

0496372

2161

Check if Supplement is Attached

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

ARREST / NOTICE TO APPEAR Juvenile Referral Report

Administrative section: OBTS Number, Agency ORI Number (FLO 5000000), Agency Name (PALM BEACH COUNTY SHERIFF'S OFFICE), Agency Report Number (0611810101350111), Charge Type (1. Felony, 2. Traffic Felony, 3. Misdemeanor, 4. Traffic Misdemeanor, 5. Ordinance, 6. Other), Location of Arrest (400 Black Royal Palm Way, Palm Beach, FL 33480), Date of Arrest (0308180504), Time of Arrest (0504), Booking Date, Booking Time, Jail Date, Jail Time, Location of Vehicle (400 Black Royal Palm Way, Palm Beach, FL 33480).

Defendant section: Name (Tucker, Joshua B), Race (W-White), Sex (M), Date of Birth (051588), Height (5'7), Weight (185), Eye Color (BRO), Hair Color (BRO), Complexion (Med), Build (Med), Scars/Marks (Chinese symbol right chest, Islamack left arm), Marital Status (Single), Religion (Christian), Residence Type (3. Florida), Address (7035 S 500 E, Jonesboro, IN 46938), Business Address (Paddock Residential Center, 1500 S. Bradford St, IN 46952), D/L Number (0480127466, IN), INS Number, Place of Birth (Marion, IN), Citizenship (U.S.), Occupation (Supervisor of juveniles).

Co-Defendant section: Co-Defendant (Last, First, Middle), Race, Sex, Date of Birth, Arrested/At Large/Juvenile status, Parent/Legal Custodian/Other, Address (Street, Apt. Number, City, State, Zip), Residence/Business Phone.

Juvenile section: Notified by (Name, Date, Time), Juvenile Disposition (Handled/Processed within Dept. and Released, TOT HRS/DYS, Incarcerated), Released To (Name, Relationship, Date, Time), School Attended, Grade, Property Crime? (Yes/No), Description of Property, Value of Property.

Charge section: Drug Activity (Possess Schedule IV Substance, Driving Under the Influence), Counts, Domestic Violence, Statute Violation Number, Warrant/Capias Number, Bond, Violation of ORD #.

Notice to Appear section: Location (3228 Gun Club Rd. West Palm Beach, FL), Court Date and Time (03/29/18, 8:30 AM), Signature of Defendant/Juvenile and Parent/Legal Custodian, Date Signed.

Admin section: HOLD for other agency, Signature of Arresting Officer (J.P. Rotherberg), Name Verification (Printed/Approved), Date (MAR 11 2018), Intake Report, Pouch #, Transporting Officer, I.D.#, Agency, Page (1 of 1).

PROBABLE CAUSE AFFIDAVIT

1 Arrest 3 Request for Warrant
2 NTA 4 Request for Capia

Juvenile

1

OBTS Number	Agency ORI Number FLO 5 0 0 6 0 0	Agency Name PALM BEACH POLICE DEPARTMENT	Agency Report Number 7,611,810,0,0,3,5,011,1
Charge Type Check as many as apply	<input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony	<input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor	<input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other

Name (Last, First, Middle) Tucker, Joshua, B	Alias	Race W	Sex M	Date of Birth 05.15.88
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Charge Description Poss. of Schedule IV Substance	Charge Description
Charge Description	Charge Description

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
Local Address (Street, Apt. Number)	(City)	(State)	(Zip)
Business Address (Name, Street)	(City)	(State)	(Zip)

The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe that the above name 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 commit the below acts.
 was found to have committed the below acts, resulting from my (described) investigation.

On the 8 day of March 20 18 at 0504 A.M. P.M. (Specifically include facts constituting cause for arrest.)

On 03/08/18 at 0504 hours, I observed Joshua Tucker (W/M 5/15/18) driving a 2013 white Chevrolet 4D westbound in the 400 block of Royal Palm Way. Tucker was driving his vehicle with his flashers on, and with his left front tire flat. I conducted a traffic stop on the white Chevrolet, and asked him to perform SFST's. Tucker performed SFST's and was arrested for DWI. Search incident to arrest, I found 1.5 yellow Alprazolam pills in his left front pocket (.3gm) with "R039" written on one of them. The pills were confirmed through Poison Control (Case # M3574793).

Post Miranda, Tucker stated that the yellow pills found in his pocket were "Xanax."

Tucker was arrested for Possession of a Schedule IV Substance.

