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FLORIDA HIGHWAY PATROL

17CT 15948

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2876  
REPORT NUMBER  
FHP99ARR140160  
ARREST REPORT

Report Date / Time 08/26/2017 01:04 AM	Agency Case/Offense Number FHPL17OFF069078	OCA Number	Operating Agency Case Number	OBTS Number	Offender Based Transaction System	Jail Booking Number	Other Number LWR17CAD154908
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## LOCATION OF OCCURRENCE

County PALM BEACH	Address I-95 NB SOF NORTHLAKE BLVD , PALM BEACH GARDENS, FL 33410
Range of Occurrence Date/Time 08/25/2017 11:39 PM to 08/25/2017 11:39 PM	Latitude N 26 40.1870

Longitude  
W 80 5.5437

## PERSON: SUSPECT

First Name JULIETTE	Middle Name ANNE	Last Name DIAZ	Suffix	Date of Birth 06/08/1965	Age 52	Race W	Sex F	Height 506	Weight 122	Hair BLD	Eyes BRO
Master Name Index Number	Place of Birth FLORIDA, MIAMI	Nation US	SSN		Driver's License or Other ID D200421657081	State FL	Class or Type E				
Address 6929 RUE VENDOME APT 3		City MIAMI BEACH	County MIAMI DADE			State FL	Zip Code 33141				Phone

## CHARGES

Counts 1	Charge Number 316.193.1	Charge DUI-UNLAW BLD ALCH	(OK)
Charge Degree	Charge Level MISDEMEANOR	General Offense Code PRINCIPAL	<input type="checkbox"/> Hate Crime <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Bond Amount \$0.00
DUI ALCOHOL OR DRUGS			

## PROBABLE CAUSE

On August 25, 2017, at approximately 11:40 p.m., I responded to a traffic crash which occurred on Interstate 95 (State Road 9) northbound south of Northlake Blvd (State Road 850). (see crash report 85341470). The vehicles relocated onto eastbound Northlake Blvd into the south parking lot where Starbucks is located. I arrived on scene around 11:50 p.m. and observed two vehicles blocking the access roadway to the parking lot. I advised both drivers to move their vehicles into the parking spaces at starbucks, in order to free the roadway. I introduced myself to both driver's and completed the crash investigation. I could smell an obvious odor of an unknown alcoholic beverage on the defendants breath. Her eyes were glassy and blood shot. I explained to the driver of V01, Juliette Anne Diaz, that I completed the crash investigation and was conducting a criminal DUI investigation. I asked the defendant to conduct the roadside exercise, which she agreed to do. She stated several times that she did not consume any alcoholic beverage. The roadside exercise was conducted at a level surface, which was free of debris. The roadside exercise was recorded with Trooper R. Weber's in car camera. I asked the defendant if she felt comfortable barefoot and she stated yes. The parking space line was used to conduct the walk and turn exercise. After completing the exercise and based on the totality of circumstances, the defendant was placed under arrest at 12:24 a.m. for the violation of the Florida Statute 316.193 (1) and was transported to the county jail for booking. During our time in the jail, I conducted a twenty minute observation time. During this time the defendant did not regurgitate or place anything in her mouth. She was asked to provide a sample of her breath and she refused. I then read the implied consent warning, which he understood. I asked her again to provide samples of her breath, which she refused.

The vehicle was released to her friend at the scene with the defendant's permission.

## Roadside exercise:

The defendant stated she had surgery on her left eye. She stated she had neck surgery.

HGN: I had to remind the defendant to keep her arms on the side of her body. She was very talkative and I advised her to stop interrupting me. I reminded her to keep her hands on the side of her body. I was still able to smell the odor of an unknown alcoholic beverage coming from her breath, while I stood in front of her. I asked her if she was able to identify the light of the stimulus (red), which she was able to do. I first checked for equal pupil size and equal tracking. I observed the defendant to have equal pupil size and equal tracking. At first I was able to observe both eyes, until she covered the left eye. During this time the defendant showed lack of smooth pursuit, onset of Nystagmus prior to 45 degree and distinct and sustained Nystagmus at maximum deviation in both eyes. The defendant kept moving her head and I instructed her to keep on following the stimulus with her eyes only. She then covered her left eye, in which I still observed lack of smooth pursuit, onset of Nystagmus prior to 45 degree and distinct and sustained Nystagmus at maximum deviation in her right eye. I did not observe vertical Nystagmus in either eye.

