

Arrest Report

0496496 / 830

FLORIDA HIGHWAY PATROL
P.O. BOX 540007, GREENACRES, FL 33454

180T 4720

Report Date / Time 3/12/2018 2:35:44AM	Report Number FHP99ARR772616	Case Number/CAD Number FHPL18OFF020698 / LWRC18CAD044779	Reporting Officer Name Z. TODD
Originating Agency ORI FL0509000	Occurrence Date Time Range 3/12/2018 2:08:30 AM -	Jurisdiction	Clearance

Location of Occurrence

Location Type PUBLIC PLACE	Location Description SB IN THE NB		
Street Number SR-809	Street NB /GOLF ST	Apt/Lot/Bldg	
County PALM BEACH	City WEST PALM BEACH	State FL	Zip 33415

Defendant

First Name JUAN	Middle Name CARLOS	Last Name GARCIA VEGA	Suffix	Date Of Birth 9/21/1983	Age 34	Race WHITE	Sex MALE
SSN 000-00-000	MNI #	Place of Birth COLOMBIA, FF, COLOMBIA	Height 601	Weight 200	Hair BLK	Eyes BRO	
DL or ID Number G621423833410	ID State FL	ID Type E	Address Type RESIDENCE				
Street Number 5357	Street GREY FOX CT	Apt/Lot/Bldg					
County PALM BEACH	City WEST PALM BEACH	State FL	Zip 33415	Phone Number	Extension		
Location Description RESIDENCE							

Arrest

Arrest Date/Time 3/12/2018 2:23:12AM	Arrest Location Type PUBLIC PLACE	Arrest Location Description ROADWAY	
Street Number SR-809	Street NB /GOLF ST	Apt/Lot/Bldg	County PALM BEACH
City WEST PALM BEACH	State FL	Zip 33415	

Charge(s)

Counts 1	Charge 316.193.1	General Offense Code	Bond Amount \$ 0.00	<input type="checkbox"/> No Bond
Charge Degree N	Charge Level MISDEMEANOR	Arrest Offense Code Description DUI-UNLAW BLD ALCH		
Charge Description DUI ALCOHOL OR DRUGS				

Probable Cause

On March 12, 2018 I was on routine patrol in my marked patrol car in Palm Beach County. I was traveling southbound on Military Trail (SR-809) from Belvedere Road. I observed a grey sedan facing southbound in the northbound center lane. I positioned my patrol car behind the vehicle and initiated a traffic stop on the vehicle. I approached the vehicle from the driver side. I observed that the driver was the sole occupant of the vehicle. The driver was wearing a black shirt, dark colored shorts and was not wearing a seatbelt. As I spoke to the driver I requested that he provide a drivers license, registration and proof of insurance. He was unable to provide the requested documentation. Trooper J. Cantelar was on scene to provide Spanish translation. As I spoke to the driver and was at the driver's side windows I observed the odor of an unknown alcoholic substance emitting from the drivers breath as he talked. I also observed that he had blood shot glassy eyes. I requested that he step out of the vehicle and walk towards my patrol car. As he walked towards the car I observed that he had difficulty maintain balance and used the car for balance. As he stood in front of me I again observed the odor of an unknown alcoholic beverage emitting from his breath. I also observed that he had blood shot glassy eyes and orbital

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sway. The driver was later identified by his FL DL as Juan Garcia-Vega. I requested that he conduct field sobriety exercises and he agreed.

Horizontal Gaze Nystagmus

Before beginning the exercises, I checked to see if Mr. Garcia-Vega was wearing glasses or contact lenses. It was determined that Mr. Garcia-Vega was not wearing glasses or contacts. I then checked Mr. Garcia-Vega's eyes and observed equal tracking and equal pupil size. Mr. Garcia-Vega was instructed to place his feet together and place his hands down at his side. He then was instructed to keep his head still and follow the stimulus with his eyes and his eyes only. He was also instructed to keep looking at the stimulus until told not to. Mr. Garcia-Vega verbally indicated that he understood.

- Lack of smooth pursuit, left eye
- Lack of smooth pursuit, right eye
- A distinct and sustained nystagmus at maximum deviation in the left eye
- A distinct and sustained nystagmus at maximum deviation in the right eye
- An onset of nystagmus prior to 45 degrees in the left eye
- An onset of nystagmus prior to 45 degrees in the right eye

I also observed vertical nystagmus.

During the exercise Mr. Garcia-Vega had to be told to stay in the proper position and not to move his head during the exercise. I also observed Mr. Garcia-Vega to have orbital sway and glassy red eyes.