SCANNED
MAR 11 2018

SWORN AND SUBSCRIBED BEFORE ME
 Keriane Marie Moynihan
 NOTARY PUBLIC / CLERK OF COURT / POLICE OFFICER
 03/08/18
 DATE



Signature of Arresting / Investigating Officer
 J.P. Rottenburg
 NAME OF OFFICER (PLEASE PRINT)
 3/4/18
 DATE

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 8 DAY OF March 20 18 AT 0504 AM PM

SUBJECT: Joshua B. Tucker CASE NUMBER: 18-350

AGENCY: P.B.P.D. ARRESTING OFFICER: JP Rothenburg

PERSONAL CONTACT

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

Driving with flashers on. Driving on flat tire.

OBSERVATION OF DRIVER:

Unsteady on feet.
Appearing to be impaired.
Eyes glassy and bloodshot.

DRIVER'S STATEMENTS:

I'm over the limit.
I had about 5 beers

ODORS:

Unknown alcoholic beverage emanating from facial area.

GENERAL OBSERVATIONS

SPEECH: Slowed, slurred, mumbled

ATTITUDE: Cooperative

CLOTHING: Tan wet shorts, no shirt, grey shoes

MEDICAL/OTHER:

N/A

STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 08 day of March 20 18 by Off. J. Rothenburg

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

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



SCANNED
MAR 11 2018

SUBJECT: Joshua B Tucker CASE NUMBER 18-350

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

- LT EYE-LACK OF SMOOTH PURSUIT
- RT EYE-LACK OF SMOOTH PURSUIT
- LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION
- RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION
- LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES
- RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

Other Observations:

Swaying while listening to instructions. Following stimulus with head

WALK & TURN:

Can't keep balance while listening to instructions
Starts too soon
Misses heel to toe
Uses arms for balance
Incorrect number of steps

ONE LEG STAND:

Uses arms for balance
Hopping
Puts foot down (before 30 seconds elapsed)

FINGER TO NOSE:

Does not keep eyes closed
Fails to return arms to the side

ROMBERG ALPHABET:

Swaying

BREATH TEST RESULTS: 1) .104 2) .111 3) 4)

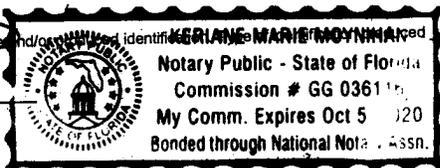
STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 08 day of march 202018 by Off. J. Rothenburg

(Print name of Arresting/Investigative Officer), who is personally known to me and/or whose true identity has been ascertained

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



SCANNED
MAR 11 2018

WITNESS LIST

CASE NUMBER: 11-111

ARRESTING OFFICER [Handwritten Name]

ADDRESS [Handwritten Address]

PHONE NUMBERS (HOME) [Handwritten] (WORK) [Handwritten]

CAN TESTIFY TO: [Handwritten]

NAME: [Handwritten]

ADDRESS [Handwritten]

PHONE NUMBERS (HOME) [Handwritten] (WORK) [Handwritten]

CAN TESTIFY TO: [Handwritten]

NAME: [Handwritten]

ADDRESS [Handwritten]

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CAN TESTIFY TO: [Handwritten]

NAME: [Handwritten]

ADDRESS [Handwritten]

NOT A CERTIFIED COPY

~~SCANNED~~
MAR 09 2018

SCANNED
MAR 11 2018

SUBJECT: Tucker, Joshua B CASE NUMBER: 11-291

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.

SCANNED
MAR 09 2018

SUSPECT'S SIGNATURE: (X) Read on camera **SCANNED**

WHITE - STATE ATTY. YELLOW - DHSMV PINK - CENTRAL RECORDS **MAR 11 2018**

TESTING FACILITY TASK REPORT

AGENCY: 1878
SUBJECT: Tucker, Joshua B CASE NUMBER: 18-047460

DATE: 03/08/18 VIDEO TAPE NUMBER: NIA

BEGINNING TIME: 06:03 ENDING TIME: 06:30

BREATH TESTS RESULTS: 1) .104 TIME 06:12 (A.M./P.M.) 2) .111 TIME 06:15 (A.M./P.M.)
3) NIA TIME — A.M./P.M. 4) NIA TIME — A.M./P.M.

BREATH OPERATOR: K. Mounihan #32079

MAINTENANCE TECHNICIAN: J. Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: slurred, mumbled

ATTITUDE: Calm, Quiet, Cooperative / anxious

CLOTHING: Blue shirt, dark pants, shoes

MEDICAL CONDITIONS: None

MEDICATIONS: None

OTHER: Eyes glassy and bloodshot.

