J# 0507053 PAMM-459D P# 3801

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

OBTS Number

Agency ORI Number: FLO 500000

Agency Name: PALM BEACH COUNTY SHERIFF'S OFFICE

Agency Report Number (N.T.A.'s only): 06- 19059730

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

Weapon Seized / Type: 2 | 1. Yes 2. No

Multiple Clearance Indicator: 1

Location of Arrest (Including Name of Business): 6500 Peanut Island Rd, West Palm Beach, FL 33404

Location of Offense (Business Name, Address): 6500 Peanut Island Rd, West Palm Beach, FL 33404

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
04/14/2019	1706					6500 Peanut Island Rd, West Palm Beach, FL 33404

DEFENDANT

Name (Last, First, Middle): Weisz, Nicholas, Scott

Alias (Name, DOB, Soc. Sec. #, Etc.)

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	7/14/1992	5'08	198	blue	red	light	medium

Scars, Marks, Tatoos, Unique Physcal Features (Location, Type, Description): tattoo right forearm and shoulder

Marital Status: Single | Religion: CHRISTIAN | Indication of Alcohol Influence: Y ☒ N ☐ Unk. ☐ | Drug Influence: Y ☐ N ☐ Unk. ☒

Local Address (Street, Apt. Number) (City) (State) (Zip): 110 Nw 54th Court, Oakland Park, FL 33309

Phone: (954) 881-3720

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

Permanent Address (Street, Apt. Number) (City) (State) (Zip): 110 Nw 54th Court, Oakland Park, FL 33309

Phone: ( )

Address Source: verbal/driver's license

Business Address (Name, Street) (City) (State) (Zip):

Phone: ( )

Occupation: boat detailer

D/L Number, State: W200637922540, FL

Soc. Sec. Number: [redacted]

INS Number:

Place of Birth (City, State): Fort Lauderdale, FL

Citizenship: 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 ☐ Legal Custodian ☐ Other: Name (Last) (First) (Middle)

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 ☐ defendant and / or ☐ defendant's parents The child and / or parent was told to keep the Juvenile Court Clerk (Phone 355-2526) informed of any change of address. ☐ Yes, by: (Name) ☐ No: (Reason)

School Attended Grade

Property Crime? ☐ Yes ☐ No Description of Property

Value of Property

CODE

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 E. Heroin H. Hallucinogen M. Marijuana O. Opium/Deriv. P. Paraphernalia/ Equipment S. Synthetics U. Unknown Z. Other

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
Boating Under The Influence (DUI)	1	☐ Y ☒ N	327.35(1)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
U	U	n/a	19059730		

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐ Y ☐ N		

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

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐ Y ☐ N		

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

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐ Y ☐ N		

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

NOTICE TO APPEAR

Location (Court, Room Number, Address): South County Courthouse, Courtroom #1, 200 W. Atlantic Ave., Delray Beach, FL 33444 - Ph: (561) 355-2996

Court Date and Time: Month May Day 13 Year 2019 Time 0830 AM X PM

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

X [signature] Signature of Defendant (or Juvenile and Parent /Custodian)

04/14/2019 Date Signed

ADMIN

HOLD for other Agency Name:

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other:

Intake Deputy I.D. # Pouch #

Signature of Arresting Officer: X [signature]

Name of Arresting Officer (Print): INV. Jacob Frey I.D. # 9658

Transporting Officer T. Jorda ID # 0766 Agency PBSO

Name Verification (Printed by Arrestee) (PRINT)

Witness here if subject signed with an "X"

PAGE 1 OF 2

DISTRIBUTION: WHITE - COURT COPY GREEN - STATE ATTORNEY YELLOW - AGENCY PINK - AGENCY GOLD - DEFENDANT (N.T.A.'s ONLY)

PBSO #148 REV. 8/97

APR 17 2019

NOT A CERTIFIED COPY

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 14 DAY OF Apr 20 19, AT 1636 AM ✓ PM

SUBJECT: Weisz, Nicholas, Scott CASE NUMBER: 19059730

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: INV. Jacob Frey

PERSONAL CONTACT

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

On 14Apr19 at 1636hrs I was on patrol with PBSO Marine Enforcement Unit in the area of Peanut Island, in unincorporated Palm Beach County. I was on patrol with D/S N. Smith (7871) from the Marine Enforcement Unit.

We observed a white 25ft Trophy vessel traveling southbound plowing through a slow speed zone making wake. We performed a stop on the vessel. Upon making contact with the occupants of the vessel, a white male, later identified by his Florida Driver's License as Nicholas Weisz, identified himself as the operator of the vessel.

