

J# 0489565

PH 289 170102863

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

ADMINISTRATIVE	OBTS Number		Agency ORI Number <b>FLO 500000</b>		Agency Name <b>PALM BEACH COUNTY SHERIFF'S OFFICE</b>		Agency Report Number (N.T.A.'s only) <b>06-17-100623</b>		
	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 type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		Weapon Seized / Type <b>2</b> 1. Yes 2. No N/A		Multiple Clearance Indicator <b>01</b>				
	Location of Arrest (Including Name of Business) <b>2775 HOMEWOOD RD, WEST PALM BEACH, FL 33406</b>				Location of Offense (Business Name, Address) <b>2775 HOMEWOOD RD, WEST PALM BEACH, FL 33406</b>				
	Date of Arrest <b>07/10/2017</b>	Time of Arrest <b>0423</b>	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle <b>SISTER'S TOWING</b>		
DEFENDANT	Name (Last, First, Middle) <b>PEREZ DE LA LLANA JOHAN</b>		Alias (Name, DOB, Soc. Sec. #, Etc.)						
	Race W - White I - American Indian B - Black O - Oriental/Asian <b>H</b>	Sex <b>M</b>	Date of Birth <b>08/06/1983</b>	Height <b>5'08</b>	Weight <b>210</b>	Eye Color <b>BRN</b>	Hair Color <b>BRN</b>	Complexion <b>MED</b>	Build <b>MED</b>
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) <b>TAT - BOTH ARMS</b>				Marital Status <b>MARRIED</b>	Religion <b>CATHOLIC</b>	Indication of: Alcohol Influence Drug Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Unk.		
	Local Address (Street, Apt. Number) <b>4240 COLLIN DR</b>		(City) <b>WEST PALM BEACH, FL 33406</b>	(State)	(Zip)	Phone <b>(561) 215-2849</b>	Residence Type: 1. City 2. County 3. Florida 4. Out of State <b>1</b>		
	Permanent Address (Street, Apt. Number)		(City)	(State)	(Zip)	Phone	Address Source <b>VERBAL / FL DL</b>		
	Business Address (Name, Street)		(City)	(State)	(Zip)	Phone	Occupation <b>UBER DRIVER</b>		
	D/L Number, State <b>P623420832860, FL</b>		Soc. Sec. Number		INS Number		Place of Birth (City, State) <b>UNK, CUBA</b>	Citizenship <b>CUBA</b>	
	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		
	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	<input type="checkbox"/> Parent <input type="checkbox"/> Legal Custodian <input type="checkbox"/> Other: <b>D OR</b>		Address (Street, Apt. Number) (City) (State) (Zip)				Residence 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 <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		Grade			
Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No		Description of Property		Value of Property					
Drug Activity N. N/A S. Sell B. Buy P. Possess T. Traffic		S. Sell B. Buy P. Possess 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. Paraphernalia/ Equipment S. Synthetics		U. Unknown Z. Other					
Charge Description <b>DUI - REFUSAL</b>		Counts <b>1</b>	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number <b>316.193(1)</b>		Violation of ORD #			
Drug Activity <b>N</b>		Drug Type <b>N/A</b>	Amount / Unit <b>N/A</b>	Offense # <b>17-100623</b>	Warrant / Capias Number		Bond		
CHARGE	Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number		Violation of ORD #		
	Drug Activity <b>N</b>		Drug Type <b>N/A</b>	Amount / Unit <b>N/A</b>	Offense #	Warrant / Capias Number		Bond	
	Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number		Violation of ORD #		
	Drug Activity <b>N</b>		Drug Type <b>N/A</b>	Amount / Unit <b>N/A</b>	Offense #	Warrant / Capias Number		Bond	
	Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number		Violation of ORD #		
	Drug Activity <b>N</b>		Drug Type <b>N/A</b>	Amount / Unit <b>N/A</b>	Offense #	Warrant / Capias Number		Bond	
	Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number		Violation of ORD #		
	Drug Activity <b>N</b>		Drug Type <b>N/A</b>	Amount / Unit <b>N/A</b>	Offense #	Warrant / Capias Number		Bond	
	Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number		Violation of ORD #		
	Drug Activity <b>N</b>		Drug Type <b>N/A</b>	Amount / Unit <b>N/A</b>	Offense #	Warrant / Capias Number		Bond	
NOTICE TO APPEAR	Location (Court, Room Number, Address) <b>NORTH COUNTY COURTHOUSE, 3188 PGA BOULEVARD, PALM BEACH GARDENS, FL 33410 - PH: (561) 662-6700</b>								
	Court Date and Time Month <b>AUGUST</b> Day <b>2ND</b> Year <b>2017</b> Time <b>08:30</b> AM <input checked="" type="checkbox"/> PM								
	I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED UNDERSTANDING 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 <b>07/10/2017</b> Signature of Defendant (or Juvenile and Parent /Custodian) <b>SCANNED</b> Date Signed <b>JUL 13 2017</b>								
ADMIN	HOLD for other Agency Name:		Signature of Arresting Officer <b>X</b>		Name Verification (Printed by Arrestee)				
	<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal		<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:		Name of Arresting Officer (Print) <b>INV. S. LEVEY #9415</b>			I.D. # <b>9415</b>	
	Inmate Deputy <b>ASMA</b>		Pouch #		Transporting Officer <b>D/S A. RAJA</b>			ID # <b>19470</b> Agency <b>PBSO</b>	
Witness here if subject signed with an "X"								PAGE <b>1</b> OF <b>1</b>	

