0480661

3508

Arrest / Notice to Appear
Juvenile Referral Report

1. Arrest 3. Request for Warrant 2. N.T.A. 4. Request for Capias: 1 | Juvenile: ☐

ADMINISTRATIVE

OBTS Number	Agency ORI Number	Agency Name	Agency Report Number
	F L O 5 0 2 7 0 0	PALM SPRINGS POLICE DEPARTMENT	82- 2016-22110

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

Weapon Seized / Type:

Multiple Clearance Indicator:

Location of Arrest (Including Business Name): 3500 BLK SOUTH CONGRESS AVE PS FL 33461

Location of Offense (Business Name, Address): 3500 BLK S. CONGRESS AVE PS FL 33461

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
8/31/16	0254					KELLE SHEEHAN TOWING

DEFENDANT

Name (Last, First, Middle): FEHER,MICHAEL, JULIAN — Alias:

Race: W – White I – American Indian B – Black O – Oriental/Asian	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	M	03/07/1988	6-0	220	BLU	BLND	LIGHT	AVG

Scars, Marks, Tattoos, Unique Physical features (Location, Type, Description):

Marital Status: SINGLE | Religion: UNK | Indication Of Alcohol Influence: No | Drug Influence: No

Local Address (Street, Apt, Number) (City) (State) (Zip): 813 BRANDON PRESCOTT LANE #209 WPB FL 33401

Phone: 347-534-7706

Residence Type: 1 City 2 County 3 Florida 4 Out of State: 1

Permanent Address (Street, Apt, Number) (City) (State) (Zip):

Phone:

Address Source:

Business Address (Street, Apt, Number) (City) (State) (Zip):

Phone:

Occupation: SOCIAL WORKER

D/L Number, State	Social Security Number	INS Number	Place of Birth (City, State)	Citizenship
F600-550-88-087-0	[redacted]		LONGVIEW, WASHINGTON	USA

CO-DEF

Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	
				☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile
				☐ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile

JUVENILE

☐ Parent ☐ Other ☐ Legal Custodian — Name (Last, First, Middle): — Residence Phone:

Local 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 was provided by ☐ defendant and / or ☐ defendant's parents. The child and / or parent was told to keep the Juvenile Court Clerk's Office (Phone 355-2526) informed of any change of address. ☐ Yes by: (name) ☐ No: — School Attended — Grade

Property Crime? ☐ Yes ☐ No — Description of Property — Value of Property

CODE

Drug Activity: S. Sell, R. Smuggle, K. Dispense/Distribute, M. Manufacture/Produce/Cultivate, Z. Other; N. N/A, B. Buy, D. Deliver, T. Traffic, E. Use, P. Possess

Drug Type: B. Barbiturate, H. Hallucinogen, P. Paraphernalia/Equipment, U. Unknown, N. N/A, C. Cocaine, M. Marijuana, Z. Other, A. Amphetamine, E. Heroin, O. Opium/Deriv, S. Synthetic

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
DUI	1	No	316.193 1	

Drug Activity	Drug Type	Amount / Unit	Offense Number	Warrant / Capias Number	Bond
N	N		2016-22110		

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #

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

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #

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

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #

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

NOTICE TO

☐ Instruction No. 1 Mandatory Appearance in Court

☐ Instruction No. 2 You need not appear in Court but must comply with instructions on Reverse side.

Location (Court, Room Number, Address): CJC - 3228 Gun Club Rd. WPB, FL 33406

Court Date and Time — Month: SEPT Day: 29 Year: 2016 Time: 0830 ☒ A.M. ☐ P.M.

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 — Name Verification (Printed by Arrestee) (PRINT)

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other — Name of arresting Officer (Print): GEE — I.D.#: 134

Intake Deputy: Coldiandemen 4716 — I.D.# — Pouch # — Transporting Officer: GEE — I.D.#: 134 — Agency: RSPD — Witness here if subject signed with X

Page 1 Of 1

F4251 DISTRIBUTION: 1 COURT COPY, 2 - STATE ATTORNEY, 1 – AGENCY, 1 – JAIL, 1 – DEFENDANT(NTA'S ONLY) / PDF FORM V02012

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SCANNED

AUG 3 1 2016

AUG 31 AM 5:11

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 31ST DAY OF AUG 20 16, AT 0236 ✓ AM PM

