

OBTIS Number

17CT13609

ARREST / NOTICE TO APPEAR
Juvenile Referral Report1. Arrest
2. N.T.A.3. Request for Warrant
4. Request for Capias

1

Juvenile

N

ADMINISTRATIVE

Agency ORI Number

FLO 502600

Agency Name

Palm Beach Gardens Police Department

Agency Report Number (N.T.A.'s only)

78- 17-004424

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

Weapon Seized / Type

2

1. Yes
2. NoMultiple
Clearance
Indicator

Location of Arrest (Including Name of Business)

N. Military Trail/Hood Rd., PBGFL 33410

Location of Offense (Business Name, Address)

Same as arrest location N MILITARY TRAIL/HOOD PK, FL 33410
Kauff's Towing

Date of Arrest

07/23/2017

Time of Arrest

23:09

Booking Date

Booking Time

Jail Date

Jail Time

Location of Vehicle

Name (Last, First, Middle)

Keith Douglas Zlomsowitch, KEITH DOUGLAS

None

Aliases (Name, DOB, Soc. Sec. #, Etc.)

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 23rd DAY OF July 20 17 AT 11:09 AM PM

SUBJECT: Keith Douglas Zlomsowitch CASE NUMBER: 17-004424

AGENCY: PALM BEACH GARDENS POLICE DEPT. ARRESTING OFFICER: Hayashi

PERSONAL CONTACT

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

Gray Volvo XC90 (Florida tag CVEK40) was northbound on N. Military Trail in the left lane, traveling at a visually estimated 60 miles per hour in a posted 45 MPH zone, nearing Elm Ave. Upon stopping at the solid red indicator at the aforementioned intersection, the vehicle accelerated through the intersection, disregarding the still-solid red light. I effected a traffic stop on the vehicle and made contact with the sole occupant and driver, identified as Keith Douglas Zlomsowitch, by his Florida driver license.

OBSERVATION OF DRIVER:

Zlomsowitch appeared confused as to why he was being stopped, and had glassy eyes.

DRIVER'S STATEMENTS:

Zlomsowitch stated that he had was on his way to his home after leaving from Dorian's, a bar establishment in West Palm Beach, Florida, where he consumed "two to three" drinks.

ODORS:

Unknown alcoholic beverage

GENERAL OBSERVATIONS

SPEECH: Normal, but slightly coarse

ATTITUDE: Cooperative

CLOTHING: Black polo, blue jeans

MEDICAL/OTHER: None

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 24 day of July 20 17 by

(Print name of Arresting/Investigative Officer), who is personally known to me

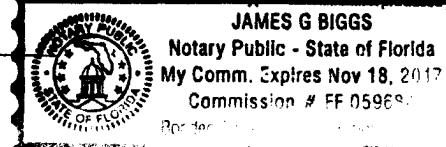
JAMES G BIGGS

Notary Public - State of Florida

My Comm. Expires Nov 18, 2017

Commission # FF 05969

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



ROADSIDE TASKS**HORIZONTAL GAZE NYSTAGMUS:**

<input checked="" type="checkbox"/> LT EYE-LACK OF SMOOTH PURSUIT	<input type="checkbox"/> RT EYE-LACK OF SMOOTH PURSUIT
<input checked="" type="checkbox"/> LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX DEVIATION	<input type="checkbox"/> RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX DEVIATION
<input checked="" type="checkbox"/> LT EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES	<input type="checkbox"/> RT EYE- ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

Other Observations:**WALK & TURN:**

Zlomsowitch stated that he understood the instructions and began this task with his left foot forward and counting it as his first step, contrary to the instructed right foot in front to begin. Zlomsowitch stepped off the painted solid white fog line for steps 4 and 5, did not heel-to-toe, took ten steps total, and did not turn as instructed on the initial walk. On the return walk, Zlomsowitch did not heel-to-toe steps 3, 5, 6, and 7, and proceeded to take ten steps contrary to the instructed nine.

ONE LEG STAND:

Zlomsowitch stated that he understood the instructions and began this task with his right foot up. Used arms for balance, dropped foot at his seventh count. Zlomsowitch reattempted this task by picking up his left foot less than 6" off the ground, extended his arms outward to assist with balance, and dropped foot at counts 5, 7, and 8.

FINGER TO NOSE:

Zlomsowitch performed this task by placing his fingertip just under his nose, contrary to the instructions to place it on the tip of his nose.

ROMBERG/ALPHABET:

Zlomsowitch stated that he understood this task. He attended Arizona State, and knew his alphabet from A to Z. Zlomsowitch performed this task until the letter V, after which he followed it up and concluded the task with letter C.

