0501102 2018CF008610AXXMB 497

ARREST / NOTICE TO APPEAR

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

1 JUVENILE

ADMINISTRATION

OBTS Number

Agency ORI Number	Agency Name	Agency Report Number (N.T.A.'s only)
0501700	Jupiter Police Department	5 4 18-004316

Charge Type: Check as many as apply. ☒ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other

If Weapon Seized: Enter Type NONE

Multiple Clearance Indicator

Location of Arrest (Including Name of Business)	Location of Offense (Business Name, Address)
INTERSTATE 95/W INDIANTOWN RD, JUPITER	7899 INTERSTATE 95/W INDIANTOWN RD, JUPITER, FL

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
08/30/2018	03:21					

DEFENDANT

Name (Last, First, Middle): WOHNER, JOHN JOE

Alias (Name, DOB, Soc. Sec. #, Etc.): Alias:

Race (W - White, B - Black, I - American Indian, O - Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	M	09/29/1974	5'10	190	HAZEL	BROWN	FAIR	Medium

Scars, Marks, Tatoos, Unique Physical Features (Location, Type, Description):

Marital Status: O

Religion:

Indication of: Alcohol Influence ☒ Yes ☐ No ☐ Unk. Drug Influence ☒

Local Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Residence Type: 1. City 3. Florida 2. County 4. Out of State
2042 ALTA MEADOWS LN 1702, DELRAY BEACH, FL 33444				(561) 654-9421	2

Permanent Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Address Source
2042 ALTA MEADOWS LN 1702, DELRAY BEACH, FL 33444				(561) 654-9421	VERBAL

Business Address (Name, Street)	(City)	(State)	(Zip)	Phone	Occupation

D/L Number, State	INS Number	Place of Birth (City, State)	Citizenship
W560470743490 / FL		WILMINGTON, DE,	US

CO-DEF

Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	
				☐ 1. Arrested ☐ 3. Felony ☐ 5. Juvenile ☐ 2. At Large ☐ 4. Misdemeanor
				☐ 1. Arrested ☐ 3. Felony ☐ 5. Juvenile ☐ 2. At Large ☐ 4. Misdemeanor

JUVENILE

☐ Parent ☐ Other: ☐ Legal Custodian — 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 Department and Released 2. TOT JAC 3. Incarcerated

Released To: (Name) — Relationship — Date — Time

The above address was provided by ☐ defendant and/or ☐ defendant's parents.
The child and/or parent was told to keep the Juvenile Court Clerk's Office (Phone 355-2526) informed of any change of address.
☐ Yes, by: ☐ No:

School Attended — Grade

Property Crime? ☐ Yes ☒ No — Description of Property — Value of Property

CODE

Drug Activity: N. N/A, P. Possess, S. Sell, B. Buy, T. Traffic, R. Smuggle, D. Deliver, E. Use, K. Disperses/ 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. Synthetic, U. Unknown, Z. Other

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #
DRUGS - Possession of Cocaine	893.13(6)(A)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N	/		1	☐ Y ☒ N		

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #
DUI - ENHANCED BAC OVER .15	316.193(4)(c)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N	/		1	☐ Y ☒ N		

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #
	AUG 30 AM 7:04	

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
		/			☐ Y ☐ N		

INTAKE

Health / Apparent Physical Condition of Defendant

Any knowledge of the following: ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deformities ☐ Injuries
Explain:

Check which applies: ☐ Released O.R. ☐ Released to Parent/Guardian ☐ T.O.T. County Jail ☐ Posted Bond ☐ South County Mental Health

PROPERTY - Received By | Released By | Released To

Transported By | Date Transported | Time Transported | Other

FILED
AUG 31 2018
SHARON R. BOCK
Clerk & Comptroller

NOTICE TO APPEAR

☒ INSTRUCTION NO. 1 - Mandatory appearance in court
☐ INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.

Location (Court, Room) | Court Date and Time

I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.

No Photo Available

Signature of Defendant (or Juvenile and Parent/Custodian) — Date Signed

ADMIN

HOLD for Other Agency
☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other

Signature of Arresting Officer: 327/1177

Name of Arresting Officer (Print): ROCHA, LUIS — I.D. #: 1177

Name Verification (Printed by Arrestee) (PRINT): Received WB

AUG 31 2018

Witness here if subject signed with an "X".

Intake Deputy — I.D. # — Pouch #

Transporting Officer: L. Rocha — I.D. #: 327/1177 — Agency: JPD

PAGE 1 OF 1

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

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PROBABLE CAUSE AFFIDAVIT

OBTS Number:

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

JUVENILE:

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FL 0501700	JUPITER POLICE DEPARTMENT	5 | 4 | 18-004316

Charge Type: Check as many as apply.
- [X] 1. Felony
- [ ] 2. Traffic Felony
- [ ] 3. Misdemeanor
- [X] 4. Traffic Misdemeanor
- [ ] 5. Ordinance
- [ ] 6. Other

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
WOHNER, JOHN JOE		W	M	09/29/1974

CHARGES

Charge Description	Charge Description
893.13(6)(A) DRUGS - CONTROLLED SUBST W/O PRESCRIPTION	316.193(4)(1) DUI - ENHANCED BAC OVER .15
Charge Description	Charge Description

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
State Of Florida			

Local Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Address Source

Business Address (Name, Street)	(City)	(State)	(Zip)	Phone	Occupation

PROBABLE CAUSE STATEMENT

The undersigned certifies and swears that he/she has just and resonable grounds to believe, and does believe that the above named Defendant committed the following violation of law.

