0503336 SC7121028 510

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 500000 | Agency Name: PALM BEACH COUNTY SHERIFF'S OFFICE | Agency Report Number (N.T.A.'s only): 06- 18148533

Charge Type: Check as many as apply. [ ] 1. Felony [ ] 2. Traffic Felony [x] 3. Misdemeanor [x] 4. Traffic Misdemeanor [ ] 5. Ordinance [ ] 6. Other

Weapon Seized / Type: 2 (1. Yes 2. No) | Multiple Clearance Indicator: 01

Location of Arrest (Including Name of Business): Southern Blvd/Seminole Pratt Whitney Road Loxahatchee, FL

Location of Offense (Business Name, Address): Southern Blvd/Seminole Pratt Whitney Road Loxahatchee, FL

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
11/25/2018	21:33					Steve's Towing

DEFENDANT

Name (Last, First, Middle): Wheeler, Kayla Jolynn | Alias (Name, DOB, Soc. Sec. #, Etc.)

Race (W - White I - American Indian B - Black 0- Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	F	05/21/1996	5'04"	140	Hazel	Blonde	Light	Medium

Scars, Marks, Tatoos, Unique Physcal Features (Location, Type, Description): Tattoos on RT ankle, thigh, hand, LT arm, left clavicle

Marital Status: | Religion: NONE

Indication of: Alcohol Influence [x] Y [ ] N [ ] Unk. | Drug Influence [ ] Y [x] N [ ] Unk.

Local Address (Street, Apt. Number): 200 West Circle Drive | (City): Clewiston, | (State): Florida | (Zip): 33440 | Phone: (765) 418-7813 | Residence Type: 1. City 2. County 3. Florida 4. Out of State: 2

Permanent Address (Street, Apt. Number): Same | (City) | (State) | (Zip) | Phone: ( ) | Address Source: Florida DL

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

D/L Number, State: W460-510-96-681-0/FL | Soc. Sec. Number: [redacted] | INS Number | Place of Birth (City, State): Fort Wayne, Indiana | Citizenship: U.S.

CO-DEF

Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	
				[ ] 1. Arrested [x] 2. At Large [ ] 3. Felony [ ] 4. Misdemeanor [ ] 5. Juvenile
				[ ] 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 provided by [ ] defendant and / or [ ] defendant's parents The child and / or parent was told to keep the Juvenile Court Clerk (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. Synthetics | U. Unknown Z. Other

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
DUI	1	[ ] Y [x] N	316.193 (3)(c)(1)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant I Capias Number	Bond
N	N	N/A	18148533		OR

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
	1	[ ] Y [ ] N		

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

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

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): CRIMINAL JUSTICE COMPLEX 3228 Gun Club Road WPB, FL

Court Date and Time: Month December Day 20th Year 2018 Time 8:30 AM ✓ PM

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 Name: | Signature of Arresting Officer X [signature] #18334 | Name Verification (Printed by Arrestee) (PRINT) [signature]

[ ] Dangerous [ ] Resisted Arrest [ ] Suicidal [ ] Other:

Name of Arresting Officer (Print): Inv. CHIQUITO-RODRIGUEZ #18334 | I.D. # 18334

Intake Deputy | Pouch # | Transporting Officer: Inv. Chiquito-Rodriguez 18334 | ID # | Agency: PBSO

Witness here if subject signed with an -X"

PAGE 1 OF 1

DISTRIBUTION: WHITE - COURT COPY GREEN - STATE ATTORNEY YELLOW - AGENCY PINK - AGENCY GOLD - DEFENDANT (N.T.A.'s ONLY)

PBSO #148 REV. 6/97

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NOV 28 AM 2018

OBTS Number

PROBABLE CAUSE AFFIDAVIT

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

1

Juvenile: N

Agency ORI Number: FLO 5 0 0 0 0 0

Agency Name: PALM BEACH COUNTY SHERIFF'S OFFICE

Agency Report Number: 06 18148521

Special Notes:

Charge Type: Check as many as apply
[ ] 1. Felony [ ] 2. Traffic Felony [X] 3. Misdemeanor [ ] 4. Traffic Misdemeanor [ ] 5. Ordinance [ ] 6. Other

Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth
WHEELER KAYLA JOLYNN	W	FL	5/21/1996

Charge: DUI

Charge:

Charge:

Charge:

Victim Name (Last, First, Middle)	Race	Sex	Date of Birth

Local Address (Street, Apt. Number) | City | State | Zip | Phone | Address Source

Business Address (Street, Apt. Number) | City | State | Zip | Phone | Occupation

The undersign swears that he/she has just and reasonable grounds to believe, and does believe that the above named Defendant committed the following violation of law.
The person taken into custody...

