0502378 18 CT 019180 Check if Supplement is Attached

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

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

ADMINISTRATIVE

OBTS Number

Agency ORI Number: FLO 5 0 0 3 0 0 | Agency Name: BOYNTON BEACH POLICE DEPARTMENT | Agency Report Number (N.T.A.'s only): 3 4 1 1 8 0 1 0 6 4 0 4

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 | Multiple Clearance Indicator

Location of Arrest (including Name of Business): 11588 US 1-Highway 1 | Location of Offense (Business Name, Address): 11588 US Highway 1

Date of Arrest: 1 0 1 9 1 8 | Time of Arrest: 2 3 4 0 | Booking Date | Booking Time | Jail Date | Jail Time | Location of Vehicle: 11588 US1

DEFENDANT

Name (Last, First, Middle): Postolese, Joshuae Ryann | Alias (Name, DOB, Soc. Sec. #, Etc.)

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	0 6 2 6 8 2	5-08	160	Bro	Bro	Lgt	Med

Scars, Marks, Tatoos, Unique Physical Features (Location, Type, Description): None Visible | Marital Status: Unk | Religion: Unk | Indication of: Alcohol Influence ☐ Y ☒ N ☐ Unk; Drug Influence ☐ Y ☒ N ☐ Unk

Local Address (Street, Apt. Number) (City) (State) (Zip): 103 S US 1-Highway 1, Jupiter, FL, 33477 | Phone: (Unk | Residence Type: 1. City 2. County 3. Florida 4. Out of State: 2

Permanent Address (Street, Apt. Number) (City) (State) (Zip): 103 S US 1 - STE 1-5, Jupiter FL 33477 | Phone: ( ) | Address Source: FL DL

Business Address (Name, Street) (City) (State) (Zip) | Phone: ( ) | Occupation: Golf Maintainer

D/L Number, State: P234136822260 | Soc. Sec. Number: [redacted] | INS Number | Place of Birth (City, State): ~~Black~~ Golden Colorado | Citizenship: US

CO-DEF

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

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

JUVENILE

☐ Parent ☐ Legal Custodian ☐ Other: 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 Dept. and Released. 2. TOT HRS/DYS 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: (Name) ☐ No (Reason) | 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. 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. Synthetic, U. Unknown, Z. Other

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
DUI	1	☐ Y ☒ N	3 1 6 1 1 9 3	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
N	N	—			OR

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐ Y ☐ N		

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
				Received FDB	

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐ Y ☐ N		

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
				OCT 24 2018	

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐ Y ☐ N		

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond

NOTICE TO APPEAR

Location (Court, Room Number, Address): North County Government Center, 3188 PGA Blvd

Court Date and Time: Month November Day 21 Year 2018 Time 10:00 A.M. P.M.

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

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

ADMIN

HOLD for other agency | Signature of Arresting Officer X | Name Verification (Printed by Arrestee) (PRINT)

☐ Dangerous ☐ Suicidal ☐ Resisted Arrest ☐ Other: | Name of Arresting Officer (Print) TRUDEAU | I.D. # 4193

Intake Deputy | I.D. # | Pouch # | Transporting Officer TRUDEAU | I.D. # 4193 | Agency PB36 | Witness here if subject signed with an "X"

PAGE 1 OF 1

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D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE ~~18th~~ 19th DAY OF October 20 18, AT 2302

SUBJECT: Joshua Ryann Postolese CASE NUMBER: 18006406

AGENCY: Palm Beach Gardens Police Department ARRESTING OFFICER: Trudeau #493

PERSONAL CONTACT

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

On 10/20/18 at approximately 2302 hours, I responded to 11588 US Highway 1 (Duffy's Sports Grill), in reference to an intoxicated male who was getting into his vehicle in the parking lot. Palm Beach Gardens 911 Telecommunications advised the complainant stated the intoxicated male was hostile and attempted to fight with the complainant causing a verbal disturbance.

Upon arrival, I observed a sedan driven by a white male sitting in front of Duffy's. The male in the driver's seat was pointing behind him at another vehicle. I made contact with that male and when questioned stated the intoxicated male was in his vehicle and backing up, getting ready to leave the parking lot.

