

PCH# 3401

OBTS Number		ARREST / NOTICE TO APPEAR Juvenile Referral Report						1. Arrest 2. N.T.A.	3. Request for Warrant 4. Request for Capias	1	Juvenile N										
ADMINISTRATIVE	Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE				Agency Report Number (N.T.A.'s only) 06- 17108557														
	Charge Type: Check as many as apply		<input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony		<input type="checkbox"/> 3. Misdemeanor <input checked="" type="checkbox"/> 4. Traffic Misdemeanor		<input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		Weapon Seized / Type 2 1. Yes 2. No		Multiple Clearance Indicator 01										
Location of Arrest (Including Name of Business) 6th Ave South and Wright Drive, Lake Worth FL 33461		Location of Offense (Business Name, Address) 6th Ave South and Wright Drive						Lake Worth FL 33461													
Date of Arrest 07/29/2017		Time of Arrest 1935		Booking Date		Booking Time		Jail Date		Jail Time		Location of Vehicle D and D Automotive									
DEFENDANT	Name (Last, First, Middle) Phillips Michelle Lynde										Alias (Name, DOB, Soc. Sec. #, Etc.)										
	Race W - White I - American Indian B - Black O - Oriental/Asian		W	Sex F	Date of Birth 03/04/1975		Height 5'2"	Weight 120	Eye Color Green		Hair Color Dirty Blonde		Complexion Fair		Build Small						
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) Tattoo on ankle, foot, back, forearm										Marital Status Divorced		Religion NONE		Indication of: Alcohol Influence Drug Influence						
	Local Address (Street, Apt. Number) 807 Wright Drive										(City) Lake Worth FL 33461		(State) (Zip)		Phone (954) 2758729		Residence Type: 1. City 2. County 3. Florida 4. Out of State				
	Permanent Address (Street, Apt. Number) ,										(City)		(State)		Phone ()		Address Source FL DL				
	Business Address (Name, Street)										(City)		(State)		Phone ()		Occupation Senior Sales Coordinator				
	D/L Number, State P412552755840, FL				Soc. Sec. Number				INS Number				Place of Birth (City, State) Heidelberg, Germany		Citizenship USA						
	CO-DEFENDANT	Co-Defendant Name (Last, First, Middle)										Race	Sex	Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large			<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile		
		Co-Defendant Name (Last, First, Middle)										Race	Sex	Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large			<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile		
	JUVENILE	<input type="checkbox"/> Parent <input type="checkbox"/> Legal Custodian <input type="checkbox"/> Other:										Residence Phone ()									
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 provided by <input type="checkbox"/> defendant and / or <input type="checkbox"/> defendant's parents The child and / or parent was told to keep the Juvenile Court Clerk (Phone 355-2528) informed of any change of address. <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No: (Reason)										School Attended				Grade							
CHARGE CODE	Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No										Description of Property				Value of Property						
	Drug Activity N. N/A P. Possess		S. Sell B. Buy T. Traffic		R. Smuggle D. Deliver E. Use		K. Dispense/ Distribute		M. Manufacture/ Produce/ Cultivate		Z. Other		Drug Type N. N/A A. Amphetamine	B. Barbiturate C. Cocaine D. Heroin	H. Hallucinogen M. Marijuana O. Opium/Deriv.	P. Paraphernalia/ Equipment S. Synthetics	U. Unknown Z. Other				
	Charge Description DUI CRASH w/ PROP DAMAGE										Counts 1	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number 361.193(1) 316.193(3)(c)(1)				Violation of ORD #				
	Drug Activity N N	Drug Type	Amount / Unit		Offense # 17108557		Warrant / Capias Number				Bond OR										
	Charge Description										Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number				Violation of ORD #				
	Drug Activity	Drug Type	Amount / Unit		Offense #		Warrant / Capias Number				Bond										
	Charge Description										Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number				Violation of ORD #				
	Drug Activity	Drug Type	Amount / Unit		Offense #		Warrant / Capias Number				Bond										
	Charge Description										Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number				Violation of ORD #				
	Drug Activity	Drug Type	Amount / Unit		Offense #		Warrant / Capias Number				Bond										
NOTICE TO APPEAR	Location (Court Room Number, Address) PALM BEACH COUNTY COURTHOUSE CRIMINAL JUSTICE COMPLEX, 3228 GUN CLUB RD, WEST PALM BEACH, FL 33406 - PH: (561) 355-2996										Court Date and Time Month August Day 24th Year 2018 Time 0830 AM <input checked="" type="checkbox"/> PM <input type="checkbox"/>										
	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										Date Signed 07/29/2017										
ADMIN	Signature of Defendant (or Juvenile and Parent /Custodian) 										Signature Verified (Printed by SCAN (See) (PRINT)) AUG 01 2017										
ADMIN	HOLD for other Agency Name: Lorkis, B.					Signature of Arresting Officer Inv. C. Ficarra					Name Verification (Printed by SCAN (See) (PRINT)) AUG 01 2017										
ADMIN	<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal					Name of Arresting Officer (Print) Inv. C. Ficarra					I.D. # 8368										
ADMIN	<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:					Transporting Officer Inv. C. Ficarra					ID # 8368 Agency PBSO										
ADMIN	Intake Deputy Lorkis, B. 8791 # Pouch #										Witness here if subject signed with an -X" 1 OF 1										