[ ] committed the below acts in my presence.

[ ] was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.

[ ] confessed to admitting to the below facts.

[X] was found to have committed the below acts, resulting from (described) investigation

On the 25 day of NOVEMEBER 20 18 at 9:11 [ ] AM [X] PM

On November 25, 2018 at approximately 2030 hours I was dispatched to motor vehicle crash located at Seminole Pratt Whitney Rd and State Rd 80

Upon arrival I witnessed a Blue Jeep Baring FL tag ID93UW with minor damage to the rear passenger side as well as a white Nissan baring FL tag JJJK42 with serious driver side damage to the front end. There was a white female later identified s Kayla Wheeler standing outside the White Nissan.

I made contact with the Driver of the Jeep Rafael Aguilar and wife Gabriela Caro who stated while they were drive west bound on State Rd 80 a white car hit them from behind then proceeded to go around them and continue driving. The car finally came to a stop about 100 yards away from their vehicle. They witnessed a white female wearing a grey top and white shorts exit the vehicle. A sworn written statement was provided.

I then made contact with Kayla who had a strong odor of an unknown alcoholic beverage coming from Kayla, Kayla was swaying side to side and her eyes appeared to red and glossy. Kayla stated that she was driving West bound on State rd 80 when all of a sudden a car came out of nowhere hit her car and took off. She finally came to complete stop when she realized her tire was blown out. Kayla stated that she had come from Flanagan's in Wellington and had about 3 beers.

At this time I requested a DUI Unit to respond to the scene.

This is a supplement to the main offense report and a description of my involvement in this case. This is for informational and documenting purposes.

NOT A CERTIFIED COPY

SCANNED
NOV 27 2018

The foregoing instrument was sworn to and affirmed before me this 25 day of NOVEMEBER 20 18, by:

Inv. L. Chiquito-Rodriguez #18334
Name of Notary Public / Clerk of Court / Officer (F.S.S. 117.05)

Signature of Notary Public / Clerk of Court / Officer (F.S.S. 117.05)

D/S D CHASE 31278
Name of Arresting/Investigating Officer

Signature of Arresting/Investigating Officer

ADMIN

OBTS Number

PROBABLE CAUSE AFFIDAVIT

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

1

Juvenile

Agency ORI Number: FLO 500000

Agency Name: PALM BEACH COUNTY SHERIFF'S OFFICE

Agency Report Number: 06- 18148533

Charge Type: Check as many as apply. ☐ 1. Felony ☐ 2. Traffic Felony ☐ 3. Misdemeanor ☑ 4. Traffic Misdemeanor ☐ 5. Ordinance ☐ 6. Other

Special Notes:

DEF

Name (Last, First, Middle): Wheeler, Kayla Jolynn

Alias

Race	Sex	Date of Birth
W	F	05/21/1996

CHARGES

Charge Description: DUI 316.193 (3)(c)(1)

Charge Description:

Charge Description:

Charge Description:

VICTIM

Victim's Name (Last, First, Middle): STATE OF FLORIDA

Race | Sex | Date of Birth

Local Address (Street, Apt. Number) (City) (State) (zip) Phone ( ) Address Source

Business Address (Name, Street) (City) (State) (zip) Phone ( ) Occupation

PROBABLE CAUSE STATEMENT

The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe that the above named 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 commited the below acts, resulting from my (described) investigation.

On the 25th day of November 20 18 at 20:08 ☐ A.M. ☑ P.M. (Specifically include facts constituting cause for arrest.)

Upon completing the roadsides, I advised Wheeler that I concluded my DUI investigation and, based on the observational clues on the SFST's, the crash, the strong odor of an unknown alcoholic beverage emanating from her breath and her admission of consuming alcohol, determined that she was too impaired to operate a motor vehicle. I placed Wheeler under arrest for DUI and she verbally stated that she understood. I placed Wheeler in handcuffs that were checked for proper fit, tightness and double locked. I placed her in the rear of my PBSO marked patrol vehicle and transported her to the B.A.T. (Breath Alcohol Testing) facility.

