	County	City	State	Zip Code
	BEACH RD		PALM BEACH	JUPITER	FL	33469

Charge : STATE STATUTE

Counts	Charge	Bond Amount	
1	327.35(1)(a)	$0.00	☐ No Bond

Charge Degree	Charge Level	General Offense Code
FIRST DEGREE	MISDEMEANOR	DUI-UNLAW BLD ALCH

Charge Description
OPERATING A VESSEL WHILE NORMAL FACULTIES IMPAIRED

Bond Set by Court

Bond Amount	No Bond?
$0.00	No

Bond Type(s)

Probable Cause

On Wednesday, August 22, 2018 at approximately 1620 hours, I, Officer James Brodbeck of the Florida Fish and Wildlife Conservation Commission, was on vessel patrol in Jupiter, Palm Beach County. I observed a vessel, FL 9616 CE, accelerate to planing speed while in a posted Slow Speed Zone at the SR 707 Bridge, ICW. I obseved BLAKE R. LEWIS in actual physical control of the vessel. I activated my blue lights to initiate a vessel stop to address the violation. JEFFREY S. SMAJDOR,

NOT A CERTIFIED COPY

Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
8/22/2018 06:40 PM	C-1190AA	FWSA18OFF007903 /FWLR18 CAD013736	BRODBECK, JAMES J

Originating Agency ORI	Occur Date Time Range	Jurisdiction	Clearance
FL0488000	08/22/2018 16:21:45 -		

who was sitting on the side of the vessel, took control of the vessel and brought the vessel to a slow speed. I observed 5 persons on board the vessel, including a child. The vessel had only 4 life jackets on board. I observed numerous empty beer cans on the deck of the vessel as well as in a 5 gallon bucket in the stern. Both male subjects were very sunburned, had bloodshot eyes, and the odor of an alcoholic beverage emitting from their breath. Based on both male subjects operating the vessel, I asked both to perform Standardized Seated Field Sobriety Tasks. Both agreed. For LEWIS:

Horizontal Gaze Nystagmus:
During HGN, LEWIS displayed a lack of smooth pursuit in both eyes, distinct and sustained nystagmus at maximum deviation in both eyes, and an onset of nystagmus prior to 45 degrees in both eyes.

FINGER TO NOSE:
During the Instruction Stage, LEWIS was unable to follow instructions by remaining in the demonstrated position, and started before being told to do so. During the Performance Stage, on the second right, the subject missed the tip of his nose. On the third right, the subject missed the tip of his nose. On the third left, the subject missed the tip of his nose.

PALM PAT:
During the Instruction Stage, the subject began the task before being told to do so. During the Performance Stage, the subject rolled his hands, had a chopped pat, did not increase speed, and did not keep his hands parallel.

HAND COORDINATION:
During the Instruction Stage, the subject was unable to follow instructions by not remaining in the demonstrated position, and started before being told to do so. During the Performance Stage, during Task 3, the subject counted from 1 to 3, did not bring his fist to his chest, and clapped his hands.

At 1653 hours I placed LEWIS under arrest for BUI and transported him to the Palm Beach County Jail, arriving at 1805 hours. At the Jail, the subject refused to provide a breath sample after being read implied consent.

NOT A CERTIFIED COPY

Court

Court County	Court Location
PALM BEACH	3228 GUN CLUB ROAD WEST PALM BEACH, FL 33406

Court	Court Phone	Court Appereance Date / Time	Court Fine
PALM BEACH COUNTY COURT AT GUN CLUB	(561) 688-4640	09/26/2018 1:00 PM	

Comments

Officer Name	Officer Rank	Involvement On Report	ID #	Org/Unit	Officer Agency
BRODBECK, JAMES J	OFFICER		WN957	FWSA\SO REGION A\PALM BEACH	FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
8/22/2018 06:40 PM	C-1190AA	FWSA18OFF007903 /FWLR18 CAD013736	BRODBECK, JAMES J

Originating Agency ORI	Occur Date Time Range	Jurisdiction	Clearance
FL0488000	08/22/2018 18:21:45 -		

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the probable cause associated with this report:

Reporting Officer

Officer Name	Office Rank	Officer ID No
BRODBECK, JAMES J	OFFICER	WN957

Officer Agency

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

Officer Signature

Sworn and subscribed before me, the undersigned authority

This the 22 day of August, 2018

DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT

KERIANNE MCMAHON
Notary Public - State of Florida
Commission # GG 036116
My Comm. Expires Oct 5, 2020
Bonded through National Notary Assn.