OBSERVATION OF DRIVER:

As I spoke to him I observed his face was flush and his eyes were watery and bloodshot. I could smell the strong odor of an unknown alcoholic beverage coming from the vessel and from his breath when he spoke. His speech was slurred when he spoke. I observed several empty cans of Bud Light on the transom and an empty can of Modelo on the starboard side of the vessel. We were asking for several particular safety items; he began to show me items that we did not request; flares and a first aid kit. I requested that he come onto our vessel for Standard Field Sobriety Tasks (Seated Battery). I had him sit on the seat at the rear of our vessel. I asked if he was "stable" and he responded "I had 2 beers about an hour ago".

DRIVER'S STATEMENTS:

I asked if he was "stable" and he responded "I had 2 beers about an hour ago".

ODORS:

Strong odor of an unknown alcoholic beverage coming from his breath and person.

GENERAL OBSERVATIONS

SPEECH: **slurred**

ATTITUDE: **cooperative, talkative, anxious, paranoid**

CLOTHING: **Gray t-shirt, red short, no shoes, black ball cap**

MEDICAL/OTHER: **stated he has anxiety. He also stated he had prior injuries to his left foot, back, and neck from over 2 to 5 years ago.**

NOT A CERTIFIED COPY

STATE OF FLORIDA
COUNTY OF PALM BEACH

INV. Jacob Frey
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 14 day of Apr 20 19 by INV. Jacob Frey

(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.S. 117.10)

Notary Public State of Florida
Gary J Parent
My Commission GG 085486
Expires 06/21/2021

FILED
APR 17 2019

SUBJECT: Weisz, Nicholas, Scott CASE NUMBER 19059730

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:

I checked his eyes for horizontal gaze nystagmus (HGN). Both eyes had equal tracking and equal pupil size. His eyes were watery and bloodshot. In both eyes he had lack of smooth pursuit, distinct and sustained nystagmus at maximum deviation, and the onset of nystagmus prior to 45 degrees. He did not have vertical gaze nystagmus (VGN). The task was completed in the seated position.

FINGER TO NOSE:

I instructed and demonstrated the finger to nose (seated battery); he acknowledged he understood. During the instruction he mimicked my movements. On the first left command he touched his nose with the pad of his finger and I had to remind him to place it back down to his side. He stopped the task, opened his eyes and leaned his head forward. On the first right command he used the pad of his finger to touch his nose and I again had to remind him to place his hand back down to his side. On the second left command he used the pad of his finger to touch the side of his nose (pushed it upward). On the second right command he quickly moved his finger towards his nose but did not touch it. On the third right command he again quickly moved his finger towards his nose and touched the tip of his nose with the pad of his finger. On the third left command he quickly moved his finger towards his nose and touched his nose with the pad of his finger. The task was completed in a stable seated position.

PALM PAT:

I instructed and demonstrated the palm pat (seated battery); he acknowledged he understood. He did not count as instructed. When his hands made contact he double pat and chop pat. I had to remind him to increase his speed. The task was completed in a stable seated position.

HAND COORDINATION:

I instructed and demonstrated the hand coordination (seated battery); he acknowledged he understood. He did not remain in the instructional position as instructed and mimicked my movements. He started with the first of the 4 tasks. He moved his 4 steps forward and began to go into the fifth step. He did not count out loud as instructed. He then went directly into the end of the third task by placing his hands back to his chest. He then went into the second task and clapped 4 times. He went back to the first task and stepped his hands forward counting to 4, then stepped his hands back as he counted to 5, and then stepped his hands forward as he counted to 8. He then went back to the second task again and clapped his hands 3 times. He went directly into the fourth task and placed his hands onto his lap. The task was completed in a stable seated postion.

ROMBERG ALPHABET:

not performed

NOT A CERTIFIED COPY

BREATH TEST RESULTS: .122 .124

STATE OF FLORIDA
COUNTY OF PALM BEACH

INV. Jacob Frey
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 14 day of Apr 20 19 by INV. Jacob Frey

(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.S. 117.10)

Notary Public State of Florida
Gary J Parent
My Commission GG 085486
Expires 06/21/2021

APR 17 20

WITNESS LIST

CASE NUMBER: 19059730

ARRESTING OFFICER: INV. Jacob Frey

ADDRESS: 3228 Gun Club Rd, WPB

PHONE NUMBERS (HOME): _____ (WORK) 561-688-3000

CAN TESTIFY TO: physical control, personal contact, SFST

NAME: D/S N. Smith (7871)

ADDRESS: 3228 Gun Club Rd, WPB

PHONE NUMBERS (HOME) _____ (WORK) 561-688-3000

CAN TESTIFY TO: physical control, personal contact

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) 0

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NOT A CERTIFIED COPY

APR 17 2019

TESTING FACILITY TASK REPORT

AGENCY: PBSO

SUBJECT: WEISZ, NICHOLAS S CASE NUMBER: 19-059730

DATE: 04/14/19 VIDEO TAPE NUMBER: N/A

BEGINNING TIME: 1826 ENDING TIME: 1846

BREATH TESTS RESULTS: 1) .122 TIME 1832 A.M./(P.M.) 2) .124 TIME 1835 A.M./(P.M.)

