

0495051

186 001197

117

ARREST / NOTICE TO APPEAR  
Juvenile Referral Report

Check if Supplement is Attached

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

Juvenile

N

ADMINISTRATIVE	OBTS Number		Agency ORI Number FLO, 5 0 0 0 0 0		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number (N.T.A.'s only) 0 6 - 1 1 8 1 - 0 0 4 0 9 3 1 1 1 1					
	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		If Weapon Seized		Multiple Clearance Indicator 0 1	
	Location of Arrest (including Name of Business) 4974 Park Ridge Blvd, Boynton Beach, FL						Location of Offense (Business Name, Address) 4974 Park Ridge, Boynton Beach, FL					
DEFENDANT	Date of Arrest 0 1 2 0 1 8		Time of Arrest 0 6 3 0		Booking Date		Booking Time		Jail Date		Jail Time	
	Name (Last, First, Middle) Gerg, Joshua Thomas						Alias (Name, DOB, Soc. Sec. #, Etc.) Becks Tawing					
	Race W - White B - Black		Sex M		Date of Birth 2 1 9 8 9		Height 6 0 3		Weight 2 0 0		Eye Color Blue	
CO-DEF	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)		Marital Status		Religion		Indication of Alcohol Influence Drug Influence		Residence Type: 1. City 2. County 3. Florida 4. Out of State		Citizenship USA	
	Local Address (Street, Apt. Number) 3 2 7 8 Quantum Lakes Blvd Boynton Beach FL 3 3 4 2 6		(City) Boynton Beach		(State) FL		(Zip) 3 3 4 2 6		Phone (7 5 7) 3 4 3 2 7 6 5		Address Source Ycrba	
	Business Address (Name, Street)		(City)		(State)		(Zip)		Phone		Occupation Mechanic	
JUVENILE	DL Number, State 3 5 3 0 0 7 3 6		Soc. Sec. Number		INS Number		Place of Birth (City, State) Annapolis, MD		Citizenship USA		Co-Defendant (Last, First, Middle)	
	Co-Defendant (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 (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	
NOTICE TO APPEAR	<input type="checkbox"/> Parent <input type="checkbox"/> Legal Custodian <input type="checkbox"/> Other:		Name (Last)		(First)		(Middle)		Residence Phone		Business Phone	
	Address (Street, Apt. Number)		(City)		(State)		(Zip)		Notified by: (Name)		Date	
	Released To: (Name)		Relationship		Date		Time		Juvenile Disposition 1. Handled/Processed within Dept. and Released. 2. TOT HRS/DYS 3. Incarcerated		Grade	
CHARGE	Drug Activity N. N/A P. Possess		S. Sell B. Buy T. Traffic		R. Smuggle D. Deliver E. Use		K. Dispense/ Distribute		M. Manufacture/ Produce/ Cultivate		Z. Other	
	Charge Description DUF		Counts		Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N		Statute Violation Number 3 1 8 1 1 9 3 1 1 1		Violation of ORD #		Warrant / Capias Number	
	Drug Activity		Drug Type		Amount / Unit		Offense # 1 8 - 0 0 4 0 9 3		Bond		Statute Violation Number	
CHARGE	Charge Description		Counts		Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N		Statute Violation Number		Violation of ORD #		Warrant / Capias Number	
	Drug Activity		Drug Type		Amount / Unit		Offense #		Bond		Statute Violation Number	
	Charge Description		Counts		Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N		Statute Violation Number		Violation of ORD #		Warrant / Capias Number	
CHARGE	Charge Description		Counts		Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N		Statute Violation Number		Violation of ORD #		Warrant / Capias Number	
	Drug Activity		Drug Type		Amount / Unit		Offense #		Bond		Statute Violation Number	
	Charge Description		Counts		Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N		Statute Violation Number		Violation of ORD #		Warrant / Capias Number	
NOTICE TO APPEAR	Location (Court, Room Number, Address) South County Court House		Court Date and Time February 21st 2018		Time 6:30 A.M.		Date Signed 1/20/18		Signature of Defendant (or Juvenile and Parent/Custodian)		Date Signed	
	I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT I SHOULD FULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.		Signature of Arresting Officer X		Name of Arresting Officer (Print) J Dominguez		I.D. # 993		Name Verification (Printed by Arrestee) BUTSCANNED		PAGE 1 OF 1	
	HOLD for other agency		<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal		<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:		Transporting Officer J Dominguez		I.D. # 33BP		Agency B3BP	

**D.U.I. PROBABLE CAUSE AFFIDAVIT**

ON THE 20th DAY OF January 2018 AT 05:52  A.M.  P.M.