Once at the B.A.T. Wheeler was observed for a period of twenty minutes, during which time she did not ingest anything, place anything in her mouth regurgitate or vomit. After the twenty minute observation period Wheeler was placed on camera and asked if she would submit a breath sample for the purpose of determining its alcohol content and she consented by replying "absolutely". Wheeler provided two breath samples and the results were .217 for the first sample and .214 for the second sample. The results were given, and explained to her and she verbally stated that he understood. I read Wheeler her Constitutional warnings on camera and she verbally stated that she understood his rights. She invoked her rights and refused to answer any questions.

Based on the above set of facts and circumstances, probable cause exists to find the KAYLA JOLYNN WHEELER did drive or be in actual physical control of a vehicle while under the influence of alcoholic beverages, or chemical substances as set forth in Florida Statute 877.111, or any substance controlled under Chapter 893 or any combination thereof, to the extent that his normal faculties were impaired, or while having a blood alcohol level of .08 or more grams of alcohol per 100 milliliters of blood or breath alcohol level of .08 or more grams of alcohol per 210 liters of breath, and, during the course of operating a vehicle, and by reason of such operation, did cause or contribute to causing damage to the person or property of Rafael Aguilar, contrary to Florida Statute 316.193(3)(a),(b) and (c)(1). (1 DEG MISD)

I issued the defendant DUI citation A2G3P1P and transported her to the main detention center, without incident, for booking and processing.

This case is cleared by arrest.

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ADMINISTRATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

Inv. Chiquito-Rodriguez #18334
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 25th day of November 20 18 by Inv. Chiquito-Rodriguez #18334 (Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced KNOWN

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

KERIANE MARIE MOYNIHAN
Notary Public - State of Florida
Commission # GG 036116
My Comm. Expires Oct 6, 2020
Bonded through National Notary

PAGE 1 OF 1

PBSO #0004 REV. 04/01 DISTRIBUTION: WHITE - COURT COPY GREEN - STATE ATTORNEY YELLOW - AGENCY PINK - AGENCY

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 25th DAY OF November 20 18, AT 20:08 AM ✓ PM

SUBJECT: Wheeler, Kayla Jolynn CASE NUMBER: 18148533

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: Inv. Chiquito-Rodriguez #18334

PERSONAL CONTACT

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

On 11/25/2018, at approximately 20:45 hours, I responded to the intersection of Seminole Pratt Whitney Road and Southern Blvd in Loxahatchee, located in Palm Beach County, Florida reference a vehicle crash. Upon arriving on scene I made contact with Deputy Danielle Chase #31278 who relayed to me, as well as completed a sworn written probable cause affidavit, the following: "Upon arrival of the motor vehicle crash located at Seminole Pratt Whitney Rd and State Rd 80, I witnessed a Blue Jeep Baring FL tag ID93UW with minor damage to the rear passenger side as well as a white Nissan baring FL tag JJJK42 with serious driver side damage to the front end. A white female later identified as Kayla Wheeler was standing outside the White Nissan. I made contact with the Driver of the Jeep Rafael Aguilar and wife Gabriela Caro who stated while they were driving west bound on State Rd 80 a white car hit them from behind then proceeded to go around them and continue driving. The car finally came to a stop about 100 yards away from their vehicle. They witnessed a white female wearing a grey top and white shorts exit the vehicle. A sworn written statement was provided. I made contact with Kayla who had a strong odor of an unknown alcoholic beverage coming from her and was swaying side to side. Her eyes appeared red and glossy. Kayla stated that she was driving West bound on State Rd 80 when a car hit her car and took off and she came to a complete stop when she realized her tire was blown out. Kayla stated that she had come from Flanagan's in Wellington and had about 3 beers. I requested a DUI Unit to respond to the scene". I independently evaluated the crash scene and assisted D/S Chase with the crash investigation. I photographed the damage to the vehicles. Deputy Chase completed the crash report under PBSO case #18148521.