NOT A CERTIFIED COPY

V445936

UNIFORM BOATING CITATION

COMPLAINT

COUNTY OF: PALM BEACH (50)
CITY OF (IF APPLICABLE): JUPITER (54)
AGENCY: FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

IN THE COURT DESIGNATED BELOW THE UNDERSIGNED AFFIRMS THAT HE/SHE HAS JUST AND REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT ON

DAY OF WEEK	MONTH	DAY	YEAR	TIME OF DAY
WEDNESDAY	AUGUST	22	2018	18:34 PM

VIOLATOR / DEFENDANT

NAME (FIRST MIDDLE LAST): BLAKE ROBERT LEWIS
STREET: 2614 SE RANCH ACRES CIRCLE
CITY: JUPITER
STATE: FL
ZIP CODE: 33478
DIFFERENT THAN REGISTRATION ☐
TELEPHONE NUMBER:
DATE OF BIRTH & AGE: 4/22/1988 30
RACE: W
SEX: M
HEIGHT: 604
DRIVER LICENSE OR OTHER I.D. NUMBER: L200076881420
STATE: FL
TYPE OF I.D.: E
EXPIRES ON: 4/22/2026

VESSEL

VESSEL REGNO	ST	EXPIRES ON	HIN	YEAR	COLOR
FL9616CE	FL	7/12/2019	BWC1281CM82E	1982	WHITE

MAKE: BOSTON WHALER INC
TYPE:
PROPULSION: Propeller
HP:
FUEL: GAS
LENGTH: 15 FEET

LOCATION

UPON THE WATERS OF THE STATE OF FLORIDA, OR OTHER LOCATION, NAMELY: N 26 57.1629 W 80 4.7209
707 BRIDGE ICW

VIOLATION

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE
IN VIOLATION OF A: STATE STATUTE
VIOLATION: 327.35(1)(a)
B.A.L. %
CRIMINAL VIOLATION COURT REQUIRED
VIOLATION DESCRIPTION: OPERATING A VESSEL WHILE NORMAL FACULTIES IMPAIRED

CODE VIOLATION (IF APPLICABLE)

CODE VIOLATION DESCRIPTION

DESCRIPTION OF VIOLATIONS OR COMMENTS PERTAINING TO OFFENSE

ACCIDENT CASE	CAUSED ACCIDENT	PROPERTY DAMAGE AMOUNT	INJURIES	FATALITIES
N	N	N	N	N

COURT APPEARANCE IS MANDATORY

I AGREE AND PROMISE TO COMPLY AND ANSWER TO THE CHARGES AND INSTRUCTIONS SPECIFIED IN THIS CITATION. WILLFUL REFUSAL TO POST BOND OR ACCEPT AND SIGN THIS CITATION MAY RESULT IN ARREST. FAILURE TO APPEAR OR PROPERLY RESPOND TO THIS CITATION IS A SEPARATE AND ADDITIONAL CRIME.

▶ IN CUSTODY
X SIGNATURE OF DEFENDANT
OFFICER INSTRUCTIONS TO DEFENDANT / NOTES

COURT LOCATION FOR APPEARANCES: PALM BEACH COUNTY COURT AT GUN CLU
3228 GUN CLUB ROAD
WEST PALM BEACH, FL 33406
COURT DATE/TIME: 9/26/2018 1:00 PM
COURT TELEPHONE: (561) 688-4640

ARREST DELIVERED TO [X]
DATE OF ARREST: 8/22/2018

RANK / SIGNATURE AND IDENTITY OF OFFICER
OFFICER BRODBECK, JAMES J
ORG / UNIT: FWSA\SO REGION A\P
I.D. NUMBER: WN957

FWC 190 (05/2002) COURT COPY (COMPLAINT)

CASE NO. _____ DOCKET NO. _____ PAGE NO. _____

COURT ACTION AND OTHER ORDERS

BAIL FIXED AT $_____ OR CASH DEPOSIT OF $_____

_____
SIGNATURE OF PERSON GIVING BOND

_____
SIGNATURE OF PERSON TAKING BOND

FINE IN THE AMOUNT OF $_____ RECEIVED AS REQUIRED BY COURT SCHEDULE.