CASE #: 18-004093

DEFENDANT: Gerg, Joshua, Thomas

**PERSONAL CONTACT/DRIVING PATTERN/OBSERVATION OF DRIVER:**

On the above date and time, I responded to 4974 Park Ridge Blvd in reference to a suspicious vehicle in the road way near the school gate.

Upon arrival I made contact with Officer Martens who advised me he witnessed a red Dodge Pickup truck ( NC Tag CMK 5689) on the road way. Officer Martens also witnessed the gate to the school damaged. Officer Martens then approached the vehicle and witnessed front end damage to the vehicle. Officer Martens also witnessed a white male, later identified as Joshua Gerg, sleeping in the driver seat. Officer Martens knocked several times on the window in attempts to wake Gerg out of his sleep. Gerg finally woke up and exited the vehicle. At that time Officer Martens observed Gerg to have a strong odor of impurities of an unknown alcohol beverage emitting from his person and breath, red glossy eyes, and slurred speech. It should be noted Officer Martens also witnessed the keys to the vehicle in the ignitions while Gerg was in the driver seat.

I then made contact with Gerg and asked him about what he was doing tonight. Gerg advised me he was intoxicated and crashed his vehicle into the gate. After speaking to Gerg about the accident I advised him the crash investigation was completed and I was now going to conduct a separate criminal investigation. It should be noted that due to the gate being property of the Boynton Beach High School, the crash investigation was TOT a School Board Police Officer. While speaking to Gerg I observed him to have blood shot eyes, slurred speech, and the odor of impurities of an unknown alcohol beverage emitting from her person. I read Gerg his Miranda Rights from my department issued Miranda Card, Gerg advised he understood his rights and was willing to speak to me. I again asked Gerg what happened that night. Gerg stated he was intoxicated and crashed his vehicle into the gate.

Based on my investigation at this point I requested Gerg to submit to a series of Field Sobriety Task, which he agreed to. Prior to continuing the investigation I asked Gerg if he had any injuries/ disabilities that I should be aware of, which he stated he had bad knees. It should be noted that Gerg later stated he did not have any injuries that held him back from doing anything.

Let it be noted that during the pen exercise Gerg would sway side to side and failed to keep his eyes on the pen at times. See the following:

**HORIZONTAL GAZE NYSTAGMUS:**

- Left eye does not follow smoothly
- Left eye prior to 45 degrees

- Right eye does not follow smoothly
- Right eye prior to 45 degrees

**SCANNED**  
**JAN 23 2018**

- Distinct jerking in left eye at maximum deviation
- Vertical Nystagmus in left eye

- Distinct jerking in right eye at maximum deviation
- Vertical Nystagmus in right eye

**WALK AND TURN:**

The Task was explained and demonstrated to Gerg, which he stated that he understood. During the Instructional Stage, Gerg swayed side to side and stepped out of positions several times. During the exercise Gerg did not make heel to toe contact on steps 1,4,7,8, and 9. Gerg then made an improper turn, stepped off the line and missed heel to toe steps on 2,4,6,8, and 9.

**ONE LEG STAND:**

The Task was explained and demonstrated to Gerg, which he stated he understood. During the Instructional Stage, Gerg swayed side to side. During the Balance Stage, Gerg dropped his foot prior to the 30 seconds had elapsed two different times. Gerg also did not extend his leg as he was instructed to and swayed side to side.

**FINGER TO NOSE:**

The Task was explained and demonstrated to Gerg, which he stated that he understood. During the Instructional Stage, Gerg swayed side to side. During the Exercise Stage, Gerg missed the tip of his nose on each command for his right index finger to touch the tip of his nose.