# D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 10TH DAY OF JULY 20 17 AT 0340 ✓ AM PM

SUBJECT: PEREZ DE LA LLANA JOHAN CASE NUMBER: 17-100623

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: INV. S. LEVEY #9415

## PERSONAL CONTACT

DRIVING PATTERN: ACTUAL PHYSICAL CONTROL (PHYSICAL EVIDENCE OR STATEMENTS PUTTING DEF. BEHIND WHEEL OF VEHICLE)  
ON 07/10/2017 I WAS REQUESTED TO RESPOND TO A VEHICLE THAT WAS LOCATED WITH A DRIVER ASLEEP BEHIND THE WHEEL. UPON MY ARRIVAL I OBSERVED THE DRIVER STILL SEATED IN THE DRIVER'S SEAT. AS I EXITED MY PATROL VEHICLE, I MADE CONTACT WITH D/S A. RAJA # 19470, WHO INFORMED ME OF THE FOLLOWING IN HIS SUPPLEMENTAL PC FORM: "ON MONDAY, JULY 10, 2017 AT APPROXIMATELY 0343 HOURS, I WAS PATROLLING IN THE 2700 BLOCK OF HOMEWOOD ROAD IN UNINCORPORATED WEST PALM BEACH, PALM BEACH COUNTY, FLORIDA. I OBSERVED A BLUE IN COLOR TOYOTA IA (BEARING FL TAG Y67RHV) STOPPED IN FRONT OF 2775 HOMEWOOD ROAD. I APPROACHED THE VEHICLE AND NOTICED THAT THE VEHICLE WAS RUNNING AND A WHITE MALE SLOUCHED OVER THE STEERING WHEEL. I KNOCKED ON THE WINDOW TO GAIN THE DRIVER'S ATTENTION. MY ACTIONS CAUSED THE DRIVER TO WAKE UP AND HE LOWERED HIS WINDOW DOWN. THE DRIVER HAD GLASSY EYES AND HIS SPEECH WAS SLURRED. I STRONG ODOR OF AN ALCOHOLIC BEVERAGE WAS EMANATING FROM HIS PERSON. THE DRIVER PRESENTED ME WITH HIS STATE OF FLORIDA DRIVER'S LICENSE; HE WAS IDENTIFIED AS JOHAN PEREZ DE LA LLANA. AS AN ACT OF SPONTANEOUS UTTERANCE, PEREZ DE LA LLANA ADVISED ME THAT HE HAD CONSUMED SIX BEERS. D/S S. LEVEY ID # 9415 RESPONDED TO THE SCENE AND THE INVESTIGATION WAS TURNED OVER TO HIM. THIS CONCLUDES MY INVOLVEMENT IN THIS CASE."