Walk and turn: This exercise was demonstrated to the defendant. She stated she understood the instructions. I had to advise the defendant to put her hands on the side of her body. She swayed in the starting position to maintain balance. She interrupted the instruction phase several times. She started while I demonstrated the exercise. At the second step she stopped to steady herself. She angled her foot while walking. She counted with very low volume, which I was barely able to hear. She stopped after the ninth step and asked for further instructions. She then turned in one step. She did not walk heel to toe from step three on (at least 2 inches of gap). During the whole exercise she did not look at her feet while walking. She spoke in between in the exercise several times.

One leg stand: This exercise was demonstrated to the defendant. She stated she understood the instructions. She left the starting position and had to be repositioned to remain in the starting position. During the instruction phase and after I advised her that she would have to raise one foot, she stated "heels together?". She raised her left foot but swayed to maintain balance. She put her foot down after 16 seconds. During the whole exercise she raised her arms to maintain balance (more than 6 inches).

## LEO BOND

Bond Amount \$	<input type="checkbox"/> None	<input type="checkbox"/> ROR	<input type="checkbox"/> Cash	<input type="checkbox"/> Any	<input type="checkbox"/> PreTrial If Qualify
	<input type="checkbox"/> Pro				<input type="checkbox"/> 12

## COURT APPEARANCE INFORMATION

Court (CIRCUIT) CRIMINAL JUSTICE COMPLEX	Court Phone 561-355-2994	Court Date & Time 09/14/2017 08:30 AM
Court Address 3228 GUN CLUB ROAD, WEST PALM BEACH, FL 33406		CO
Instructions		CO

Report Date / Time 08/26/2017 01:04 AM	Agency Case/Offense Number FHPL17OFF069078	OCA Number	Originating Agency Case Number	OBTS Number	Offender Based Transaction System	Jail Booking Number	Other Number LWRC17CAD154908
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**ARREST INFORMATION**

Arrest Date / Time 08/26/2017 12:24 AM	Residency Within jurisdiction	Injured None	Extent of Injury N/A	Resist Arrest No
Prior Arrests No	Arrest Jurisdiction Within jurisdiction	Alcohol Yes	Drugs No	

**ARREST LOCATION**

County PALM BEACH	Address I-95 NB SOF NORTHLAKE BLVD , PALM BEACH GARDENS, FL
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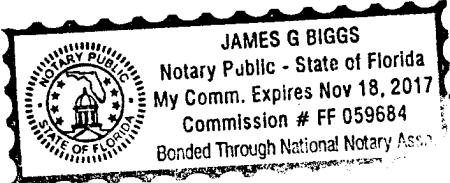
**ARREST DELIVERED TO**

Jail / Booking Facility PALM BEACH COUNTY CORRECTIONS	Location 3228 GUN CLUB ROAD, WEST PALM BEACH, FLORIDA 33406	Phone (561) 688-4400
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**ARRESTING OFFICER**

Officer Call Number 1146	Officer Name B. HANDZIK	Officer Signature GOT B. Handzik
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Subscribed and sworn to (or affirmed) before me this <u>26</u> day of <u>August</u> A.D., <u>2017</u> by _____ who is <input checked="" type="checkbox"/> personally known to me or has produced _____ as identification.	
_____ Signature	Notary Public <u>LEO</u> <u>CO</u> Commission No: _____ My Commission Expires: _____



SCANNED  
AUG 28 2017

# D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_, AT 11:40 PM AM PM

SUBJECT: Juliette Anne Diaz CASE NUMBER: FHPL17OFF069078

AGENCY: Florida Highway Patrol ARRESTING OFFICER: Cpl. Birgit Handzik 3268  
**PERSONAL CONTACT**

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

Crash report 85341470

## OBSERVATION OF DRIVER:

**Glassy , blood shot eyes**

**obvious odor of an unknown alcoholic beverage**

## DRIVER'S STATEMENTS:

**Stated she hasn't consumed any alcoholic beverage  
stated she to Trooper Weber she had eye surgery two days ago  
stated to me she had eye surgery six days ago.**

## ODORS:

**obvious odor of an unknown alcoholic beverage**

## **GENERAL OBSERVATIONS**

SPEECH: **normal**

ATTITUDE: **talk-active, severe mood swings, cried a lot, became aggressive towards the BAT staff, didn't comply to instructions**

CLOTHING: **greenish summer dress, brown boots**

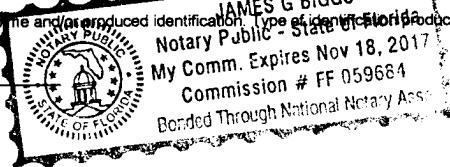
MEDICAL/OTHER: **takes medication for her eye surgery**