BREATH TEST RESULTS: Refused

STATE OF FLORIDA

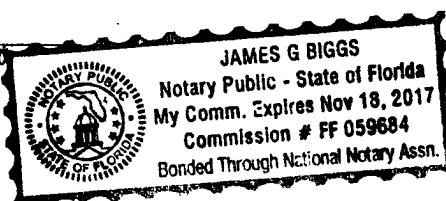
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was notarized or sworn before me this 24 day of July, 2017 by _____

who is personally known to me and/or produced identification. Type of identification produced _____

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



WITNESS LIST

CASE NUMBER: 17-004424

ARRESTING OFFICER: Hayashi

ADDRESS: 10500 N. Military Trail, Palm Beach Gardens, FL 33410

PHONE NUMBERS (HOME): _____ (WORK) (561) 799-4445

CAN TESTIFY TO: Driving pattern, contact, and DUI investigation

NAME: Officer Leskow (ID 429)

ADDRESS: 10500 N. Military Trail, Palm Beach Gardens, FL 33410

PHONE NUMBERS (HOME) _____ (WORK) (561) 799-4445

CAN TESTIFY TO: Back-up on scene

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: _____

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CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH AND/OR URINE TEST

I, Officer Hayashi, a duly certified Law Enforcement Officer or Correctional Officer,
(Name of Officer reading Implied Consent Warning)

am a member of Palm Beach Gardens Police Department, and I do swear
(Name of law enforcement agency)

or affirm that on or about the 23 day of July, 20 17, at 11:09 P.M. A.M.

DRIVER Keith Douglas Ziomsowitch
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# Z452504611700, state of Florida, was placed under lawful arrest for
the offense of DUI by Officer Hayashi and
(Name of Arresting Officer)

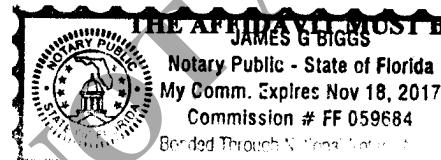
issued Citation # A56GU9E

That on or about the 24th day of July, 20 17, at 12:13 P.M. A.M.

in Palm Beach County County,

I requested that the driver submit to a breath and/or urine test to determine his or her blood alcohol level and/or the presence of chemical or controlled substances. I informed the driver that the refusal to submit to such test(s) would result in the suspension of his or her driving privilege for a period of one (1) year for a first refusal, or for a period of eighteen (18) months if his or her driving privilege had been previously suspended for refusing to submit to a breath, urine or blood test. I also informed the driver that he or she commits a misdemeanor by refusing to submit to a lawful test as requested above if his or her driving privilege has been previously suspended for refusal to submit to a lawful test of his or her breath, urine, or blood. Additionally, I informed the driver that if he or she holds a CDL, or was operating a CMV, refusal will result in the disqualification of the Commercial Driver's License/driving privilege for a period of one (1) year in the case of a first refusal or permanently if he or she has previously been disqualified as a result of a refusal to submit to any such lawful test. Nonetheless, the driver refused to submit to the test(s) requested.


Signature of Law Enforcement Officer or
Correctional Officer



(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before

me this 24 day of July, 20 17.

by Officer Hayashi,

who is personally known to me or who has produced

Officer Hayashi as identification

Notary Public Officer Hayashi

The foregoing instrument was sworn and subscribed before me:

Signature of Attesting Officer

Title _____

Date _____

Note: Mail or hand deliver to the designated
Bureau of Administrative Reviews office,
Department of Highway Safety and Motor
Vehicles, with the driver's license, the
appropriate copy of the UTC, and the
probable cause affidavit.

TESTING FACILITY TASK REPORT

SUBJECT: ZLOMSOWITCH, KEITH D	AGENCY: PBG-HAYASHI
DATE: Jul 24, 2017	CASE NUMBER: 17-106175
BEGINNING TIME: 0011	VIDEO DVD NUMBER: 63049
ENDING TIME: 0017	
BREATH TESTS RESULTS: 1) REF TIME 0013 A.M. <input checked="" type="checkbox"/> P.M. <input type="checkbox"/> 2) XX TIME XX A.M. <input type="checkbox"/> P.M. <input type="checkbox"/>	
3) XX TIME XX A.M. <input type="checkbox"/> P.M. <input type="checkbox"/> 4) XX TIME XX A.M. <input type="checkbox"/> P.M. <input type="checkbox"/>	
BREATH OPERATOR: J Biggs# 7607	
MAINTENANCE TECHNICAN: D/S J Karklecke #6467	

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED, TALKATIVE
ATTITUDE: COOPERATIVE
CLOTHING: BLACK SHIRT, BLUE JEANS
MEDICAL CONDITIONS: NONE
MEDICATIONS: NONE

OTHER:

EYES GLASSY
ODOR OF AN UNKNOWN ALCOHOLIC BEVERAGE ON SUBJECT

COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 2350
SUBJECT REFUSED THE TEST INITIALLY
SUBJECT WAS READ IMPLIED CONSENT
SUBJECT REFUSED THE TEST ONCE AGAIN
MIRANDA WAS READ
SUBJECT ANSWERED THE QUESTIONS