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

BREATH OPERATOR: G. PARENT #7909

MAINTENANCE TECHNICIAN: KNUECKE #6167

TESTING OFFICER'S OBSERVATIONS

SPEECH: THICK, SLURRED

ATTITUDE: CALM, QUIET, CO OPERATIVE

CLOTHING: RED SHORTS, GRAY T-SHIRT, BROWN SANDALS

MEDICAL CONDITIONS: ANXIETY, ADHD, BI POLAR, LEFT ANKLE

MEDICATIONS: MEDICAL MARIJUANA

OTHER: EYES GLASSY AND BLOODSHOT, ODOR OF AN UNKNOWN ALCOHOLIC BEVERAGE ON BREATH

A ADMITTED TO DRINKING 6 BUD LIGHTS (Q+A)

COMMENTS: ARRIVED AT MOBILE BAT A/O BEGAN THE 20 MINUTE OBSERVATION PERIOD AT 1729 HAS A STATED YES HE WOULD TAKE TEST THEN ASKED WHAT IS THE DIFFERENCE.

A/O READ I/C

A STATED HE UNDERSTOOD I/C A/O AGREED TO TEST

A/O READ RIGHTS

A STATED HE UNDERSTOOD RIGHTS

TECH. READ BREATH TEST RESULTS A ASKED WHAT DOES THAT MEAN AND HE WAS TOLD HE WAS OVER A/O CONDUCTED Q+A

A ANSWERED QUESTIONS

NOT A CERTIFIED COPY

WHITE - STATE ATTY. YELLOW - DHSMV PINK - CENTRAL RECORDS GOLD - JAIL 11 2019

PBSO #0129A REV.11/82

PALM BEACH COUNTY
SHERIFF'S OFFICE
RIC L. BRADSHAW, SHERIFF

PROFESSIONALISM • INTEGRITY • RESPECT • FAIRNESS

Implied Consent for BUI in a Vessel

(NOTE: Only read 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.

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.

I am now requesting that you submit to a lawful test of your **BLOOD** for the purpose of determining its alcohol content and the presence of chemical or controlled substances.

(Note: Only read the following paragraph if the subject does not comply with your request).

I am (your name) of the (your department). If you fail to submit to the test I have requested of you, it will result in a civil penalty of $500.00. Additionally, if you refuse to submit to the test I have requested of you and if you have been previously fined 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.

NOT A CERTIFIED COPY

APR 17 20

SUBJECT: Weiss, Nicholas S CASE NUMBER: 19-059730

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.

SUSPECT'S SIGNATURE: (X) Refused on Camera APR 17 2019

WHITE - STATE ATTY. YELLOW - DHSMV PINK - CENTRAL RECORDS GOLD - JAIL

PBSO #0129B REV. 06/11

NOT A CERTIFIED COPY

SUBJECT: Weiss, Nicholas S CASE NUMBER: 19-059730

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~~ VESSEL AT THE TIME OF THE STOP/ACCIDENT? Yes

WHERE WERE YOU GOING? Fishing Boat Key

WHAT ~~STREET OR HIGHWAY~~ WATERWAY WERE YOU ON? ICW

DIRECTION OF TRAVEL? W WHERE DID YOU START? Florida Power + L.

WHAT TIME DID YOU START? Night before WHAT TIME IS IT NOW? NO

WHAT IS TODAY'S DATE? 1st AM WHAT DAY OF THE WEEK IS IT? Friday

WHAT COUNTY AND CITY ARE YOU IN NOW? West Palm

WHEN DID YOU LAST EAT? 6:30 AM WHAT DID YOU EAT? Eggs + toast

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? Harbor Key Boat Island

HOW MUCH DO YOU WEIGH? 194 HAVE YOU BEEN DRINKING? Yes WHAT? Bud Light

HOW MUCH? 4 Beers before 11 AM WHERE? On Boat/Power L. WITH WHOM? Friends

WHEN DID YOU HAVE YOUR FIRST DRINK? 10:15 AM AND YOUR LAST DRINK? 2 PM 2 hours before TPD

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? Normal

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? NO ARE YOU UNDER THE INFLUENCE? NO

