

Arrest Report

2018CT22771

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

Report Date / Time	Report Number	Case Number/CAD Number	Reporting Officer Name
12/23/2018 3:38:20AM	FHP99ARR795719	FHPL18OFF106447 / LWRC18CAD232019	Z. TODD

Originating Agency ORI	Occurrence Date Time Range	Jurisdiction	Clearance
FL0509000	12/23/2018 2:12:09 AM -		

Location of Occurrence

Location Type	Location Description
	XR PALMETTO PARK RD

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

County	City	State	Zip
PALM BEACH	BOCA RATON	FL	33486

Defendant

First Name	Middle Name	Last Name	Suffix	Date Of Birth	Age	Race	Sex
MARK	PHILIP	ZANNONI		7/31/1997	21	WHITE	MALE

SSN	MNI #	Place of Birth	Height	Weight	Hair	Eyes
[redacted]		FT LAUDERDALE, FL, USA	510	200	BRO	BRO

DL or ID Number	ID State	ID Type	Address Type
Z550555972710	FL	E	RESIDENCE

Street Number	Street	Apt/Lot/Bldg
241	SE 11TH STREET	

County	City	State	Zip	Phone Number	Extension
BROWARD	POMPANO BEACH	FL	33060		

Location Description
RESIDENCE

Arrest

Arrest Date/Time	Arrest Location Type	Arrest Location Description
12/23/2018 3:07:20AM		

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

City	State	Zip
BOCA RATON	FL	33486

FILED
DEC 24 2018
SHARON R. BOCK
Clerk & Comptroller

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

Counts	Charge	General Offense Code	Bond Amount	No Bond
1	318.14.3		$ 0.00	☐

Charge Degree	Charge Level	Arrest Offense Code Description
S	MISDEMEANOR	RESIST OFFICER

Charge Description
REFUSE TO ACCEPT SIGN CITATION OR POST BOND

Received WB
DEC 26 2018

Probable Cause

On December 23, 2018 I was on routine patrol in my marked patrol car in Palm Beach County. I responded to the scene of a traffic crash that occurred on I-95 (State Road 9) southbound at Palmetto Park Road. I arrived on scene and was briefed by Trooper C. Castillio. He stated that he concluded his crash investigation. He also stated that as he conducted the investigation he observed that the driver of the grey vehicle had the odor of an unknown alcoholic beverage emitting form his breath as he talked. He also stated that he observed that he had slurred speech, bloodshot glassy eyes and an orbital sway. After Trooper Castillio concluded his crash investigation it was stated to the driver that I was now beginning a DUI

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investigation. Miranda Warning was read and he stated that he understood. He advised me that he was driving his vehicle and was looking down and then collided into the rear of another vehicle. As he talked I observed that he had bloodshot glassy eyes, slurred speech and the odor of an unknown alcoholic beverage was emitting from his breath as he talked. I ther requested that he conduct field sobriety exercises and he agreed. The driver was later identified as Mark Zannoni by his FL DL.

Horizontal Gaze Nystagmus

Before beginning the exercises, I checked to see if Zannoni was wearing glasses or contact lenses. It was determined that Zannoni was not wearing glasses. I then checked Zannoni's eyes and observed equal tracking and equal pupil size. Zannoni was instructed to place his feet together and place his hands down at his side. He then was instructed to keep his head still and follow the stimulus with his eyes and his eyes only. He was also instructed to keep looking at the stimulus until told not to. Zannoni verbally indicated that he understood.

- Lack of smooth pursuit, left eye
- Lack of smooth pursuit, right eye
- A distinct and sustained nystagmus at maximum deviation in the left eye
- A distinct and sustained nystagmus at maximum deviation in the right eye
- An onset of nystagmus prior to 45 degrees in the left eye
- An onset of nystagmus prior to 45 degrees in the right eye

I observed Zannoni to have an orbital sway and vertical nystagmus.