Administrative Code Violation (If Applicable):

_____
SIGNATURE OF CLERK

CONTINUANCE TO _____ REASON _____
CONTINUANCE TO _____ REASON _____
BOND ENTREATED _____
WARRANT ISSUED _____
DEFENDANT FAILED TO APPEAR _____
DEFENDANT ARRAIGNED ON _____ (DATE)
PLEA _____
SENTENCE FINE _____ COST _____
JAILED _____ DAYS _____
PROBATION _____ DAYS _____
BOATER IMPROVEMENT SCHOOL REQUIRED [ ] YES [ ] NO
SUBSTANCE ABUSE SCHOOL [ ] YES [ ] NO
OTHER _____

_____
SIGNATURE OF JUDGE

TESTIMONY - JUDGES NOTES (OR OTHER COURT ORDERS)

SHARON R BOCK, CLERK
2018 AUG 30 PM 2:38
PALM BEACH COUNTY, FLORIDA
COUNTY CRIMINAL

NOT A CERTIFIED COPY

V445937

UNIFORM BOATING CITATION

COMPLAINT

COUNTY OF: **PALM BEACH (50)**
CITY OF (IF APPLICABLE): **JUPITER (54)**
AGENCY: **FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION**

IN THE COURT DESIGNATED BELOW THE UNDERSIGNED AFFIRMS THAT HE/SHE HAS JUST AND REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT ON

DAY OF WEEK	MONTH	DAY	YEAR	TIME OF DAY	
WEDNESDAY	AUGUST	22	2018	18:34	PM

VIOLATOR / DEFENDANT

NAME (FIRST MIDDLE LAST): **BLAKE ROBERT LEWIS**
STREET: **2614 SE RANCH ACRES CIRCLE**
CITY: **JUPITER**
STATE ZIP CODE: **FL 33478**
DIFFERENT THAN REGISTRATION ☐
TELEPHONE NUMBER
DATE OF BIRTH & AGE: **4/22/1988 30**
RACE: **W**
SEX: **M**
HEIGHT: **604**
DRIVER LICENSE OR OTHER I.D. NUMBER: **L200076881420**
STATE: **FL**
TYPE OF I.D.: **E**
EXPIRES ON: **4/22/2026**

VESSEL

VESSEL REGNO	ST	EXPIRES ON	HIN	YEAR	COLOR
FL9616CE	FL	7/12/2019	BWC1281CM82E	1982	WHITE

MAKE: **BOSTON WHALER INC**
TYPE
PROPULSION: **Propeller**
HP
FUEL: **GAS**
LENGTH: **15 FEET**

LOCATION

UPON THE WATERS OF THE STATE OF FLORIDA, OR OTHER LOCATION, NAMELY: **N 26 57.1629 W 80 4.7209**
707 BRIDGE ICW

VIOLATION

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE
IN VIOLATION OF A: **STATE STATUTE**
VIOLATION: **327.35215(1)**
B.A.L. %
INFRACTION COURT NOT REQUIRED
VIOLATION DESCRIPTION
REFUSAL TO SUBMIT TO BLOOD/BREATH/URINE TO PURSUANT TO FS327.352
CODE VIOLATION (IF APPLICABLE)
CODE VIOLATION DESCRIPTION
DESCRIPTION OF VIOLATIONS OR COMMENTS PERTAINING TO OFFENSE

ACCIDENT CASE	CAUSED ACCIDENT	PROPERTY DAMAGE AMOUNT	INJURIES	FATALITIES
N	N	N	N	N

MAIL IN FINE OR COURT APPEARANCE

I AGREE AND PROMISE TO COMPLY AND ANSWER TO THE CHARGES AND INSTRUCTIONS SPECIFIED IN THIS CITATION. WILLFUL REFUSAL TO POST BOND OR ACCEPT AND SIGN THIS CITATION MAY RESULT IN ARREST. FAILURE TO APPEAR OR PROPERLY RESPOND TO THIS CITATION IS A SEPARATE AND ADDITIONAL CRIME.