OBSERVATION OF DRIVER:

When I arrived on scene Wheeler was standing on the shoulder of the road next to a white Nissan Altima, bearing Florida tag JJJK42, with significant damage to the front driver side and tire. Through the crash investigation it was discovered that Wheeler was the driver and sole occupant of the white Nissan. Wheeler was traveling west on SR80 when the front left side of her vehicle struck the right rear side of a blue Jeep. After striking the side of the Jeep, Wheeler continued operating the vehicle westbound for a short distance until it was no longer operable. I obtained statements from both driver's on scene. As Wheeler relayed her account of the crash to me I detected a strong and obvious odor of an unknown alcoholic beverage emanating from her breath and noticed that her speech was slurred. She was very talkative, rambled and spoke off topic, appeared unsteady on her feet and her eyes were glassy. After assisting with the crash I advised Wheeler that the crash investigation was complete and I was initiating a separate DUI investigation and she stated she understood. I read her Constitutional warnings from a PBSO issued Miranda card and she stated she understood.

DRIVER'S STATEMENTS:

Post Miranda Wheeler sated that she was coming from Flanagan's in Wellington and did consume three beers while there. She was on her way home when a vehicle hit her and she ran off the roadway. She further stated that she was the registered owner, driver and sole occupant of the vehicle. Wheeler denied having any injuries. I asked Wheeler if she would submit to SFST's and she consented.
SEE Probable Cause PAGE 2 for further.....

ODORS:

Strong and obvious odor of an unknown alcoholic beverage emanating from Wheeler's breath that became stronger as she spoke to me

GENERAL OBSERVATIONS

SPEECH: **Slurred, thick, talkative, Rambled off topic**

ATTITUDE: **Cooperative, Emotional, Inattentive**

CLOTHING: **Gray tank top, black sports bra, white shorts, white sneakers**

MEDICAL/OTHER: **Wheeler denied having any medical conditions, injuries or physical impairments. She denied being on any medications or taking any medications.**

STATE OF FLORIDA
COUNTY OF PALM BEACH

Inv. Chiquito-Rodriguez #18334 #18334
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 25th day of November 20 18 by Inv. Chiquito-Rodriguez #18334

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

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

KERIANE MARIE MCYNIHAN
Notary Public - State of Florida
Commission # GG 0361[illegible]
My Comm. Expires Oct 5, 2020
Bonded through National Notary Assn.

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SUBJECT: Wheeler, Kayla Jolynn **CASE NUMBER** 18148533

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:

Bloodshot, red, glassy eyes. Swayed while standing in a resting position.

WALK & TURN:

Instructed and demonstrated. Wheeler verbally stated she understood the instructions. She started task before being instructed to do so and had to be repositioned while explaining task. Positioned her feet with the left in front of the right during instructional phase. Wheeler could not keep balance while listening to instructions, used her arms for balance, stepped off line, stopped to steady herself and missed heel to toe. She did not count her steps out aloud and took an incorrect number of steps. Wheeler took approximately 11 steps forward and returned 14 steps.

ONE LEG STAND:

Instructed and demonstrated. Wheeler verbally stated she understood the instructions. She swayed while balancing. I had to stop and repeat the instructions due to the positioning of her foot (raised too high, toe pointed upward). She positioned her hands at her thighs as she bent her support leg to assist with balance by shifting at her waist.

FINGER TO NOSE:

Instructed and demonstrated more than once. Wheeler verbally stated she understood the instructions. She demonstrated proficiency with identifying her left from her right hand. She swayed while completing the task. L-Septum R-Bridge L-Nostril (side) R- Lip R- Upper lip/under nostril L- Cheek

ROMBERG ALPHABET:

Instructed and demonstrated. Wheeler verbally stated she understood the instructions. Wheeler repeated letters, skipped letters, restarted the alphabet multiple times, practiced it under her breath to herself and then ended the task abruptly without finishing. She recited "A to G" without difficulty and then recited "I, G, H, I, H, I, I, C, K, E" and then stopped.