DISTRIBUTION: WHITE - COURT COPY

GREEN - STATE ATTORNEY

YELLOW - AGENCY

PINK - AGENCY

GOLD - DEFENDANT (N.T.A.'s ONLY)

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 29th DAY OF July 20 17, AT 1838 AM PM
SUBJECT: Phillips Michelle Lynde CASE NUMBER: 17108557
AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: Inv. C. Ficarra

PERSONAL CONTACT

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

On 07/29/2017 at approximately 1907 hours I responded to the intersection of 6th Ave South and Wright Drive, in the City of Lake Worth, in reference to a DUI crash investigation. Upon my arrival I met with the initial deputy on scene, D/S Hentze ID: 26709, who stated to me the following: There was a woman in the Montero and the driver of the vehicle in front of that did not want to make a crash report but he was concerned that the driver of the Montero appeared impaired. D/S Hentze stated that the driver of the Mitsubishi Montero bearing Florida tag GMZQ56 had a smell of alcohol and her speech was a bit slurred. I then made contact with the female driver of the Mitsubishi, Michelle Phillips, who was identified by her Florida issued driver's license. She was also the registered owner of the vehicle. I spoke with Michelle and asked her if she supplied the deputies with her driver's license which she stated she did. I observed that her eyes were slightly red, very glassy, and droopy. I immediately could smell the obvious odor of an unknown alcoholic beverage on her breath as she spoke. I retrieved Michelle's license from another deputy on scene and then spoke to the complainant/victim in this case, John Pryce. John stated that he pulled into the median and put on his turn signal and waited due to other traffic coming by. He then stated that the other vehicle "banged" him twice. John stated that the driver was a female and he could identify her as the driver of the vehicle. John stated he saw her driving and no one else was in the vehicle with her (see attached witness statement for further). I observed the damage done to John's vehicle. He had minor scratches and markings in the rear bumper where Michelle's vehicle struck his. Michelle's vehicle had no external signs of damage done to her bumper.

OBSERVATION OF DRIVER:

Deputy Hentze conducted the crash investigation (case number 17108556). I then spoke with Michelle who gave crash statements at that time. I observed that her speech appeared slurred, unclear, and she appeared to have mush mouth. As she spoke the odor of an unknown alcoholic beverage became more obvious. Her face appeared flush and droopy as well. I did not observe any open containers of alcohol in the vehicle at that time. I then repositioned my marked PBSO patrol vehicle so that the in-car video could observe my interaction with Michelle. I then asked Michelle to step out of the vehicle so I could speak with her which she did. I observed that Michelle had a circular sway as she stood still. I then informed Michelle that the crash investigation was completed and a DUI investigation was starting and that I would have to read her her Constitutional Warnings. I then read to Michelle her Constitutional Warnings which she stated she understood. Post-warnings she stated the following: Michelle stated she did not need Fire Rescue, was not injured, and had not physical defects or injuries. She stated she wore glasses for reading but no issues with her eyes. She had no speech impediments normally. She stated she took blood pressure medication and Chantix to stop smoking.

DRIVER'S STATEMENTS:

She did not take any illegal drugs or smoke any marijuana. She had no medical issues such as diabetes or seizures. I explained my concerns to Michelle and asked her how much she had to drink that day. She stated she had a couple glasses of wine which she drank approximately 6 hours prior. She stated she drank in Boynton and was traveling home down Wright Drive. Michelle stated that she stopped her car to turn down her street to go home, she did not think she hit him but apparently she hit him. Michelle stated she was the only one in the vehicle at that time and she had been driving. She also advised the vehicle was registered to her and she had a valid driver's license. Based on my observations I asked Michelle to submit to standardized field sobriety tasks which she stated she would do. I then moved with Michelle to the I-95 overpass where the ground was dry. Michelle removed her sandals for the tasks. No forward blue police lights were on during the tasks.