## OBSERVATION OF DRIVER:

AS I OBSERVED THE DRIVER, AS HE WAS CALLED FROM THE VEHICLE, I OBSERVED THAT HE HAD GLASSY, REDDENED EYES. I OBSERVED THAT HE HAD THE OBVIOUS ODOR OF AN UNKNOWN ALCOHOLIC BEVERAGE COMING FROM HIS PERSON, AND AS HE SPOKE WITH ME AND D/S RAJA, IT BECAME STRONGER. WHILE I CONVERSED WITH THE DRIVER, WHO WAS IDENTIFIED BY HIS FLORIDA DRIVER'S LICENSE AS JOHAN PEREZ DE LA LLANA, I OBSERVED THAT HE WAS SWAYING WHILE STANDING NEXT TO HIS VEHICLE, AND WAS INFORMING D/S RAJA AND I AS TO WHY HE WAS WHERE HE WAS.

## DRIVER'S STATEMENTS:

D/S RAJA INFORMED ME THAT JOHAN HAD SPONTANEOUSLY STATED THAT HE HAD SIX BEERS. JOHAN INFORMED ME THAT HE HAD PROBLEMS AT HOME. HE STATED TO ME THAT HE WAS DRINKING. HE SAID HE WOULD DO ROADSIDE TASKS.

## ODORS:

OBVIOUS ODOR OF AN UNKNOWN ALCOHOLIC BEVERAGE COMING FROM HIS PERSON, AND AS HE SPOKE WITH ME AND D/S RAJA, IT BECAME STRONGER.

## GENERAL OBSERVATIONS

**SPEECH:** HIS SPEECH WAS SLOW, SLURRED, AND FOREIGN.

**ATTITUDE:** HIS ATTITUDE WAS CALM AND COOPERATIVE ON THE ROADSIDES, THEN CHANGED TO CHALLENGING AND REFUSING.

**CLOTHING:** HE WAS WEARING A BLUE BUTTON DOWN SHIRT, BLACK PANTS, BLACK SHOES

**MEDICAL/OTHER:** \*\*ALL ROADSIDE TASKS WERE CONDUCTED ON IN-CAR VIDEO\*\* STATED NO MEDICAL ISSUES ON SCENE

STATE OF FLORIDA  
COUNTY OF PALM BEACH

**INV. S. LEVEY #9415**

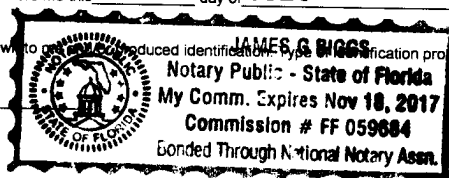
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 10TH day of JULY 20 17 by INV. S. LEVEY #9415

(Print name of Arresting/Investigative Officer), who is personally known to me by PERSONALLY KNOWN LEO

**James Biggs (#7607)**

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



## 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 checked="" type="checkbox"/> LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION | <input checked="" type="checkbox"/> RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION |
| <input checked="" type="checkbox"/> LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES          | <input checked="" type="checkbox"/> RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES          |

## Other Observations:

It should be noted that D/S Raja translated as I explained. The overhead forward facing blue police lights were turned off prior to beginning the task. Johan had difficulty not moving his head, and had to be reminded multiple times not to. Johan also had some difficulty following the stimulus, and would look past it at times when held at maximum deviation. Johan's eyes tracked equally, the pupils were the same size and appropriate for the lighting conditions, and no resting nystagmus was observed. Vertical gaze nystagmus was administered and was not observed.

## WALK &amp; TURN:

I explained and demonstrated the instructions for the walk and turn task to Johan who stated that he understood. During the task I observed that Johan had the following cues: couldn't keep balance while listening to instructions; started too soon; stops walking to steady self/regain balance; missed heel-to-toe on steps: 5 - 8 back; stepped off the line on steps: 2 back; used arms for balance one time by raising his arms over six inches; improper turn (started correctly, turned around correctly, then picked his foot up, put it back on the line and continued); took incorrect number of steps: 7 out, 8 back, then turned when not instructed.