SUBJECT: FEHER,MICHAEL, JULIAN CASE NUMBER: 2016-22110

AGENCY: PALM SPRINGS POLICE DEPARTMENT ARRESTING OFFICER: GEE--134

PERSONAL CONTACT

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

On 08-31-16 at approximately 0236hrs, I responded to the area of the 3500 Blk of South Congress Avenue in reference to a Vehicle Crash. Ofc. Salguero #164 had advised that he pulled up on a Vehicle Crash. Upon arrival I made contact with Ofc. Salguero and the Defendant. (Michael Julian Feher) I spoke with Ofc. Salguero and the Defendant. I began my Crash Investigation and concluded that the Def. and his vehicle were the only vehicle and person involved in this crash. I walked through the debris field and determined that the Def. was traveling northbound in the 3600 Blk of South Congress, lost control of his 2014 White VW 4d bearing Fl-Tag# EQQG88, and drove up on top of the median located in the 3500 Blk of South Congress. The VW was clearly disabled and air bags had deployed. The Def. stated that he was not injured and that he had a blowout, causing him to strike the median. Ofc. Salguero told me that he pulled up on this crash and found the Defendant sitting in the driver seat eating a cheeseburger. Once I completed the Crash Investigation, I advised the Def. that I was beginning a DUI Investigation. I read Miranda Warnings to the Def. and he stated he understood his Miranda Warnings.

OBSERVATION OF DRIVER:

I noticed the Def. had blood shot glassy eyes. I also smelled an odor of an unknown alcoholic beverage emanting from the Def.'s breath. The Def. was standing outside of his vehicle when I arrived. I asked the Def. if he would participate in Roadside Tasks. The Def. agreed to participate. Cpl Diez escorted the Def. into the parking lot of the Palm Springs Plaza, which was approximately 200 feet away from the crash scene. The Def. staggered while walking over to the plaza parking lot.

DRIVER'S STATEMENTS:

The Def. told me that he was coming from a friends house and consumed beer prior to the crash. The Def. told me that he had a blow out and struck the median. The Def. later told me during Roadsides that he thinks he may be drunk. The Def. also told me that he had a back and brain injury.

ODORS:

odor of an unknown alcoholic beverage emanating from the Def's breath

GENERAL OBSERVATIONS

SPEECH: extremely slurred

ATTITUDE: cooperative

CLOTHING: blue shorts, white shirt, no shoes

MEDICAL/OTHER:

NOT A CERTIFIED COPY

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 31st day of Aug 20 16 by GEE--134

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

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

GARY J. PARENT
Notary Public - State of Florida
My Comm. Expires Jun 21, 2017
Commission # FF 007495
Bonded Through National Notary Assn.

SCANNED
AUG 3 1 2016

SUBJECT: FEHER,MICHAEL, JULIAN CASE NUMBER 2016-22110

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

- [x] LT EYE-LACK OF SMOOTH PURSUIT
- [x] RT EYE-LACK OF SMOOTH PURSUIT
- [x] LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION
- [x] RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION
- [x] LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES
- [x] RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

Other Observations:
The Def. staggered before I could begin this task.

WALK & TURN
The Def. staggered while attempting to get into the starting position. The Def. could not remain in the starting position. The Def. staggered at step 4 and 7 of first series of steps. The Def. staggered on step 2 of second series of steps. The Def. stepped off of the line and missed heel to toe on multiple steps of the first and second series of steps.

ONE LEG STAND:
The Def. dropped his foot on the ground 3 times within the first 15 seconds of this task. The Def. stated that he could not perform this task. I ended this task and continued to finger to nose.

FINGER TO NOSE:
The Def. swayed during this task. The Def. lost his balance and staggered during this task.

ROMBERG ALPHABET:
The Def. recited "QRX" during his alphabet

BREATH TEST RESULTS: .066 .068

NOT A CERTIFIED COPY

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 31st day of Aug 20 16 by GEE--134

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

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

GARY J. PARENT
Notary Public - State of Florida
My Comm. Expires Jun 21, 2017
Commission # FF 007485
Bonded Through National Notary Assn.

SCANNED
AUG 3 1 2016

D.U.I. Witness List

Subject Name: FEHER,MICHAEL, JULIAN Case #: 2016-22110

Arresting Officer: GEE--134
Palm Springs Police Department - 230 Cypress Ln Palm Springs, FL. 33461
Phone #: (561) 968-8243 Cell #: jgee@vpsfl.org
Can Testify to:

Assisting Officer 1: SALGUERO--164
Agency Name: Palm Springs Police Department
Address:
Phone #: Cell #: dsalguero@vpsfl.org
Can Testify to: DEF. being behind the wheel and signs of impairment

Assisting Officer 2: CPL. DIEZ--180
Agency Name: PSPD
Address:
Phone #: Cell #: ddiez@vpsfl.org
Can Testify to: signs of impairment

Assisting Officer 3:
Agency Name:
Address:
Phone #: Cell #:
Can Testify to:

Other Witness 1:
Address:
Phone #: Cell #:
Can Testify to:

Other Witness 2:
Address:
Phone #: Cell #:
Can Testify to:

Other Witness 3:
Address:
Phone #: Cell #:
Can Testify to:

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SCANNED
AUG 3 1 2016

TESTING FACILITY TASK REPORT

AGENCY: PSPD

SUBJECT: FENCE, MICHAEL J. CASE NUMBER: 16-121092

DATE: 08/31/16 VIDEO TAPE NUMBER: 61310

BEGINNING TIME: 0350 ENDING TIME: 0403

BREATH TESTS RESULTS: 1) .066 TIME 0356 (A.M./P.M.) 2) .068 TIME 0359 (A.M./P.M.)