**ROMBERG/ALPHABET:**

The Task was explained and demonstrated to Gerg, which he stated that he understood. It should be noted that Gerg was explained the modified Romberg Time Estimation Exercise. During the Exercise Stage, Gerg swayed during the task.

Based On the above facts, Gerg was placed into custody under suspicion of DUI, which he stated he understood. I then transported Gerg to the Palm Beach County Jail BAT Facility to continue my investigation. I arrived at PBSO BAT at 0700 hours, started my 20 minute observation at 0700 hours and completed the at 0720 hours. Gerg provided a breath sample 0.157/0.153.

I read Gerg his Miranda Warning, which he stated he understood. I then asked Gerg if he was willing to answer the Q&A's from this packet, in which he stated he would (See Q&A packet).

Based on the above facts, Gerg was arrested for DUI pursuant to F.S.S. 316.193.

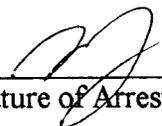
The vehicle was towed by Becks Towing. A copy of the of the SFST video were later entered into the Boynton Beach Police Evidence Department.

The following instrument was sworn to before me this 20 day of January 2018

By: Ofc. Dominguez

**D/S T. BURNSIDE #5406**

Notary/Police Officer (F.S.S. 117.10)

  
Signature of Arresting Officer

**SCANNED**  
**JAN 23 2018**

SUBJECT: George, James, James CASE NUMBER: 18-CC-11093

**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) \_\_\_\_\_

**SCANNED**  
GOLD JAIL  
**JAN 23 2018**



CASE #: 18-004093

DEFENDANT: Gerg, Joshua, Thomas

Arresting Officer: Ofc. Dominguez

Address: 100 E. Boynton Beach Boulevard Boynton Beach, Fl. 33435

Phone Numbers: Home: \_\_\_\_\_ Work: (561) 742-6100

Name: Ofc. Martens

Address: 100 E. Boynton Beach Blvd, Boynton Beach, FL, 33435

Phone Numbers: Home: \_\_\_\_\_ Work: (561) 742-6100

Can testify to: DUI

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: \_\_\_\_\_

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: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Numbers: Home: \_\_\_\_\_ Work: \_\_\_\_\_

Can testify to: \_\_\_\_\_

SCANNED  
JAN 23 2018

# TESTING FACILITY TASK REPORT

AGENCY: BBPD-DOMINGUEZ

SUBJECT: GERG, JOSHUA T

CASE NUMBER: 18-028648

DATE: Jan 20, 2018

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 0721

ENDING TIME: 0737

BREATH TESTS RESULTS: 1) .157 TIME 0725 A.M.  P.M.  2) .153 TIME 0728 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 Karklecke #6467

## TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED, MUMBLING AT TIMES, ACCENT

ATTITUDE: COOPERATIVE

CLOTHING: RED SHIRT, BLUE JEANS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

## OTHER:

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

## COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 0700  
SUBJECT AGREED TO SUBMIT TO THE BREATH TEST  
SUBJECT WAS GIVEN THE INSTRUCTIONS FOR THE TEST  
SUBJECT COMPLETED BOTH SAMPLES SUCCESSFULLY  
MIRANDA WAS READ TO THE SUBJECT  
SUBJECT SUBMITTED TO THE QUESTIONS

SCANNED  
JAN 23 2018

CASE #: 18-004093

DEFENDANT: Gerg, Joshua, Thomas

Arresting Officer: Ofc. Dominguez

Address: 100 E. Boynton Beach Boulevard Boynton Beach, FL 33435

Phone Numbers: Home: \_\_\_\_\_ Work: (561) 742-6100

Name: Ofc. Martens

Address: 100 E. Boynton Beach Blvd, Boynton Beach, FL, 33435

Phone Numbers: Home: \_\_\_\_\_ Work: (561) 742-6100

Can testify to: DUI

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: \_\_\_\_\_

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Can testify to: \_\_\_\_\_

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Can testify to: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Numbers: Home: \_\_\_\_\_ Work: \_\_\_\_\_

Can testify to: \_\_\_\_\_

SCANNED  
JAN 23 2018