[redacted]

Arrest Report

Q503368

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

18C121344

1604

Report Date / Time	Report Number	Case Number/CAD Number	Reporting Officer Name
11/27/2018 6:14:05AM	FHP99ARR769470	FHPL18OFF098494 / LWRC18CAD214929	K. GRUEBEL

Originating Agency ORI	Occurrence Date Time Range	Jurisdiction	Clearance
FL0509000	11/27/2018 5:24:57 AM -		

Location of Occurrence

Location Type	Location Description
PUBLIC PLACE	SOUTHERN BLVD

Street Number	Street	Apt/Lot/Bldg
	SB I-95 SB	

County	City	State	Zip
PALM BEACH	WEST PALM BEACH	FL	33405

Defendant

First Name	Middle Name	Last Name	Suffix	Date Of Birth	Age	Race	Sex
MARISOL		QUINONES		9/19/1981	37	H	FEMALE

SSN	MNI #	Place of Birth	Height	Weight	Hair	Eyes
[redacted]		BROYKLIN, NY,	503	130	BRO	BRO

DL or ID Number	ID State	ID Type	Address Type
Q552540818390	FL	E	RESIDENCE

Street Number	Street	Apt/Lot/Bldg
3345	SOUTH FEDERAL HIGHWAY	

County	City	State	Zip	Phone Number	Extension
PALM BEACH		FL	33435		

Location Description:

Arrest

Arrest Date/Time	Arrest Location Type	Arrest Location Description
11/27/2018 5:39:17AM	PUBLIC PLACE	

Street Number	Street	Apt/Lot/Bldg	County
	SB I-95 SB		PALM BEACH

City	State	Zip
WEST PALM BEACH	FL	33405

Charge(s)

Counts	Charge	General Offense Code	Bond Amount	No Bond
1	316.193.1		$ 0.00	☐

Charge Degree	Charge Level	Arrest Offense Code Description
N	MISDEMEANOR	DUI-UNLAW BLD ALCH

Charge Description: DUI ALCOHOL OR DRUGS

Probable Cause

On the above date while on routine patrol, I was traveling east bound on State Road 704 (Okeechobee Blvd) a blue car pulled out in front of me just west of Congress Ave. I had to hit my brakes hard to avoid hitting the vehicle in the rear. The vehicle then sped of heading towards State Road 9 (I-95). The vehicle swerved twice to the left crossing over the white dotted line. I began to follow the vehicle as it entered State Road 9. While on State Road 9 the vehicle began to swerve to the right crossing over the solid white line. This happened several times. I activated my emergency lights to stop the vehicle. At first the vehicle didn't acknowledge I was behind them because they never braked or slowed down. The vehicle pulled over onto the right shoulder after about 1000ft behind them. I approached the vehicle on the drivers side and observed a female driving and being the sole occupant. I explained to

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the driver that I stopped her because she was swerving and I asked her if everything was ok. The driver stated she was fine and that she was just grabbing her purse. I asked the driver where is she coming from and she stated work. The driver stated that she's a bartender. I asked the driver for her drivers license. She had to fumble through her purse and passed it once before handing it to me. While talking to the driver, I could smell the obvious odor of an unknown alcoholic beverage coming from her breathe as she spoke to me. Her eyes were bloodshot. I went back to my patrol car to advised dispatch of my traffic stop. I re approached the vehicle and asked the driver to step out and walk back to the rear with me. I advised the driver that based on my observations I was going to ask her to perform SFST and she agreed to. I asked the driver if she has anything wrong physically and she stated no. I asked if she had any medical condition and she stated no. Prior to all field sobriety tasks, I gave all the instructions and demonstrated to the driver on what I was going to ask and the driver understood.

HGN: A red pen light was used as a stimulus. There was equal pupil size, no resting Nystagmus, and equal tracking. The driver had lack of smooth pursuit in both eyes. The driver had distinct and sustained nystagmus at maximum deviation in both eyes. The driver had nystagmus prior to 45 degrees in both eyes. Vertical nystagmus was also observed.

WAT: The ground was as level as possible, free from debris and well lit by my patrol car headlights and spot light. The driver wouldn't stand in the starting position as asked to. The driver took 13 steps forward. Missed heel to toe on all steps. Made a improper turn. Driver took 13 steps back. Driver missed heel to toe and all steps back as well.

OLS: Driver used arms for balance. Driver swayed while balancing. Driver put foot down 5 times and then stated her legs weren't strong enough.

After Field Sobriety Tasks the driver was placed under arrest for DUI. I transported the driver to the PBC Bat where I conducted a 20 minute observation on the driver. I never lost visual contact of the driver in this time period. I then asked the driver to provide a Breath test. The driver refused and I read Implied consent. After reading Implied consent, the driver understood and still refused to provide a breath test at 6:33am. During the Q/A, the driver stated she hasn't had anything to drink and doesn't feel like she's under the influence. I asked the driver why she didn't provide a breath test then she stated why bother. I then completed all my paperwork and walked the driver over to the PBC Jail for booking.