Walk and Turn Exercise

The area was level and free of debris. Mr. Garcia-Vega verbally indicated that he saw the line on the ground. Mr. Garcia-Vega was instructed to put his left foot on the line, then place his right foot on the line ahead of the left foot in a heel to toe manner. I then demonstrated this position. Mr. Garcia-Vega was instructed not to begin until told to do so. Mr. Garcia-Vega verbally indicated that he has understood all instructions up to this point. Mr. Garcia-Vega was then instructed to take 9 heel to toe steps on the line when told to do so. I then demonstrated this. Mr. Garcia-Vega was then instructed to turn on the ninth step and to keep the front foot on the line and to take a series of small steps with the foot on the line. I then demonstrated this for Mr. Garcia-Vega. Mr. Garcia-Vega was also instructed to keep his arms at his sides and to watch his feet during the exercise. Mr. Garcia-Vega was also instructed to count aloud and to not stop once he begins the exercise. He was also instructed to keep his arms at his sides at all times.

Mr. Garcia-Vega began the exercise too soon and had to be told to wait and to get back into the starting position. He took 9 steps forward and 9 steps back. Mr. Garcia-Vega showed difficulty keeping balance during the instructions and the exercise. He was unable to walk in a straight line. He completed the turn incorrectly, never touched heel to toe. He also raised his arms more than 6 inches away from his body. He also had a sway while he walked down the line.

One Leg Stand Exercise

Mr. Garcia-Vega was instructed to stand with his feet together and to place his arms down at his side. Mr. Garcia-Vega was instructed to maintain that position until told to do so. Once told to do so, Mr. Garcia-Vega was instructed to raise one foot approximately 6 inches off the ground and to keep both legs straight with both arms at his side. He was also instructed to look at the elevated foot and count aloud in the manner of one thousand-one, one thousand-two and so on until told to stop. Mr. Garcia-Vega verbally indicated that he understood the instructions after I demonstrated to him.

Mr. Garcia-Vega was told to begin and raised his left foot. During the exercise Mr. Garcia-Vega displayed an orbital sway. He placed his foot down multiple times. Mr. Garcia-Vega also did not count aloud properly as instructed. He had to hop while trying to maintain balance. Mr. Garcia-Vega did not look down at his foot during the exercise and had to be told to do so. He also raised his arms more than 6 inches away from his body.

Mr. Garcia-Vega was then placed into handcuffs and under arrest for DUI. He was then transported to the Palm Beach County Jail. Once I arrived at the testing center I conducted a 20 minute observation of the subject. At no time did he take anything or regurgitate by mouth. I then requested that he provided a lawful sample of his breath and he agreed. He then provided a sample of .225 and .234 at approximately 0324. He was then booked into the Palm Beach County Jail.

The above incident occurred in Palm Beach County.

SCANNED

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Jail Booking Facility

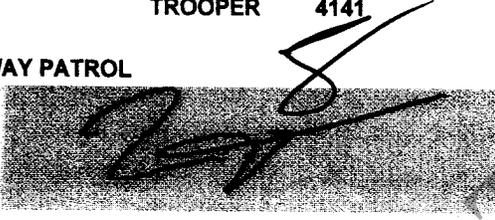
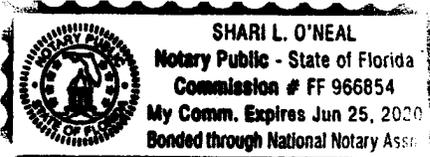
Booking Date/Time	Booking County PALM BEACH	Booking Facility PALM BEACH COUNTY CORRECTIONS	Booking Facility Phone Number (561) 688-4400
Booking Facility Location 3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406		Booking Number	
Booking Comments			

Court

Court County PALM BEACH	Court Location 200 WEST ATLANTIC AVE. DELRAY BEACH, FL 33444		
Court PALM BEACH SOUTH COUNTY COURTHOUSE	Court Phone 561-274-1530	Court Appearance Date / Time 4/9/2018 0830	Court Fine
Comments			

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the probable cause associated with this report.

Reporting Officer

Officer Name Z. TODD	Officer Rank TROOPER	Officer ID No 4141	Sworn and subscribed before me, the undersigned authority This the <u>12</u> day of <u>March</u> , 2018 DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT OFFICER
Officer Agency FLORIDA HIGHWAY PATROL	Officer Signature 		
			 <p>SHARI L. O'NEAL Notary Public - State of Florida Commission # FF 966854 My Comm. Expires Jun 25, 2020 Bonded through National Notary Assn</p>

Approving Supervisor

Officer Name	Officer Rank	Officer ID No	Officer Agency
Officer Signature			

Officer Name	Officer Rank	Involvement On Report	ID #	Org/Unit	Officer Agency
CANTELAR, JOAN	TROOPER	ASSISTING	4166	FHPL1LWRC1PA LM BEACHBRO W LN TO SR804	FLORIDA HIGHWAY PATROL

SCANNED
MAR 14 2018