▶ IN CUSTODY
X SIGNATURE OF DEFENDANT

MAIL IN FINE **$500.00** PAY WITHIN **30 DAYS**

OFFICER INSTRUCTIONS TO DEFENDANT / NOTES

MAIL FINE TO COURT
PALM BEACH COUNTY COURT AT GUN CLUB
3228 GUN CLUB ROAD
WEST PALM BEACH, FL 33406

PAYABLE BEFORE
COURT TELEPHONE
(561) 688-4640

ARREST DELIVERED TO ☐
DATE OF ARREST

RANK / SIGNATURE AND IDENTITY OF OFFICER
OFFICER BRODBECK, JAMES J
ORG / UNIT: **FWSA\SO REGION A\P**
I.D. NUMBER: **WN957**

FWC 190 (05/2002) **COURT COPY (COMPLAINT)**

CASE NO. _____ DOCKET NO. _____ PAGE NO. _____

COURT ACTION AND OTHER ORDERS

BAIL FIXED AT $_____ OR CASH DEPOSIT OF $_____

_____
SIGNATURE OF PERSON GIVING BOND

_____
SIGNATURE OF PERSON TAKING BOND

FINE IN THE AMOUNT OF $_____ RECEIVED AS REQUIRED BY COURT SCHEDULE

Administrative Code Violation (If Applicable):

_____
SIGNATURE OF CLERK

CONTINUANCE TO _____ REASON _____
CONTINUANCE TO _____ REASON _____
BOND ENTREATED _____
WARRANT ISSUED _____
DEFENDANT FAILED TO APPEAR _____
DEFENDANT ARRAIGNED ON _____(DATE)
PLEA _____
SENTENCE FINE _____ COST _____
JAILED _____ DAYS _____
PROBATION _____ DAYS _____
BOATER IMPROVEMENT SCHOOL REQUIRED [ ] YES [ ] NO
SUBSTANCE ABUSE SCHOOL [ ] YES [ ] NO
OTHER _____

_____
SIGNATURE OF JUDGE

TESTIMONY - JUDGES NOTES (OR OTHER COURT ORDERS)

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STATE OF FLORIDA
FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
DIVISION OF LAW ENFORCEMENT

REFUSAL TO SUBMIT TO BREATH, URINE OR BLOOD TESTING

In the County Court of the 15TH Judicial
Circuit in and for PALM BEACH County, Florida

STATE OF FLORIDA
(PLAINTIFF)

V.

BLAKE R. LEWIS
DEFENDANT

Uniform Boating Citation No.
V445936

AFFIDAVIT

I, JAMES BRODBECK, a law enforcement officer, who having been duly sworn, certify and state the following:

1. That on WEDNESDAY (Day of Week), AUGUST 22 (Date (Month & Day)), 20 18 (Year) at 4:53 (Time) ☐ AM ☒ PM probable cause existed to arrest the above named Defendant for a violation of section 327.35, Florida Statutes, as set forth in the attached narrative which is incorporated by references as if set forth fully herein.
2. That on that date and that time:
   ☒ The Defendant was under lawful arrest for an offense committed while the Defendant was operating a vessel while under the influence of alcoholic beverages, chemical substances, or controlled substances, and the Defendant was requested to submit to a ☒ breath test, ☐ urine test, or ☐ both a breath and a urine test; or
   ☐ The Defendant had appeared for treatment at a hospital, clinic, or other medical facility, the administration of a breath or urine test was impractical or impossible, and the Defendant was requested to submit to a blood test.
3. The Defendant was advised of both the penalties for a failure to submit to the blood, breath or urine test and the procedure for requesting a hearing.
4. The Defendant refused to submit to the ☐ blood, ☒ breath, or ☐ urine test(s).