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? _____ HOW MUCH? —

WHAT? — WHERE? — WHEN? —

WHAT LINE OF WORK ARE YOU IN? Boat detailing WHEN DID YOU LAST WORK? Yesterday

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? No WHAT? Front tooth/fixed

ARE YOU SICK OR INJURED? NO WHAT'S WRONG? _____

DO YOU LIMP? Occasionally DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? NO

WERE YOU IN AN ACCIDENT TODAY? NO

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? NO WHEN? _____

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? NO WHO? _____ WHY? _____

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? NO WHAT? Medical Mj WHEN? Yesterday 8:30 PM

DO YOU HAVE:

EPILEPSY?	NO
GLASS EYE?	NO
FALSE TEETH?	NO
EAR INFECTION?	NO
INNER EAR TROUBLE?	Hearing loss
DIABETES?	NO

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? NO

DO YOU TAKE INSULIN? No IF SO, WHEN WAS YOUR LAST INJECTION? _____

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? No WHERE? FL

INTERVIEWER: Inv. J. Joy 9656 APR 17 2019

WHITE - STATE ATTY. YELLOW - DHSMV PINK - CENTRAL RECORDS GOLD - JAIL

PBSO #0129C REV. 9/93

NOT A CERTIFIED COPY

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: 80-006027 Software: 8100.27
Date of Test: 04/14/2019

Date of Last Agency Inspection: 03/15/2019
Observation Period Began: 17:29
Subject's Name: NICHOLAS S WEISZ DOB: 07/14/1992 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	18:30
Air Blank	0.000	18:30
Control Test	0.079	18:30
Air Blank	0.000	18:31
Subject Sample #1	0.122	18:32
Air Blank	0.000	18:32
Air Blank	0.000	18:34
Subject Sample #2	0.124	18:35
Air Blank	0.000	18:35
Control Test	0.077	18:36
Air Blank	0.000	18:36
Diagnostics Check	OK	18:36

Cylinder Lot: 12317080A3
Exp: 07/05/2019

State of Florida, County of PALM BEACH.

Personally appeared before me the undersigned authority, who (X) 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: 04/14/19
Signature

Sworn to (or affirmed) before me this 14 day of APRIL, 2019

_____ INV. J. FREY
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/ATF FORM 38 - MARCH 2004, Ref. 11D-8.007

NOT A CERTIFIED COPY

APR 17 2019

FLORIDA UNIFORM BOATING CITATION

In the court designated below the undersigned certifies that he/she has just and reasonable grounds to believe and does believe that on:

Citation #: **V589159**

County: **PALM BEACH**
City: **RIVIERA BEACH**
Sun 04/14/2019 04:42 PM

VIOLATOR

First Name: **NICHOLAS** Middle: **SCOTT**
Last: **WEISZ** DOB: **07/14/1992**
Address: **NW 110 54TH COURT** #
City: **OAKLAND PARK** State: **FL** Zip: **33309**
☐ Diff Addr on DL
Height: **508** Race: **W** Ethnicity:
Sex: **M** Phone #:
DL #: **W200637922540** DL State: **FL** Expires: **2022**
Class: **E**

REGISTRATION

Yr. Ves: **2005** Color:
Make: **BRUN INC**
Boat Name:
Ves. Reg #: **FL0907RY**
State: **FL** Doc #:
Fuel: **GAS** Expires: **2019**
HP: **300** Propulsion: **O/B**
Length: **28'** Style: **CABIN**

LOCATION

Upon the Waters of the State of Florida, or Other Location Namely:
WEST SIDE OF PEANUT ISLAND

Lat/Y: Long/X:

VIOLATION

Did unlawfully commit the following Offense, In violation of State Statute,
Actual Speed: Posted Speed:
RESTRICTED AREA VIOLATION - STATE RULE 327.46(2)
PLOWING THROUGH SLOW SPEED ZONE MAKING WAKE

Violation Officer Comments:

☐ Crash ☐ Property Damage $
☐ Injury ☐ Serious Bodily Injury ☐ Fatal
Blood Alcohol Level:
Arrest Date: Arrest Delivered To:

COURT INFORMATION

SOUTH COUNTY COURTHOUSE
200 W. ATLANTIC AVE., COURTROOM 1
DELRAY BEACH, FL 33444
(561) 274-1530
19-059730
Court Date/Time: **05/13/2019 08:30 AM**
Fine: **$90.00**

SIGNATURE

I AGREE AND PROMISE TO COMPLY AND ANSWER TO THE CHARGES AND INSTRUCTIONS SPECIFIED IN THIS CITATION. WILLFUL REFUSAL TO ACCEPT AND SIGN THE CITATION MAY RESULT IN ARREST. I UNDERSTAND MY SIGNATURE IS NOT AN ADMISSION OF GUILT OR WAIVER OF RIGHTS. IF YOU NEED REASONABLE FACILITY ACCOMMODATIONS TO COMPLY WITH THIS CITATION, CONTACT THE CLERK OF THE COURT.

