

JKT # 0482662

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D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 12th DAY OF November 20 16, AT 2324 AM PM

SUBJECT: Lisa Tzelas CASE NUMBER: 16-005414

AGENCY: JUPITER POLICE DEPARTMENT ARRESTING OFFICER: PFC Andrew Borrows 380
PERSONAL CONTACT

DRIVING PATTERN: ACTUAL PHYSICAL CONTROL (PHYSICAL EVIDENCE OR STATEMENTS PUTTING DEF. BEHIND WHEEL OF VEHICLE)
I was traveling south on South US Highway 1. I observed a white Jeep SUV bearing Florida License Plate 990LHB traveling south in the right hand lane. The vehicle was traveling at a visually estimated speed of approximately 55-60 miles per hour. I also noticed the vehicle drive over the solid white line separating the roadway from the bicycle lane. This occurred at least two times. As we approached Bluffs Boulevard, the vehicle changed lanes to the left hand lane. The vehicle's speed began to slow down markedly. The driver of the vehicle, later identified to me as Lisa Tzelas, also activated the brakes for no obvious reason. After the vehicle passed Marcinski Road, I initiated a traffic stop of the vehicle for the infractions that I had observed. The vehicle turned left into the development at 4161 South US Highway 1. I walked up and made contact with the driver, Lisa Tzelas.

OBSERVATION OF DRIVER:

I observed that Tzelas had glassy eyes and droopy eyelids. Tzelas would sway when standing still and had difficulty following my instructions.

DRIVER'S STATEMENTS:

Tzelas stated that she had two Coronas. Tzelas was increasingly argumentative with me throughout my encounter with her. Post arrest, Tzelas asked me several questions which I answered. Tzelas appeared unable to focus on my answers and often spoke over me when I tried to answer. Within a few moments, Tzelas would ask me the same questions again which she appeared to be unaware that she had previously asked. After completion of Implied Consent, while in the holding cell, Tzelas continued to insist that she was not under arrest and was being held against her rights.

ODORS:

Odor of unknown alcoholic beverage on her breath that got stronger as she spoke.

GENERAL OBSERVATIONS

SPEECH: **Talkative, slurred**

ATTITUDE: **Agitated, belligerent**

CLOTHING: **White shirt, black pants, wedge shoes**

SCANNED

MEDICAL/OTHER: **None**

NOV 14 2016

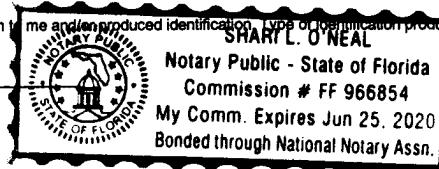
STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 12 day of November 20 16 by PFC Andrew Borrows 380

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

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



PERSONALLY KNOWN

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 DEGREESOther Observations:

Tzelas was unable to follow the stimulus without constantly being reminded to keep her head still and eyes on the stimulus. Tzelas was swaying back and forth visibly during the task.

WALK & TURN

Tzelas had difficulty getting into the starting position and started early two times. Tzelas became argumentative with me, walked off the line and became generally argumentative. I read Tzelas her Taylor Warnings. I had to explain the instructions to her again. Again Tzelas started early. Tzelas continued to be argumentative. Tzelas then started the task. She took 22 steps, missing heel to toe on every step. Tzelas stopped only at the end of the marked line. Tzelas then stopped and walked back to me normally.

ONE LEG STAND:

Tzelas again became argumentative. She started the task early and appeared to lose her balance, placing her foot back down. I again read Tzelas her Miranda Rights as she was becoming increasingly argumentative. Tzelas then walked away from me demanding a drink of water. At that time, I took Tzelas' continued arguing and prevaricating as a refusal and placed Tzelas under arrest for DUI.

FINGER TO NOSE:

Refused

ROMBERG ALPHABET:

Refused

SCANNED

NOV 14 2016

BREATH TEST RESULTS: Refused

STATE OF FLORIDA

COUNTY OF PALM BEACH

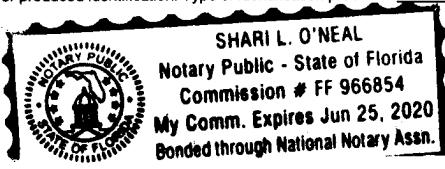


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(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced

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



PERSONALLY KNOWN

SUBJECT: LISA TZELASCASE NUMBER: 16-005414

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: _____

TESTING FACILITY TASK REPORT

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AGENCY: JPD Ofc. Barrows #320

SUBJECT: Tzelas, Liso

CASE NUMBER: 16-151079

DATE: 11-12-16

VIDEO TAPE NUMBER: 61636

BEGINNING TIME: 0154

ENDING TIME: 0106HRS

BREATH TESTS RESULT: **REFUSED** TIME 0101 A.M./P.M.

2) TIME A.M./P.M. 3) TIME A.M./P.M. 4) TIME A.M./P.M.

BREATH OPERATOR: S. O'Neil #6212

MAINTENANCE TECHNICIAN: DTS J. Munkittrick #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: Slurred / Incoherent

ATTITUDE: Erratic, Crying, Demanding, Shouting, Reaching

CLOTHING: Shirt - White Pants - Black

MEDICAL CONDITIONS: None

MEDICATIONS: None

OTHER: Eyes: Very Red, Watery from Crying

* Dramatic

Odor of Unknown alcoholic beverage.

COMMENTS: 20 min. observation done by AIO Barrows

AIO requested the breath test.

D refused the request.

AIO read the implied consent on camera.

He had no other case on camera.

AIO finally refused after asking twice Q&A
facts about the breath request.

C/I read on camera.

No Q&A conducted.

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SUBJECT: LISA Tzelais CASE NUMBER: 16-005414

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.

SCANNED

NOV 14 2016

SUSPECT'S SIGNATURE: (X) 

WITNESS LIST

CASE NUMBER: 16-005414

ARRESTING OFFICER: **PFC Andrew Borrows 380**

ADDRESS: **210 Military Trail, Jupiter FL 33458**

PHONE NUMBERS (HOME): _____ (WORK) **561 746-6201**

CAN TESTIFY TO: **PC**

NAME: **Officer Christopher Connor #350**

ADDRESS: **210 Military Trail, Jupiter FL 33458**

PHONE NUMBERS (HOME) _____ (WORK) **561 746-6201**

CAN TESTIFY TO: **Scene**

NAME: **Officer Ryan Kolenich**

ADDRESS **210 Military Trail, Jupiter FL 33458**

PHONE NUMBERS (HOME) _____ (WORK) **561 746-6201**

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

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CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

SCANNED

NOV 14 2016