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

BREATH OPERATOR: G. PEREZ #7204

MAINTENANCE TECHNICIAN: KARLICK #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: NORMAL, SLURRED

ATTITUDE: CALM, QUIET, COOPERATIVE

CLOTHING: BLUE SHORTS, WHITE T-SHIRT, BAREFOOT

MEDICAL CONDITIONS: BRAIN INJURY

MEDICATIONS: AFFOR, AMLOD, MUSCLE RELAXERS

OTHER: EYES GLASSY, PUPILS CONSTRICTED, ROCKING BACK AND FORTH, ODOR OF AN UNKNOWN ALCOHOLIC BEVERAGE ON BREATH, UNSTEADY ON FEET

COMMENTS: ARRIVED AT CENTER A/O RECAP THE 20 MINUTE OBSERVATION PERIOD AT 0310 HRS.

Δ STATED HE WOULD TAKE TEST. Δ THEN ASK IF HE COULD CHAT WITH HIS ATTORNEY A/O READ I/C

Δ STATED HE UNDERSTOOD I/C AND AGREED TO TEST ~~AND REGISTER~~ TECH READ BREATH TEST RESULTS Δ STATED HE

A/O REQUESTED A URINE SAMPLE

Δ STATED HE WOULD PROVIDE A SAMPLE AT 0402 HRS A/O READ I/C AGAIN REF URINE

Δ STATED HE UNDERSTOOD I/C AND AGAIN AGREED TO PROVIDE A SAMPLE AT 0403 HRS.

A/O DID NOT READ RIGHTS OR ATTEMPT Q+A AS Δ STATED HE DIDN'T WANT TO ANSWER WITHOUT ATTORNEY

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SCANNED
AUG 31 2016

SUBJECT: FEHEC, MICHAEL J. CASE NUMBER: 16-22110

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) 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.

READ DURING RECORDING OF VIDEO

SUSPECT'S SIGNATURE: (X) NOT READ ON CAMERA - BAT

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SCANNED AUG 31 2016

SUBJECT: FEHER, MICHAEL J. CASE NUMBER: 16-22110

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: _____

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SCANNED
AUG 3 1 2016

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: 80-006029 Software: 8100.27
Date of Test: 08/31/2016

Date of Last Agency Inspection: 08/05/2016
Observation Period Began: 03:10
Subject's Name: MICHAEL J FEHER DOB: 03/07/1988 Sex: M

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	03:54
Air Blank	0.000	03:54
Control Test	0.083	03:55
Air Blank	0.000	03:55
Subject Sample #1	0.066	03:56
Air Blank	0.000	03:57
Air Blank	0.000	03:59
Subject Sample #2	0.068	03:59
Air Blank	0.000	04:00
Control Test	0.082	04:00
Air Blank	0.000	04:01
Diagnostics Check	OK	04:01

Cylinder Lot: 279870
Exp: 02/04/2019

State of Florida, County of Palm Beach,

Personally appeared before me the undersigned authority, who (L) ~~is~~ personally known to me or (__) produced _____ as identification, and who after being placed under oath, states:

I GARY J PARENT, 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: _____ Date: 08/31/16
Signature

Sworn to (or affirmed) before me this 31 day of August, 2016

_____ OFC. J. GEE
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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SCANNED
AUG 3 1 2016

PALM BEACH COUNTY SHERIFF'S OFFICE
DUI TESTING FACILITY
INFORMATION SHEET

PBSO CASE # 16-121092 PBSO ZONE 1-33

AGENCY CASE # 2016-22110 CRASH CASE #

TIME OF STOP/CRASH 0236 DATE 08/31/2016 DAY WED

SUBJECT'S NAME FEHER,MICHAEL JULIAN RACE W SEX M

Height: 6-0 Weight: 220 DOB: 03/07/1988

LOCATION 3500 BLK S. CONGRESS AVE

ARRESTING OFFICER'S NAME & ID GEE--134 AGENCY PSPD

DIVISION: TRAFFIC UNIT

NOTIFIED BY COMMO Yes

ARRIVAL AT FACILITY 0310

ARREST TIME 0254

BREATH RESULTS:

1. .066
2. .068
3. N/A
4. URINE

TESTING OFFICER'S ID 7909 PBSO VIDEOTAPE # 61310

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SCANNED
AUG 3 1 2016