I observed a black Nissan Sentra bearing FL tag (EYNL94) traveling in the parking lot in front of Duffy's. I conducted an investigatory traffic stop on the vehicle based on the prior allegations of a disturbance in a public place. I exited my vehicle and made contact with the white male, later identified as Joshuae Postolese via his Florida Driver's License, who was sitting in the driver's seat and sole occupant of the vehicle.

OBSERVATION OF DRIVER:

While sitting in the driver's seat of the vehicle, I observed Joshuae's pupils to be dilated more than a normal persons, the whites of his eyes to be red and glossy. Upon request to exit the vehicle, Joshuae grabbed onto his vehicle for balance and had an orbital sway as he stood. Joshuae also had difficulty standing in one spot without moving to regain balance. Joshuae's clothes were ruffled and messed.

DRIVER'S STATEMENTS:

While inside the vehicle Joshuae stated he had two drinks while watching the baseball game at Duffy's. While standing outside the vehicle and questioned again, Joshuae stated he had four drinks (Coors Lite).

ODORS:

Strong odor of the impurities of an alcoholic beverage emitting from his breath from a conversational distance.

GENERAL OBSERVATIONS

SPEECH: Slow and deliberate

ATTITUDE: Normal, angry

CLOTHING: ruffled

MEDICAL PROBLEMS: Multiple surgeries in his legs.

MEDICATIONS: None stated

OTHER: N/A

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SUBJECT: Joshua Ryann Postolese CASE NUMBER: 18006406

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

☑ LEFT EYE DOES NOT FOLLOW SMOOTHLY

☑ LEFT EYE JERKS AT 45 DEGREE ANGLE OR LESS

☑ DISTINCT JERKING LEFT EYE MAXIMUM DEVIATION

☑ RIGHT EYE DOES NOT FOLLOW SMOOTHLY

☑ RIGHT EYE JERKS AT 45 DEGREE ANGLE OR LESS

☑ DISTINCT JERKING RIGHT EYE MAXIMUM DEVIATION

CAN NOT DO, WHY? _____

WALK AND TURN:

During the instructions stage Joshuae was unable to maintain balance while standing on the line during the instructions. Joshuae began the exercise and failed to step heel-to-toe and made an improper turn. Joshuae stepped off the line numerous times during the exercise. Joshuae requested to perform the exercise a second time and was given instructions prior to starting again. Joshuae began the exercise again and stepped off the line numerous times, used his arms for balance, and made an improper turn.

CAN NOT DO, WHY? _____

ONE LEG STAND:

During the instructional stage Joshuae was unable to stand in the position and used his arms for balance. Joshuae raised her foot approximately 3-6 inches above the ground and used his arms for balance. Joshuae began to hop several times before putting his foot down and continuing again.

CAN NOT DO, WHY? _____

FINGER TO NOSE:

Not administered

CAN NOT DO, WHY? _____

ROMBERG/ALPHABET:

Not administered

CAN NOT DO, WHY? _____

BREATH TEST RESULTS: 0.211/0.211

STATE OF FLORIDA
COUNTY OF PALM BEACH
THE FOLLOWING INSTRUMENT WAS NOTARIZED OR SWORN BEFORE ME THIS 10-20-18 (DATE)

BY. _____

S. O'Neal

NOTARY/CLERK OF COURT OFFICER (F.S. 117.10)

SHARI L. O'NEAL
Notary Public - State of Florida
Commission # FF 966854
My Comm. Expires Jun 25, 2019
Bonded through National

[signature] 923

SIGNATURE OF ARRESTING OFFICER

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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: 80-006477 Software: 8100.27
Date of Test: 10/20/2018

Date of Last Agency Inspection: 10/19/2018
Observation Period Began: 00:10
Subject's Name: JOSHUAE R POSTOLESE DOB: 06/26/1982 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	00:46
Air Blank	0.000	00:47
Control Test	0.079	00:47
Air Blank	0.000	00:47
Subject Sample #1	0.211	00:48
Air Blank	0.000	00:49
Air Blank	0.000	00:50
Subject Sample #2	0.211	00:51
Air Blank	0.000	00:52
Control Test	0.079	00:52
Air Blank	0.000	00:52
Diagnostics Check	OK	00:53

Cylinder Lot: 05218080A3
Exp: 05/05/2020

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 SAMANTHA M PALMER, 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: _____ Date: 10/20/18
Signature

Sworn to (or affirmed) before me this 20 day of October, 2018

_____ OFC. TRUDEAU # 493
Signature of Notary Public-State of Florida 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.