BREATH TEST RESULTS: 1) .217 | 2) .214 | 3) | 4)

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STATE OF FLORIDA
COUNTY OF PALM BEACH

Inv. Chiquito-Rodriguez #18334 #18334
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 25th day of November 2018 by Inv. Chiquito-Rodriguez #18334

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

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

KERIANE MARIE MOYNIHAN
Notary Public - State of Florida
Commission # GG 036116
My Comm. Expires Oct 5, 2020
Bonded through National Notary Assn

TESTING FACILITY TASK REPORT

AGENCY: PBSO

SUBJECT: Wrecker, Kayla J CASE NUMBER: 18-111533

DATE: 11/25/18 VIDEO TAPE NUMBER: N/A

BEGINNING TIME: 22:24 ENDING TIME: 22:43

BREATH TESTS RESULTS: 1) .217 TIME 22:35 A.M. (P.M.) 2) .214 TIME 22:38 A.M. (P.M.)

3) N/A TIME — A.M./P.M. 4) N/A TIME — A.M./P.M.

BREATH OPERATOR: K. Mayniban # 23079

MAINTENANCE TECHNICIAN: J. Kaulcke # 24467

TESTING OFFICER'S OBSERVATIONS

SPEECH: Slurred, mumbled.

ATTITUDE: Calm, Quiet, cooperative

CLOTHING: White Shorts, Grey Sleeveless Shirt, Black sleeveless shirt underneath white shoes.

MEDICAL CONDITIONS: None

MEDICATIONS: Birth control

OTHER: Eyes glassy and bloodshot.

COMMENTS: Arrived at Testing Center, A/O began 20 minute Observation Period at 22:07 hrs.

A agreed to take test.

Tech read Breath Test Results, A stated she understood her results.

A/O reminded A Rights were read on Scene, and read Rights again A stated she understood her Rights

A/O attempted Q+A
A invoked Rights to council

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SUBJECT: Wheeler, Kayla J CASE NUMBER: 13-148533

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) Read on Camera

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

PBSO #0129B REV. 06/11

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SUBJECT: Wheeler, Kayla J CASE NUMBER: K-118533

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? 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? _____

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: Trn. L. Chauto-Rodriguez #18334

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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: 11/25/2018

Date of Last Agency Inspection: 11/23/2018
Observation Period Began: 22:07
Subject's Name: KAYLA J WHEELER DOB: 05/21/1996 Sex: F

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	22:33
Air Blank	0.000	22:33
Control Test	0.079	22:33
Air Blank	0.000	22:34
Subject Sample #1	0.217	22:35
Air Blank	0.000	22:36
Air Blank	0.000	22:37
Subject Sample #2	0.214	22:38
Air Blank	0.000	22:39
Control Test	0.078	22:39
Air Blank	0.000	22:39
Diagnostics Check	OK	22:39

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 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 M Moynihan Date: 11/25/18
Signature

Sworn to (or affirmed) before me this 25 day of November, 2018

#1833V Inv. L. Chiquito-Rodriguez
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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PALM BEACH COUNTY SHERIFF'S OFFICE – **SWORN STATEMENT**

Per FL statute 837.012, whoever knowingly makes a false statement under oath shall be guilty of a misdemeanor of the first degree punishable by imprisonment up to 1 year.

☐ WITNESS ☒ VICTIM ☐ OTHER

CASE #:	ZONE:	SUSPECT:	DATE & TIME OF ORIGINAL EVENT/OFFENSE:
18-148521	15-11	Kayla Wheeler	11/25/16 8:53

EVENT TYPE:	DEPUTY:	ID#:
Crash	D.S. Chase	3878

COMPLETE EVERYTHING BELOW - PRINT LEGIBLY

LAST NAME:	FIRST NAME:	MIDDLE INITIAL:	RACE:	SEX:
Aguilar	Rafael		H	M

DATE OF BIRTH: (MM/DD/YYYY)	YOUR HEIGHT:	YOUR WEIGHT:	YOUR HAIR COLOR:	YOUR EYE COLOR:
05/22/1985	5' 08"	170	Black	Brown

YOUR HOME ADDRESS: ☐ CHECK IF HOMELESS	CITY:	STATE:	ZIP:
1092 Clydesdale drive	Loxahatchee	FL	33470

YOUR WORK NAME & ADDRESS: ☐ CHECK IF UNEMPLOYED OR RETIRED	CITY:	STATE:	ZIP:
1092 Clydesdale drive	Loxahatchee	FL	33470