SUBJECT: _____ CASE NUMBER: _____

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? YES

WHERE WERE YOU GOING? HOME

WHAT STREET OR HIGHWAY WERE YOU ON? MILITARY TRAIL

DIRECTION OF TRAVEL? N WHERE DID YOU START? WPD

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? 8 - 9 PM WHAT DID YOU EAT? _____

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? WATCHING BASEBALL JOHNNY Q'S

HOW MUCH DO YOU WEIGH? _____ HAVE YOU BEEN DRINKING? N WHAT? VODKA

HOW MUCH? 2 WHERE? _____ WITH WHOM? FRIENDS

WHEN DID YOU HAVE YOUR FIRST DRINK? 8-9 PM AND YOUR LAST DRINK? 11 PM

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? N WHAT? _____

ARE YOU SICK OR INJURED? N WHAT'S WRONG? _____

DO YOU LIMP? _____ DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? _____

WERE YOU IN AN ACCIDENT TODAY? N

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? N WHEN? _____

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? _____ WHO? _____ WHY? _____

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? N WHAT? _____ WHEN? _____

DO YOU HAVE: EPILEPSY? N

GLASS EYE? N

FALSE TEETH? N

EAR INFECTION? N

INNER EAR TROUBLE? N

DIABETES? N

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? N

DO YOU TAKE INSULIN? N IF SO, WHEN WAS YOUR LAST INJECTION? _____

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? _____ WHERE? _____

INTERVIEWER: _____

SUBJECT: _____ CASE NUMBER: _____

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.

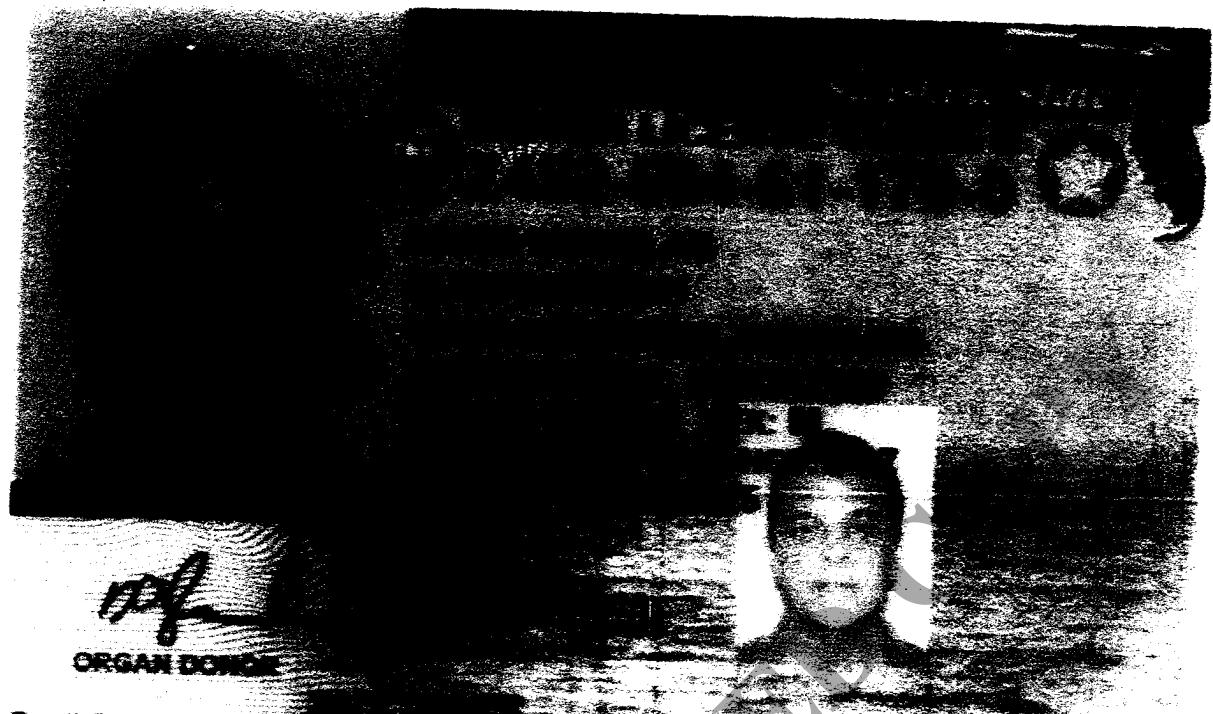
SUBJECT'S SIGNATURE: (X) _____

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) _____



ORGANIZATION

Operation of a motor vehicle while under the influence of alcohol or any substance causing any sobriety test required by law.

NOT A CERTIFICATE

Operation of a motor vehicle is subject to any sobriety test required by law.