**STATE OF FLORIDA  
COUNTY OF PALM BEACH**

Cpl. Birgit Handzik 3268  
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 26th day of August, 2017 by \_\_\_\_\_

(Print name of Arresting/Investigative Officer), who is personally known to me and (has) produced identification (Type of identification produced)



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

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**AUG 28 2017**

## 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:

didn't follow any instructions at the BAT (to move somewhere and resisted by sitting down or pulling the other direction/tried to get out of the handcuffs several times/cried a lot/became verbally very aggressive/very repetitive statements

## WALK &amp; TURN:

This exercise was demonstrated to the defendant. She stated she understood the instructions. I had to advise the defendant to put her hands on the side of her body. She swayed in the starting position to maintain balance. She interrupted the instruction phase several times. She started while I demonstrated the exercise. At the second step she stopped to steady herself. She angled her foot while walking. She counted with very low volume, which I was barely able to hear. She stopped after the ninth step and asked for further instructions. She then turned in one step. She did not walk heel to toe from step three on (at least 2 inches of gap). During the whole exercise she did not look at her feet while walking. She spoke in between in the exercise several times.

## ONE LEG STAND:

This exercise was demonstrated to the defendant. She stated she understood the instructions. She left the starting position and had to be re instructed to remain in the starting position. During the instruction phase and after I advised her that she would have to raise one foot, she stated "heels together?". She raised her left foot but swayed to maintain balance. She put her foot down after 16 seconds. During the whole exercise she raised her arms to maintain balance (more than 6 inches).

## FINGER TO NOSE:

was not conducted

## ROMBERG ALPHABET:

was not conducted

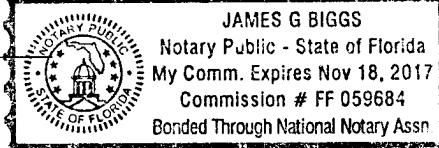
BREATH TEST RESULTS: 1) refused    2) refused    3) refused    4) refused

STATE OF FLORIDA  
COUNTY OF PALM BEACH

Cpl. Birgit Handzik 3268  
(signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 26th day of August 2017 by \_\_\_\_\_

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification & type of identification produced \_\_\_\_\_



SCANNED  
AUG 28 2017

# WITNESS LIST

FHPL17OFF069078

CASE NUMBER: \_\_\_\_\_

**Cpl. Birgit Handzik 3268**

ARRESTING OFFICER: \_\_\_\_\_

ADDRESS: P.O. Box 540007, Greenacres, FL 33454

PHONE NUMBERS (HOME): \_\_\_\_\_ (WORK) (561) 357 4000

CAN TESTIFY TO: traffic crash investigator, conducted roadside exercise and completed all paperwork

NAME: SHAMA M Y YAGHNAM

ADDRESS: 4340 BELLEWOOD ST, PALM BEACH GARDENS, FL 33410

PHONE NUMBERS (HOME) (561) 379 7998 (WORK) \_\_\_\_\_

CAN TESTIFY TO: wheel witness

NAME: \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

CAN TESTIFY TO: \_\_\_\_\_

NAME: \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

CAN TESTIFY TO: \_\_\_\_\_

NAME: \_\_\_\_\_

ADDRESS \_\_\_\_\_

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NAME: \_\_\_\_\_

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CAN TESTIFY TO: \_\_\_\_\_

NAME: \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

CAN TESTIFY TO: \_\_\_\_\_

SCANNED

AUG 28 2017

## 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: \_\_\_\_\_



NOT A CERTIFICATE

SCANNED  
AUG 28 2017

# Florida Highway Patrol

## FILING PACKAGE RECEIPT FORM

Check One:

DHSMV - Bureau of Driver Improvement Hearing Office

State Attorney's Office D.U.I. Intake

~~Felony/Misdemeanor Filing Documentation~~ *Jail*

Case Number: FHPL17OFF069078

Defendant: Juliette Anne Diaz

Officer: Cpl. Birgit Handzik 3268 ID, # 3268

District: Troop L

Date Submitted: 08/26/2017

Sent By: Cpl. Handzik

Supervisor Approval: Sgt. Robert Dooley

Received By Court Liaison: \_\_\_\_\_

Date/Time Received: \_\_\_\_\_

FILING PACKAGE LOGGED BY LIAISON  
ON DATE AND TIME LISTED ABOVE

RETURN THIS ORIGINAL RECEIPT TO OFFICER

Ver-OA-10G

**SCANNED**  
**AUG 28 2017**