## ONE LEG STAND:

I explained and demonstrated the instructions for the one leg stand task to Johan who stated that he understood. During the task I observed that Johan had the following cues: swayed while balancing; used arms for balance (raises arms over six inches); put foot down (before 30 seconds); could not do task (puts foot down three times)

He also started too soon by lifting his foot, multiple times. During the instructions, Johan and I began to converse in English, however when he was spoken to in Spanish by D/S Raja. Johan also was telling us that he understood my English. He did not count as instructed in English or Spanish, and counted "one, two, three." He then stopped counting. I informed him to have his foot up to six inches. He was allowed a second attempt. For his second attempt, he had to be reminded to count. D/S Raja assisted him in counting, then Johan continued.

## FINGER TO NOSE:

I explained and demonstrated the instructions for the finger to nose task to Johan. I explained what is considered the tip of the finger and tip of the nose to Johan who stated that he/she understood. During the task I observed that Johan had the following cues: did not keep eyes closed; failed to return arms to the side; finger other than index finger touches nose or index finger does not touch nose; used wrong hand for task; unable to perform task (not a cue)

The test was conducted as follows: (called in Spanish) L - he turned his head to the left, then remembered what was instructed and demonstrated, he then put his left tip to tip. I then stopped the task, and had D/S Raja inform him about the task. He again said that he understood. For his second attempt: L - tip to tip, R - tip to tip, L - pad of finger to tip of nose, R - side of finger to tip of nose, R - second knuckle area to tip of nose, L - second knuckle area to tip of nose.

## ROMBERG ALPHABET:

Prior to beginning the task, I confirmed what level of education Johan had completed. He stated that they had a college, and is a medical technician, and is familiar with the English alphabet. I explained and demonstrated the instructions for the Romberg with recitation task to Johan who stated that he understood. I asked him if he would be more comfortable counting as I noticed that he was having difficulty with english. I allowed him to choose, however he then stated that both are difficult. I asked him to count from 10 to 30 which he stated he could. During the task I observed that Johan had the following cues: did not keep eyes closed; swayed more than two inches in any direction; incorrectly recites numbers by counting to 100 before he was stopped

The modified Romberg balance was explained and demonstrated to Johan who stated that he/she understood. Johan was asked to estimate the passage of 30 seconds in their head. Johan showed the following cues: he closed his eyes and tilted his head back without being instructed. He estimated 30 seconds as 42 seconds.

BREATH TEST RESULTS:      REF      REF      N/A      N/A

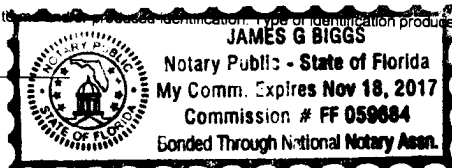
STATE OF FLORIDA  
COUNTY OF PALM BEACH

INV. S. LEVEY #9415

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 10TH day of JULY 2017 by INV. S. LEVEY #9415(Print name of Arresting/Investigative Officer), who is personally known to me, a Notary Public in and for the State of Florida, by PERSONALLY KNOWN LEOJames Biggs (#7607)

Notary Public, Clerk of Court, Officer (F.S.S. 7.10)



OBT Number		<b>PROBABLE CAUSE AFFIDAVIT</b>		1. Arrest    3. Request For Warrant 2. N.T.A.   4. Request For Capias		Juvenile <span style="border: 1px solid black; padding: 0 5px;">1</span>	N <span style="border: 1px solid black; padding: 0 5px;">N</span>
Agency ORI Number <b>FLO 5 0 0 0 0 0</b>		Agency Name <b>PALM BEACH COUNTY SHERIFF'S OFFICE</b>		Agency Report Number <b>06</b>		<b>17100623</b>	
Charge Type: Check as many as apply <input type="checkbox"/> 1. Felony <input checked="" type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other _____		Special Notes					
Defendant Name (Last, First, Middle) <b>PEREZ DE LA LLANA JOHAN</b>				Race <b>W</b>	Sex <b>M</b>	Date of Birth <b>08/06/1983</b>	
Charge <b>DUI</b>		Charge					
Charge		Charge					
Victim Name (Last, First, Middle) <b>STATE OF FLORIDA</b>				Race	Sex	Date of Birth	
Local Address (Street, Apt. Number)		City	State	Zip	Phone	Address Source	
Business Address (Street, Apt. Number)		City	State	Zip	Phone	Occupation	
The undersign swears that he/she has just and reasonable grounds to believe, and does believe that the above named Defendant committed the following violation of law. The person taken into custody... <input checked="" type="checkbox"/> committed the below acts in my presence. <input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts. <input type="checkbox"/> confessed to admitting to the below facts. <input type="checkbox"/> was found to have committed the below acts, resulting from (described) investigation.							
On the <b>10TH</b> day of <b>JULY</b> 20 <b>17</b> at <b>0343</b> <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM							