Walk and Turn Exercise

The area was level and free of debris. Zannoni verbally indicated that he saw the line on the ground. Zannoni was instructed to put his left foot on the line, then place his right foot on the line ahead of the left foot in a heel to toe manner. I then demonstrated this position. Zannoni was instructed not to begin untold to do so. Zannoni verbally indicated that he has understood all instructions up to this point. Zannoni was then instructed to take 9 heel to toe steps on the line when told to do so. I then demonstrated this. Zannoni was then instructed to turn on the ninth step and to keep the front foot on the line and to take a series of small steps with the foot on the line. I then demonstrated this for Zannoni. Zannoni was also instructed to keep his arms at his sides and to watch his feet during the exercise. Zannoni was also instructed to count aloud and to not stop once he begins the exercise. He was also instructed to keep his arms at his sides at all times.

He took 11 steps forward and 11 steps back. Mr. Zannoni showed difficulty keeping balance during the instructions and the exercise and used his arms for balance. I observed that he stepped off the line on multiple steps and stopped the exercise after the turn. He then continued the exercise. He also completed the turn incorrectly and took his foot off the line. He also had a sway during the exercise and did not stay in the instructional position as instructed.

One Leg Stand Exercise

Mr. Zannoni was instructed to stand with his feet together and to place his arms down at his side. Mr. Zannoni was instructed to maintain that position until told to do so. Once told to do so, Mr. Zannoni was instructed to raise one foot approximately 6 inches off the ground and to keep both legs straight with both arms at his side. He was also instructed to look at the elevated foot and count aloud in the manner of one thousand-one, one thousand-two and so on until told to stop. Mr. Zannoni verbally indicated that he understood the instructions after I demonstrated to him.

Mr. Zannoni was told to begin and raised his left foot. During the exercise Mr. Zannoni displayed an orbital sway and did not look down at his foot properly. He also raised his foot approximately 2 inches off the ground and would keep placing his foot down and lifting it back up. He also had a sway and hopped during the exercise and stopped counting.

Finger To Nose

Mr. Zannoni was instructed stand with his feet together and arms at his side and to have his index fingers pointed out. He was instructed to not start and stay in that position until told to do so. He stated that he understood. I then demonstrated the position. Mr. Zannoni was then instructed to when told to start to close both eyes and tilt his head back. When told to do so he was instructed to bring the hand I directed upward, touching the tip of your finger to the tip of his nose. I then demonstrated this. He was then instructed to after touching the tip of the nose to immediately bring his hand down to his side. He stated that he understood. I then demonstrated and he stated that he understood. He was instructed to raise his

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hand in the following order, left, right, left, right, and right, left.
-Left: Missed.
-Right: Missed.
-Left: Missed.
-Right: Missed.
-Right: Missed.
-Left: Missed.
He was then placed under arrest for DUI and transported to the county jail. Once I arrived at the testing center I conducted a 20-minute observation. At no time did he regurgitate or take anything by mouth. I then requested that he submit to a lawful test of his breath and he refused. Implied consent was read and he stated that he understood. He then refused again. He was then booked into the county jail. He also refused to sign the DUI citation.
The above incident occurred in Palm Beach County.

Jail Booking Facility

Booking Date/Time	Booking County	Booking Facility	Booking Facility Phone Number
12/23/2018 4:13:42AM	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

Court

Court County	Court Location
PALM BEACH	200 WEST ATLANTIC AVE. DELRAY BEACH, FL 33444

Court	Court Phone	Court Appearance Date / Time	Court Fine
PALM BEACH SOUTH COUNTY COURTHOUSE	561-274-1530	1/14/2018 830 AM	

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
Z. TODD	TROOPER	4141

Officer Agency
FLORIDA HIGHWAY PATROL

Officer Signature

Sworn and subscribed before me, the undersigned authority
This the 23 day of December 2018
DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT OFFICER

Notary Public State of Florida
Samantha Palmer
My Commission GG 233762
Expires 10/28/2022

Approving Supervisor

Officer Name	Officer Rank	Officer ID No	Officer Agency

Officer Signature

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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: 2018042285	**Date:** 12/24/2018
	Specialist Name/ID: AM/31562