FURTHER AFFIANT SAYETH NOT.

Officer's Signature — N457 ID No

FWC
Law Enforcement Agency

8535 NORTHLAKE BLVD
Mailing Address

WEST PALM BEACH — FL — 33412
City — State — Zip Code

SWORN TO AND SUBSCRIBED BEFORE ME THIS 27th DAY OF August, 20 18

Notary Public or Attesting Officer

☒ Personally known to me
☐ Produced _____ as Identification

Distribution:	
Original	File with the Clerk of the County Court – Attach a probable cause narrative and a copy of the Uniform Boating Citation
2nd White	File with the Clerk of the County Court – (Disposition and Abstract of Court Record)
Blue	Mail to: FWC – Law Enforcement Records Section, 620 South Meridian Street, Tallahassee, FL 32399-1600
Yellow	Violator Copy
Pink	Retained by Officer/Agency

FWCDLE 108F (06/07)

NOT A CERTIFIED COPY

STATE OF FLORIDA
FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
DIVISION OF LAW ENFORCEMENT

REFUSAL TO SUBMIT TO BREATH, URINE OR BLOOD TESTING

In the County Court of the 15TH Judicial
Circuit in and for PALM BEACH County, Florida

STATE OF FLORIDA
(PLAINTIFF)

V.

BLAKE R. LEWIS
DEFENDANT

Uniform Boating Citation No.
V445936

AFFIDAVIT

I, JAMES BRODBECK, a law enforcement officer, who having been duly sworn certify and state the following:

1. That on WEDNESDAY (Day of Week), AUGUST 22 (Date (Month & Day)), 2018 (Year) at 4:53 (Time) ☐ AM ☒ PM probable cause existed to arrest the above named Defendant for a violation of section 327.35, Florida Statutes, as set forth in the attached narrative which is incorporated by references as if set forth fully herein.
2. That on that date and that time:
   ☒ The Defendant was under lawful arrest for an offense committed while the Defendant was operating a vessel while under the influence of alcoholic beverages, chemical substances, or controlled substances, and the Defendant was requested to submit to a ☒ breath test, ☐ urine test, or ☐ both a breath and a urine test; or
   ☐ The Defendant had appeared for treatment at a hospital, clinic, or other medical facility, the administration of a breath or urine test was impractical or impossible, and the Defendant was requested to submit to a blood test.
3. The Defendant was advised of both the penalties for a failure to submit to the blood, breath or urine test and the procedure for requesting a hearing.
4. The Defendant refused to submit to the ☐ blood, ☒ breath, or ☐ urine test(s).

FURTHER AFFIANT SAYETH NOT.

Officer's Signature — ID No 4457

FWC
Law Enforcement Agency

8535 NORTHLAKE BLVD
Mailing Address

WEST PALM BEACH — FL — 33412
City — State — Zip Code

SWORN TO AND SUBSCRIBED BEFORE ME THIS 27TH DAY OF August, 2018

Notary Public or Attesting Officer

☒ Personally known to me
☐ Produced _____ as Identification

Distribution:	
Original	File with the Clerk of the County Court – Attach a probable cause narrative and a copy of the Uniform Boating Citation
2nd White	File with the Clerk of the County Court – (Disposition and Abstract of Court Record)
Blue	Mail to: FWC – Law Enforcement Records Section, 620 South Meridian Street, Tallahassee, FL 32399-1600
Yellow	Violator Copy
Pink	Retained by Officer/Agency

FWCDLE 108F (06/07)

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SUBJECT: Lewis, Blake R 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~~ vessel AT THE TIME OF THE STOP/ACCIDENT? REFUSED

WHERE WERE YOU GOING? _____

WHAT ~~STREET OR HIGHWAY~~ waterway 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: _____ Nasr

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SUBJECT: Lewis, Blake R 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) Read on Camera

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

PBSO #0129B REV. 06/11

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TESTING FACILITY TASK REPORT

AGENCY: FWC

SUBJECT: Lewis, Blake R CASE NUMBER: 18-112221

DATE: 08/22/18 VIDEO TAPE NUMBER: N/A

BEGINNING TIME: 19:02 ENDING TIME: 19:05

BREATH TESTS RESULTS: 1) R TIME 19:03 A.M./P.M. 2) N/A TIME — A.M./P.M.