The Person taken into custody . . .

- [ ] committed the below acts in my presence.
- [ ] confessed to _____ admitting to the below facts.
- [ ] was observed by _____ who told _____ that he/she saw the arrested person committ the below acts.
- [X] was found to have committed the below acts, resulting from my (described) investigation.

On the 30 day of August, 2018 at 06:01 (Specifically include facts constituting cause for arrest.)

On 08/30/2018 at approximately 0301 hours while on routine patrol I observed a light colored vehicle exit the Jupiter Town Centre Plaza. I drove behind the vehicle as it traveled west on W Indiantown Rd. As the vehicle approached a red light at Maplewood Dr., Jupiter I observed the vehicle pass the white stop bar and crosswalk, and come to a stop after the crosswalk in the intersection.

At this time I called out a traffic stop to Northcom on the vehicle. After Northcom advised me of the vehicles information I activated my emergency lights and sirens. The vehicle came to a stop on the southbound ramp of Interstate 95 about 600 feet from W Indiantown Rd. The vehicle was identified as a gray 2013 Kia Optima, bearing FL tag BUSW48. I approached the vehicle from the passenger side and tapped on the window to get the drivers attention. I asked the driver to provide me with his documents. The driver was identified as John J Wohner (W/M 09/29/1974) via his FL driver license. I observed that Wohner had glassy, bloodshot eyes, and I detected an odor of unknown alcoholic substance coming from him as he spoke.

Wohner told me that he was on his way home in Palm Beach Gardens from work at the Jettys in Jupiter off of A1A and US Hwy 1. I told Wohner that I observed his vehicle leaving the Average Joes parking lot. Average Joes is a sports bar located in Jupiter on W Indiantown Rd. Wohner admitted to being at Average Joes. At this time I asked Wohner to step out of the vehicle. As Wohner got out of the driver seat I observed that he was very uneasy on his feet and had to hold himself up with the car door. I asked Wohner to walk to the back of his vehicle, as he did I could see that he was unsteady on his feet and would sway back and forth. I told wohner that due to the odor of alcohol, his on unsteadiness on his feet and his slurred speech I believed that he is under the influence. I requested Wohner to do road sobriety tasks to help me judge his level of impairment, he agreed.

NOT A CERTIFIED COPY

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER ADMINISTERING OATH

Notary Public State of Florida
Samantha Palmer
My Commission GG 233782
Expires 10/28/2022

08/30/2018
DATE

327/1177
SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

ROCHA, LUIS (1177)
NAME OF OFFICER (PLEASE PRINT)

08/30/2018
DATE

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

ADMIN

OBTS Number

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

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

1

JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL 0501700	JUPITER POLICE DEPARTMENT	5 | 4 | 18-004316

Charge Type: Check as many as apply.
☒ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☒ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
WOHNER, JOHN JOE		W	M	09/29/1974

PROBABLE CAUSE STATEMENT

I noted the following clues on the HGN: Lack of Smooth Pursuit, Distinct and Sustained Nystagmus @ Max Deviation. I noted the following clues on the WAT: Lost balance during instructions stage, used arms for balance, stepped off line, missed heel to toe, improper turn. I noted the following clues on OLS: Swaying, used arms for balance, put foot down. I noted the following clues on FTNT: did not touch his nose, did not touch the tip of his finger to the tip of his nose, and lost balance during task.

After completing the tasks I arrested Wohner for DUI. I placed Wohner into handcuffs, checking for proper spacing and double locking them. I escorted Wohner to my patrol car where I searched him and found a small clear plastic baggy containing a white powdery substance. Through my training and experience I believed the substance to be cocaine. I placed Wohner in my patrol vehicle and then tested the substance with a field test kit, which yielded positive results for cocaine.

At this time I read Wohner his Miranda Warnings from prepared text on camera and he told me that he understood his rights. Wohner stated that the white powdery substance was "coke". Through my training and experience I know "coke" to be slang for cocaine.

I then transported Wohner to the Palm Beah County Breath Alcohol Testing facility. I conducted a 20 minute observation to ensure that Wohner did not take anything by mouth or regurgitate. I requested Wohner provide a sample of his breath to determine his blood alcohol content. Wohner agreed and provided two breaths, .188 and .186. I read Wohner his Miranda rights from a prepared text and asked him if he was willing to answer some questions and he agreed. Please see questionnaire for his answers. I secured Wohner in a holding cell and completed my paperwork.

I subsequently booked Wohner into the Palm Beach County Jail where I charged him with DUI - Enhanced for BAH over .15, per FSS 316.193(4) and felony possession of a controlled substance (cocaine), per FSS 893.13(6)(a).

NOT A CERTIFIED COPY

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER [illegible]

Notary Public State of Florida
Samantha Palmer
My Commission GG 233762
Expires 10/28/2022

08/30/2018
DATE

327/1177
SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

ROCHA, LUIS (1177)
NAME OF OFFICER (PLEASE PRINT)

08/30/2018
DATE

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

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	☐		Other:	
	☐		Other:	

NOT A CERTIFIED COPY

REVIEW COMPLETED BY

Booking Number: 2018029072	**Date:** 08/31/18
	Specialist Name/ID: Stewart/5660