WORK PHONE: ☐ CHECK IF NONE	CELL PHONE: ☐ CHECK IF NONE	HOME PHONE: ☐ CHECK IF NONE	EMAIL: ☐ CHECK IF NONE
( )	(803) 669-0828	( )	thecaros1991@yahoo.com

WRITE WHAT HAPPENED IN YOUR WORDS IN FULL DETAIL - PRINT LEGIBLY

I YOUR NAME: Rafael Aguilar — DO HEREBY VOLUNTARILY MAKE THE FOLLOWING STATEMENT WITHOUT THREAT, COERCION, OFFER OF BENEFIT, OR FAVOR BY ANY PERSONS WHOMSOEVER...

witnessed the white female get out of the drivers seat. She initially did not come to a complete stop after hitting my vehicle. She was weaing White shorts and and a grey top. We were driving ahead while she hit our vehicle and she didn't come to a complete stop until she realized she couldn't move any further with her vehicle. My 1 year old son was also in the vehicle. No one was injured.

PAGE _____ OF _____

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READ AND SIGN

I SWEAR AND AFFIRM THIS AND/OR THE ATTACHED STATEMENTS ARE CORRECT AND TRUE:

YOUR SIGNATURE: X Rafael Aguilar

☒ DEPUTY SHERIFF ☐ NOTARY PUBLIC FSS: 117.10

SWORN TO AND SUBSCRIBED BEFORE ME TODAY:

DATE: 11/25/16 TIME: 8:58

SIGNATURE: _____ ID: 3878

*IF YOU **DO NOT WISH TO PROSECUTE**, COMPLETE THE ABOVE STATEMENT, READ THIS DISCLAIMER AND INITIAL BELOW:* I AM OF LEGAL AGE AND I AM THE REPORTED VICTIM OF A CRIME UNDER FLORIDA LAW. I HEREBY STATE THAT I **WILL NOT** COOPERATE ANY FURTHER WITH THE INVESTIGATION OF THE ALLEGED CRIME. I FURTHER RELEASE THE PALM BEACH COUNTY SHERIFF'S OFFICE OF ANY PRESENT OR FUTURE RESPONSIBILITY AS TO MY CASE. I ACKNOWLEDGE THAT I UNDERSTAND MY RIGHTS AS A CRIME VICTIM, **PARTICULARLY REGARDING VICTIM COMPENSATION ELIGIBILITY**, WHICH INCLUDES SUCH BENEFITS AS REIMBURSEMENT FOR: DISABILITY; LOST WAGES; LOSS OF SUPPORT; MEDICAL, DENTAL, MENTAL HEALTH COUNSELING AND FUNERAL EXPENSES. I AM AWARE I MAY BE GIVING UP THESE RIGHTS FOR MY FAMILY AND MYSELF BY INITIALLING BELOW. I AM TAKING THIS POSITION OF MY OWN FREE WILL KNOWING THAT THE CASE CAN ONLY BE FURTHER INVESTIGATED AND PROSECUTED WITH MY COOPERATION.

☐ DO NOT WISH TO PROSECUTE (INITIAL _____)

(PROSECUTION WAIVER NOT TO BE USED FOR CASES INVOLVING DOMESTIC OR DATING VIOLENCE PER G.O. 508.00)

WHITE - RECORDS COPY ***CANARY*** - STATE ATTORNEY COPY ***PINK*** - OFFICER'S COPY ***GOLD*** - WITNESS / VICTIM COPY

PBSO #0134 REV. 12/11

WITNESS LIST

CASE NUMBER: 18148533

ARRESTING OFFICER: Inv. Chiquito-Rodriguez #18334

ADDRESS: 3228 Gun Club Rd WPB, FL 33406

PHONE NUMBERS (HOME): _____ (WORK) 561-688-3000

CAN TESTIFY TO: Facts of case

NAME: Deputy Danielle Chase #31278

ADDRESS: 3228 Gun Club Rd WPB, FL 33406

PHONE NUMBERS (HOME) _____ (WORK) 561-688-3000

CAN TESTIFY TO: Facts of the case. Obtained sworn written witness statement. Completed crash report.

NAME: Rafael Aguilar

ADDRESS 1092 Clydesdale Drive Loxahatchee, FL 33470

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: Facts of the case. Witness

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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CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

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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: 2018039217	**Date:** 11/26/2018
	Specialist Name/ID: Stewart/5660