On Monday, July 10, 2017 at approximately 0343 hours, I was patrolling in the 2700 block of Homewood Road in unincorporated West Palm Beach, Palm Beach County, Florida.

I observed a blue in color Toyota IA (bearing FL tag Y67RHV) stopped in front of 2775 Homewood Road. I approached the vehicle and noticed that the vehicle was running and a white male slouched over the steering wheel. I knocked on the window to gain the driver's attention. My actions caused the driver to wake up and he lowered his window down. The driver had glassy eyes and his speech was slurred. I strong odor of an alcoholic beverage was emanating from his person. The driver presented me with his State of Florida driver's license; he was identified as Johan Perez De La Llana. As an act of spontaneous utterance, Perez De La Llana advised me that he had consumed six beers.

D/S S. Levey ID # 9415 responded to the scene and the investigation was turned over to him. This concludes my involvement in this case.

The foregoing instrument was sworn to and affirmed before me this <b>10TH</b> day of <b>JULY</b> 20 <b>17</b> , by:	
<b>D/S S. LEVEY 9415</b>	<b>D/S A. RAJA 19470</b>
Name of Notary Public / Clerk of Court / Officer (F.S.S. 117.00)	Name of Arresting/Investigating Officer
Signature of Notary Public / Clerk of Court / Officer (F.S.S. 117.00)	Signature of Arresting/Investigating Officer
Page <b>1</b> of <b>1</b>	

## WITNESS LIST

CASE NUMBER: 17-100623

ARRESTING OFFICER: INV. S. LEVEY #9415

ADDRESS: 3228 GUN CLUB RD, WEST PALM BEACH, FL 33406

PHONE NUMBERS (HOME): N/A (WORK) 561-688-3000

CAN TESTIFY TO: ARRESTING D/S - SEE REPORT

NAME: D/S A. RAJA #19470

ADDRESS: 3228 GUN CLUB RD, WEST PALM BEACH, FL 33406

PHONE NUMBERS (HOME) N/A (WORK) 561-688-3000

CAN TESTIFY TO: BACKUP OFFICER ON SCENE - ORIGINAL STOPPING D/S - SEE SUPP PC

NAME: D/S E. MIRANDA #19477

ADDRESS 3228 GUN CLUB RD, WEST PALM BEACH, FL 33406

PHONE NUMBERS (HOME) N/A (WORK) 561-688-3000

CAN TESTIFY TO: BACKUP OFFICER ON SCENE - LEFT DUE TO CALL

NAME: \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE NUMBERS (HOME) 0 (WORK) 0

CAN TESTIFY TO: \_\_\_\_\_

NAME: \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

CAN TESTIFY TO: \_\_\_\_\_

NAME: \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

CAN TESTIFY TO: \_\_\_\_\_

NAME: \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

CAN TESTIFY TO: \_\_\_\_\_

NAME: \_\_\_\_\_

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PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

CAN TESTIFY TO: \_\_\_\_\_

NAME: \_\_\_\_\_

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PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

CAN TESTIFY TO: \_\_\_\_\_

NAME: \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

CAN TESTIFY TO: \_\_\_\_\_

NAME: \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

CAN TESTIFY TO: \_\_\_\_\_

# TESTING FACILITY TASK REPORT

AGENCY: PBSO-LEVEY

SUBJECT: PEREZ DE LA LLANA, JOHAN

CASE NUMBER: 17-100623

DATE: Jul 10, 2017

VIDEO DVD NUMBER: 62966

BEGINNING TIME: 0458

ENDING TIME: 0509

BREATH TESTS RESULTS: 1) REF TIME 0505 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: J Biggs# 7607