All event was recorded on my in car camera.

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Jail Booking Facility

▶ Booking Date/Time	Booking County	Booking Facility	Booking Facility Phone Number
	PALM BEACH	PALM BEACH COUNTY CORRECTIONS	(561) 688-4400

Booking Facility Location	Booking Number
3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406	

Booking Comments

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FL0509000	11/27/2018 5:24:57 AM -		

Court

Court County	Court Location
PALM BEACH	3228 GUN CLUB ROAD WEST PALM BEACH, FL 33406

Court	Court Phone	Court Appearance Date / Time	Court Fine
CRIMINAL JUSTICE COMPLEX	561-355-2994	12/20/2018 8:30AM	

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	Officer Rank	Officer ID No
K. GRUEBEL	TROOPER	2847

Officer Agency
FLORIDA HIGHWAY PATROL

Officer Signature [redacted]

Sworn and subscribed before me, the undersigned authority
This the 27th day of November 2018
DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT OFFICER

Notary Public State of Florida
Paris Pound
My Commission GG 200028
Expires 03/25/2022

Approving Supervisor

Officer Name	Officer Rank	Officer ID No	Officer Agency

Officer Signature

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

I, Tpr. K. Gruebel , a duly certified Law Enforcement Officer or Correctional Officer,
(Name of Officer reading Implied Consent Warning)

am a member of FHP , and I do swear
(Name of law enforcement agency)

or affirm that on or about the 27 day of NOVEMBER , 20 18 , at 5:39 ☐ P.M ☒ A.M.

DRIVER Marisol Quinoes ,
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# Q552540818390 , state of FL , was placed under lawful arrest for

the offense of DUI by Tpr. K. Gruebel and
(Name of Arresting Officer)

issued Citation # 768PIE .

That on or about the 27 day of November , 20 18 , at 6:33 ☐ P.M ☒ A.M.

in Palm Beach 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

THE AFFIDAVIT MUST BE NOTARIZED OR ATTESTED TO (F.S. 117.10)

Notary Public State of Florida
Paris Pound
My Commission GG 200028
Expires 03/25/2022

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before
me this 27th day of November , 20 18 ,
by _____ ,
who is personally known to me or who has produced
_____ as identification

Notary Public _____

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.

HSMV-BAR1001 (REV. 10/2016)

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WITNESS LIST

Name Tpr. K. Gruebel On Scene ☒ Yes ☐ No Statement ☐ Yes ☐ No

Home Address

Place of Employment Florida Highway Patrol
Employment Address P.O.BOX 18007 WEST PALM BEACH, FL 33416

Phone Numbers: Primary Secondary

Can Testify To: Driving pattern and Road side Tasks

Name On Scene ☐ Yes ☐ No Statement ☐ Yes ☐ No

Home Address

Place of Employment
Employment Address

Phone Numbers: Primary Secondary

Can Testify To:

Name On Scene ☐ Yes ☐ No Statement ☐ Yes ☐ No

Home Address

Place of Employment
Employment Address

Phone Numbers: Primary Secondary

Can Testify To:

Name On Scene ☐ Yes ☐ No Statement ☐ Yes ☐ No

Home Address

Place of Employment
Employment Address

Phone Numbers: Primary Secondary

Can Testify To:

Case Number: FHPL18OFF098494 THI Case Number: Page

HSMV 62704 (REV. 03/14)

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SUBJECT: Quinn, Alfred CASE NUMBER: [illegible]

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? Y

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: _____

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SUBJECT: QUINCIE J. MARION CASE NUMBER: [illegible]

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 TPR. K. GRUBEC of the FHP.

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) READ ON CAMERA

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

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TESTING FACILITY TASK REPORT

AGENCY: FHP - L

SUBJECT: QUIVING, MARLON CASE NUMBER: 15-148991

DATE: 11/21/15 VIDEO TAPE NUMBER: N/A

BEGINNING TIME: 0632 ENDING TIME: 0655

BREATH TESTS RESULTS: 1) R TIME 0637 A.M./P.M. 2) N/A TIME — A.M./P.M.

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

BREATH OPERATOR: P. POUND # 4421

MAINTENANCE TECHNICIAN: J. MALLORY # 6401

TESTING OFFICER'S OBSERVATIONS

REFUSED

SPEECH: SLURRED

ATTITUDE: QUIET

CLOTHING: LONG SLEEVE SHIRT, JEANS, TENNIS SHOES.

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER: NONE

COMMENTS: ARRIVED AT CENTER A/O BEGAN THE 20 MINUTE OBSERVATION AT 0611 HRS.

A. ADVISED TO TAKE TEST.

A/. ACKN./.

A. ADVISED HE UNDERSTOOD F/ TO BLOW AGAIN.

A/. DID NOT.

A. ADVISED HE UNDERSTOOD AGAIN.

A/. REFUSED W/F

REFUSED

A. ANSWERED QUESTIONS.

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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: 2018039389	**Date:** 11/27/2018
	Specialist Name/ID: J. Beck/9007