ODORS:

Obvious odor of unknown alcoholic beverage on breath as she spoke.

GENERAL OBSERVATIONS

SPEECH: slurred, mush mouth, unclear

ATTITUDE: Compliant, talkative, upset

CLOTHING: Yellow tank top, gray shorts, black sandals

MEDICAL/OTHER: Stated had high blood pressure but no other medical issues (no diabetes or seizures), takes blood pressure medication and Chantix to stop smoking, no illegal drugs or marijuana taken, no physical defects or injuries, had a couple glasses of wine, no eye issues

STATE OF FLORIDA
COUNTY OF PALM BEACH

Inv. C. Ficarra 

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 29th day of July 20 17 by Inv. C. Ficarra

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

Gary Parent (#7909)

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

SCANNED

AUG 01 2017

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

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

Other Observations:

Michelle's eyes tracked equally, the pupils were the same size and were appropriate for the lighting conditions, and no resting nystagmus was observed. Vertical gaze nystagmus was administered and was observed. Lack of convergence was administered and was observed. Her right eye rotated up and out while her left eye remained converged. She could not keep her head still and stopped following the stimulus with her eyes, she also swayed in a circular motion and stumbled to her side while standing still, moved arms and feet.

WALK & TURN:

Michelle assisted in placing a white tape line on the ground prior to the tasks. I explained and demonstrated the instructions for the walk and turn task to Michelle who stated that she understood. During the task I observed that Michelle had the following cues: couldn't keep balance while listening to instructions (feet off line and arms up, did not get back into instructed position until after instructions completed); could not place right foot in front of left (kept it slightly off to one side); stops walking to steady self/regain balance several times; missed heel-to-toe on each step; stepped off the line on steps: 1, 8, 9 on the first set then on 3, 6 on the return; used arms for balance (raises arms over six inches); improper turn (lost balance after turning before walking, did not keep front foot on ground as instructed); took incorrect number of steps: 9 on the first set then 14 on the return; swayed in a circular motion during instructions.

ONE LEG STAND:

I explained and demonstrated the instructions for the one leg stand task to Michelle who stated that she understood. During the task I observed that Michelle had the following cues: swayed while balancing; used arms for balance (raises arms over six inches); put foot down 4 times before 30 seconds; swayed in a circular motion during instructions; task was stopped at 24 seconds due to potential for Michelle to fall.

FINGER TO NOSE:

Michelle put her sandals back on for the remainder of the tasks. I explained and demonstrated the instructions for the finger to nose task to Michelle. I explained what is considered the tip of the finger and tip of the nose to Michelle who stated that she understood and she also knew her left from her right. During the task I observed that Michelle had the following cues: did not keep eyes closed; tilted head forward; failed to return arms to the side on each instructed hand; touched bottom and below nose on 1st and 2nd instructed hand; touched side of nose on 3rd and 4th instructed hand; used pad of finger not finger tip on each instructed hand; used wrong hand for task (brought up left when instructed hand; touched side of nose on 5th instructed hand then switched); swayed in a circular motion during task; did not maintain instructed position (stumbled to the side); called for right on 5th instructed hand then switched); swayed in a circular motion during task; did not maintain instructed position (stumbled to the side);

ROMBERG ALPHABET:

I explained and demonstrated the instructions for the Romberg with recitation task to Michelle who stated that she understood. I asked her to say her ABCs from A to Z without stopping or singing which she stated she could. She started the task then stopped because she stated she was nervous due to the cars on the road. We then repositioned and during the task I observed that Michelle had the following cues: did not keep eyes closed; incorrectly recites alphabet (stated to H then stated J, L, M, N, O, P; Q, R, S, T, U, Z, W, H, Y, Z; swayed in a circular motion.

BREATH TEST RESULTS: 1) .304 2) .287 3) 4)

STATE OF FLORIDA
COUNTY OF PALM BEACH

Inv. C. Ficarra 

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 29th day of July 2017 by Inv. C. Ficarra

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

SCA

Gary Parent (#7909)

AUG 01 2017