MAINTENANCE TECHNICAN: D/S J Karkleck #6467

## TESTING OFFICER'S OBSERVATIONS

SPEECH: SPANISH SPEAKER, SLURRED

ATTITUDE: UNCOOPERATIVE, UPSET

CLOTHING: BLUE SHIRT BLACK PANTS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

## OTHER:

EYES GLASSY, RED, BLOODSHOT  
ODOR OF AN UNKNOWN ALCOHOLIC BEVERAGE ON SUBJECT

## COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 0430  
SUBJECT DID NOT WANT TO GIVE HIS BOOKING INFORMATION  
SUBJECT DID NOT ANSWER THE QUESTION IF HE WOULD GIVE BREATH OR NOT  
IMPLIED CONSENT WAS READ TO THE SUBJECT AND EXPLAINED  
SUBJECT REFUSED THE TEST ONCE AGAIN  
MIRANDA WAS READ TO SUBJECT  
SUBJECT DID NOT ANSWER QUESTIONS

SUBJECT: Perez De La Lanza, Johan

CASE NUMBER: 17-100623

## 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 Inu Levey 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

SUBJECT: Perez De La Llanos, Johan

CASE NUMBER: 17-100623

## 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: \_\_\_\_\_

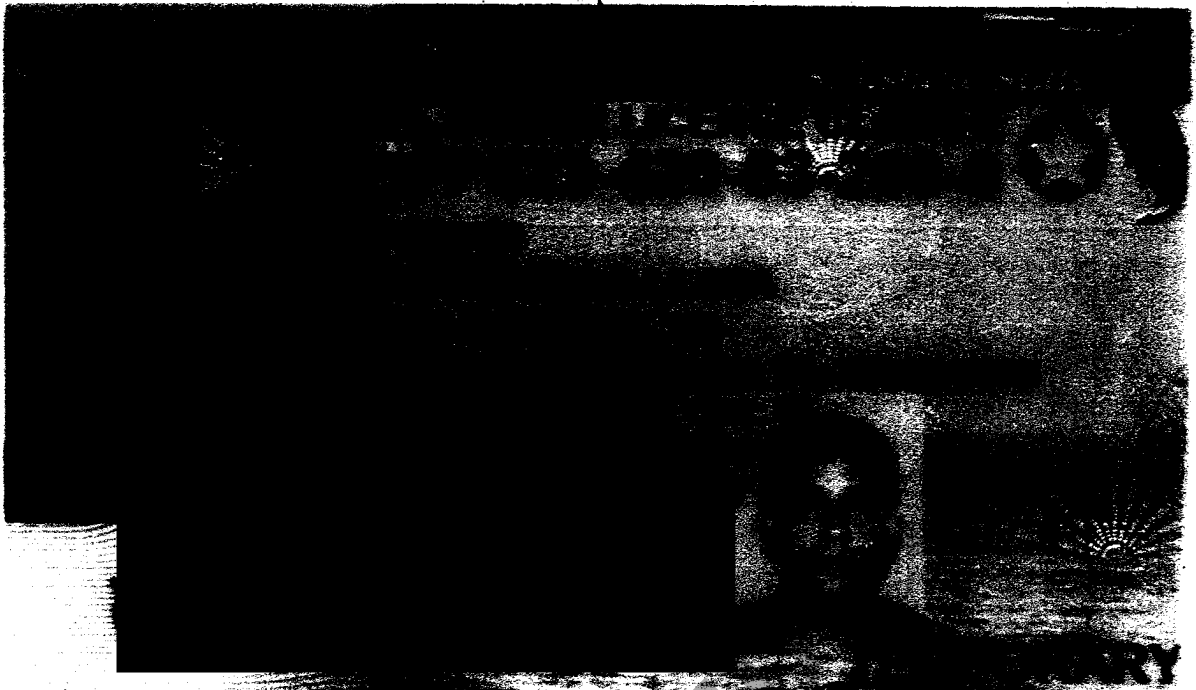
WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL





Operation of a motor vehicle constitutes consent to any sobriety test required by law.

NOT A CERTIFIED