Admitted to drinking beer "5 total maybe" during O+A

admitted to smoking marijuana at 5:30 am (O+A)

COMMENTS: Arrived at Testing Center, A/O began 90 minute
Observation period at 05:40.

A agreed to take test

Techn read Breath Test Results, A stated he understood
the results.

A/O read Rights

A stated he understood his Rights.

No conduct test O+A

A answered questions.

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SUBJECT: Tucker, Joshua B CASE NUMBER: 18-350

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? N 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? 7:00 WHAT DID YOU EAT? _____

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? _____

HOW MUCH DO YOU WEIGH? _____ HAVE YOU BEEN DRINKING? NO 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? NO

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? NO WHAT? _____

ARE YOU SICK OR INJURED? NO WHAT'S WRONG? _____

DO YOU LIMP? NO 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? A WHY? _____

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? _____ WHAT? NO 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? NO IF SO, WHEN WAS YOUR LAST INJECTION? _____

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? NO WHERE? _____

INTERVIEWER: _____

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

~~SCANNED~~
MAR 09 2018

**FLORIDA DEPARTMENT OF LAW ENFORCEMENT
ALCOHOL TESTING PROGRAM
BREATH ALCOHOL TEST AFFIDAVIT**

Instrument Type: Intoxilyzer 8000
Instrument Registered To: PALM BEACH CO SO
Instrument Serial Number: 80-006478 Software: 8100.27
Date of Test: 03/08/2018

Date of Last Agency Inspection: 02/02/2018
Observation Period Began: 05:40
Subject's Name: JOSHUA B TUCKER
DOB: 05/15/1988 Sex: M

The subject was observed for at least twenty-minutes prior to the administration of the breath test to ensure that the subject did not take anything orally and did not regurgitate.

Results:	Test	g/210L	Time
	Diagnostics Check	OK	06:10
	Air Blank	0.000	06:10
	Control Test	0.080	06:10
	Air Blank	0.000	06:11
	Subject Sample #1	0.104	06:12
	Air Blank	0.000	06:12
	Air Blank	0.000	06:14
	Subject Sample #2	0.111	06:15
	Air Blank	0.000	06:15
	Control Test	0.079	06:16
	Air Blank	0.000	06:16
	Diagnostics Check	OK	06:16

Cylinder Lot: 22817080A5
Exp: 10/05/2019

State of Florida, County of Palm Beach,

Personally appeared before me the undersigned authority, who (✓) is personally known to me or () produced _____ as identification, and who after being placed under oath, states:

I KERIANE M MOYNIHAN, hold a valid Breath Test Operator permit issued by the Florida Department of Law Enforcement, I administered the above breath test to the subject named above in accordance with Chapter 11D-8, Florida Administrative Code, and this form is a true and accurate report of that breath test.

Breath Test Operator: Keriane Moynihan Signature Date: 03/08/18 ~~SCA~~

Sworn to (or affirmed) before me this 08 day of March, 2018 ~~MAR 09 2018~~
[Signature] Signature of Notary Public-State of Florida Ofc. J. Rothenburg Printed Name of Notary Public-State of Florida

Note: Pursuant to section 117.10, Florida Statutes, law enforcement officers, correctional officers, traffic accident investigation officers and traffic infraction enforcement officers are notaries public when engaged in the performance of official duties. In accordance with section 316.1934(5), F.S., this completed form is admissible without further authentication and is presumptive proof of the results herein. To be used in accordance with Section 316.1934(5), F.S., and in administrative proceedings pursuant to 322.2615, F.S.



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

PBSO CASE # 18-047460 PBSO ZONE 3-22

AGENCY CASE # 18-350 CRASH CASE # _____

TIME OF STOP/CRASH 0441 DATE 3/8/18 DAY THU

SUBJECT'S NAME Joshua B Tucker RACE W SEX M

HGT 5'7 WGT 185 DOB 5/15/88

LOCATION 400 Block Royal Palm Way

ARRESTING OFFICER'S NAME & ID J P Rothenburg 9269 AGENCY PBPD

DIVISION: Patrol

NOTIFIED BY COMMO yes

ARRIVAL AT FACILITY 05:40

ARREST TIME 0504

BREATH RESULTS:

- 1) .104
- 2) .111
- 3) N/A
- 4) N/A

NOT A CERTIFIED COPY

SCANNED
MAR 09 2018

TESTING OFFICER'S ID 22079

PBSO VIDEOTAPE # N/A

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MAR 11 2018