3) N/A TIME — A.M./P.M. 4) N/A TIME — A.M./P.M.

BREATH OPERATOR: K. Moynihan #22079

MAINTENANCE TECHNICIAN: J. Icarlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: Slurred

ATTITUDE: Talkative, Calm, Cooperative

CLOTHING: Black and Grey Shorts, Orange and Camo long Sleeve Shirt, Black Sandals

MEDICAL CONDITIONS: None

MEDICATIONS: None

OTHER: Eyes Glassy.

COMMENTS: Arrived at Testing Center, A/o began 20 minute Observation Period at 18:05 hrs.

REFUSED

Δ asked "if he refused?" to take test

A/o read I/C

Δ stated "NO" to taking Breath Test.

A/o read Rights

Δ stated he understood his Rights

No attempted Q+A

REFUSED

Δ declined to answer

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

PBSO CASE # 18-112221 PBSO ZONE 3-11

AGENCY CASE # FWSA18OFF07903 CRASH CASE #

TIME OF STOP/CRASH 1623 DATE 8/22/18 DAY WEDNESDAY

SUBJECT'S NAME BLAKE R. LEWIS RACE W SEX M

HGT 6'4" WGT 210 DOB 4/22/1988

LOCATION SR 707 ICW

ARRESTING OFFICER'S NAME & ID JAMES BRODBECK N957 AGENCY FWC ~~PBSO~~

DIVISION: SRA

NOTIFIED BY COMMO NO

ARRIVAL AT FACILITY 1805

ARREST TIME 1651

BREATH RESULTS:

1) REFUSED

2)

3)

4)

TESTING OFFICER'S ID 22079 PBSO VIDEOTAPE # N/A

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

PBSO CASE # 18-11222 1 PBSO ZONE 3-11

AGENCY CASE # FWSA18OFF07903 CRASH CASE #

TIME OF STOP/CRASH 1623 DATE 8/22/18 DAY WEDNESDAY

SUBJECT'S NAME BLAKE R. LEWIS RACE W SEX M

HGT 6'4" WGT 210 DOB 4/22/1988

LOCATION SR 707 1CW

ARRESTING OFFICER'S NAME & ID JAMES BRODBECK N957 AGENCY FWC ~~PBSO~~

DIVISION: SRA

NOTIFIED BY COMMO NO

ARRIVAL AT FACILITY 1805

ARREST TIME 1651

BREATH RESULTS:

1) REFUSED

2)

3)

4)

TESTING OFFICER'S ID 22079 PBSO VIDEOTAPE # N/A

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DAVID
DRIVER AND VEHICLE
INFORMATION DATABASE

STATE OF FLORIDA

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Time printed: 8/22/2018 6:31:15 PM

Record Detail

Customer Name: BLAKE ROBERT LEWIS	**Driver License Status:** Revoked on 06/06/2017	
DL/ID: L200-076-88-142-0	**SSN:** [redacted]	**Class:** E
Previous DUI: 0 *This count reflects total DUI convictions on record.*	**Previous DWLS:** 1 *This count reflects total DWLS convictions on record.*	





ORGAN DONOR
REAL ID COMPLIANT

Address: 2614 SE RANCH ACRES CIRCLE JUPITER, FL 33478-3413	**Date of Birth:** 04/22/1988	**Gender:** MALE	**Height:** 6' 4"	
Original License Issue Date: 05/23/2003	**Issued:** 12/28/2016	**Expires:** 04/22/2026	**Replaced:** 11/02/2017	
CDL Status: Non Eligible				
Form Number: X631711020688				**EIN:** 010027895217199
Citizen Status: US CITIZEN	**Country of Birth:** US OF AMERICA	**State of Birth:** FLORIDA		
Race: CAUCASIAN				

Restrictions:	**Endorsements:**	**Conditional Messages:**

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