FDLE/ATP FORM 38 - MARCH 2004, Ref. 11D-8.007

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TESTING FACILITY TASK REPORT

AGENCY: PBG/TRUDEAU

SUBJECT: POSTOLESE, JOSHUAE

CASE NUMBER: 18-135166

DATE: Oct 20, 2018

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 0041

ENDING TIME: 0054

BREATH TESTS RESULTS: 1) .211 TIME 0048 A.M.☒ P.M.☐ 2) .211 TIME 0051 A.M.☒ P.M.☐

3) XX TIME XX A.M.☐ P.M.☐ 4) XX TIME XX A.M.☐ P.M.☐

BREATH OPERATOR: S. PALMER #24520

MAINTENANCE TECHNICAN: J Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: CLEAR

ATTITUDE: UPSET, IRRITATED, MOODSWINGS, POLITE

CLOTHING: BLACK POLO SHIRT, WHITE PANTS, NO SHOES

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES GLASSY AND BLOODSHOT, ODOR OF UNKNOWN ALCOHOLIC BEVERAGE COMING FROM BREATH

COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 0010
SUBJECT REFUSED TO TAKE BREATH TEST
A/O READ I/C
SUBJECT STATED HE UNDERSTOOD I/C
AND AGREED TO TAKE BREATH TEST @ 0045
TECH READ RESULTS
SUBJECT STATED HE UNDERSTOOD RESULTS
A/O DID NOT READ RIGHTS
OR CONDUCT Q&A

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TESTING FACILITY TASK REPORT

AGENCY: PBG/TRUDEAU

SUBJECT: POSTOLESE, JOSHUAE

CASE NUMBER: 18-135166

DATE: Oct 20, 2018

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BREATH OPERATOR: S. PALMER #24520

MAINTENANCE TECHNICAN: J Karlecke #6467

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ATTITUDE: UPSET, IRRITATED, MOODSWINGS, POLITE

CLOTHING: BLACK POLO SHIRT, WHITE PANTS, NO SHOES

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES GLASSY AND BLOODSHOT, ODOR OF UNKNOWN ALCOHOLIC BEVERAGE COMING FROM BREATH

COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 0010
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OR CONDUCT Q&A

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

PBSO CASE # 18-1351166 PBSO ZONE 3-13

AGENCY CASE # 18-006404 CRASH CASE # N/A

TIME OF STOP/CRASH 2308 DATE 10-18-18 DAY 1=Friday

SUBJECT'S NAME Postolese, Joshua RACE W SEX M

HGT 5-08 WGT 160 DOB 06/26/82

LOCATION 11588 US Highway 1

ARRESTING OFFICER'S NAME & ID TRUDEAU #493 AGENCY PBGPD

DIVISION: Road Patrol

NOTIFIED BY COMMO 2342

ARRIVAL AT FACILITY 0010

ARREST TIME 2340

BREATH RESULTS:

1. .211
2. .211
3. N/A
4. N/A

TESTING OFFICER'S ID 24520 PBSO VIDEOTAPE # N/A

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SUBJECT: Postolese, Joshua Ryan CASE NUMBER: 18-0064041

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: _____

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SUBJECT: Postolese, Joshuae Ryann CASE NUMBER: 18-0064041

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 OFC. TRUDEAU #493 of the Palm Beach Gardens PD.

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) NOT Read on Camera

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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:	

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REVIEW COMPLETED BY

Booking Number: 2018035095	**Date:** 10/21/2018
	Specialist Name/ID: AM/31562