Signature of Defendant: x Nick Weisz

Signature of Officer:
Officer name: **D/S. N. SMITH**
Troop/Unit: **PATROL** Officer ID: **7871**

NOT A CERTIFIED COPY

FLORIDA UNIFORM BOATING CITATION

V331069

COUNTY OF Palm Beach | ☐ FWC ☑ SO ☐ PD ☐ OTHER: AGENCY: PBSO

CITY (IF APPLICABLE) | N ____ deg ____ min ____ sec | W ____ deg ____ min ____ sec

IN THE COURT DESIGNATED BELOW THE UNDERSIGNED AFFIRMS THAT HE/SHE HAS JUST AND REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT ON

COMPLAINT (RETAINED BY THE COURT)

DAY OF WEEK	MONTH	DAY	YEAR		
SUN	APR	14	2019	1706	☐ A.M. ☑ P.M.

NAME (PRINT) FIRST	MIDDLE	LAST
Nicholas	Scott	Weisz

STREET 110 NW 54th Ct IF DIFFERENT THAN SHOWN ON REGISTRATION, CHECK HERE ☐

CITY	STATE	ZIP CODE
OAKLAND PARK	FL	33309

TELEPHONE NUMBER	DATE OF BIRTH MO.	DAY	YR.	RACE	SEX	HGT.
(954 561-3720	7	14	92	W	M	5'8"

DRIVER LICENSE NUMBER OR OTHER I.D. W200637922540 | STATE FL | TYPE OF I.D. D/L | I.D. EXP. DATE 2022

VESSEL REGISTRATION NUMBER	EXP. DATE	FUEL	PROPULSION	HP
FL0907RY	7/14/19	Gas	O/B	300

YEAR	MAKE	☑ OPEN ☐ CABIN ☐ PWC ☐ AIRBOAT ☐ OTHER	LENGTH	COLOR
2005	Bryn Tnc		26	white

UPON THE WATERS OF THE STATE OF FLORIDA, OR OTHER LOCATION, NAMELY

6500 Peninsular US. Rd, WPB

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE. CHECK ONLY ONE OFFENSE PER EACH CITATION.

V331069

- ☐ WILLFUL OR WANTON RECKLESS OPERATION
- ☐ CARELESS OPERATION
- ☐ VIOLATION OF NAVIGATION RULE
- ☐ MANATEE VIOLATION
- ☐ SPEED/RESTRICTED AREA VIOLATION
- ☐ VESSEL LIVERY VIOLATION
- ☐ REGISTRATION CERTIFICATE NOT ON BOARD
- ☐ REGISTRATION NUMBER NOT PROPERLY DISPLAYED
- ☐ OPERATION OF UNNUMBERED OR UNREGISTERED VESSEL
- ☐ FAILURE TO TRANSFER TITLE/REGISTRATION
- ☐ EXPIRED REGISTRATION
- ☐ WATER SKI VIOLATION
- ☐ IMPROPER/INSUFFICIENT SAFETY EQUIPMENT OR LIGHTS
- ☐ NO BOATER I.D. CARD
- ☐ PWC VIOLATION
- ☐ OTHER (SEE COMMENTS)
- ☒ OPERATING A VESSEL UNDER THE INFLUENCE OF ALCOHOLIC BEVERAGES, CHEMICAL OR CONTROLLED SUBSTANCE OR OPERATING WITH AN UNLAWFUL BREATH/BLOOD ALCOHOL LEVEL OF .08% OR ABOVE — BLOOD ALCOHOL LEVEL .144%

DESCRIPTION OF VIOLATIONS OR COMMENTS PERTAINING TO OFFENSE:

BWL

IN VIOLATION OF:	STATUTE	RULE/ORDINANCE
☐ ORDINANCE ☑ STATE STATUTE	327.35(1)	

ACCIDENT CASE	CAUSED ACCIDENT	PROPERTY DAMAGE	PERSONAL INJURY	FATALITY
☐ YES ☑ NO	☐ YES ☑ NO	☐ YES $ ____ ☑ NO	☐ YES ☑ NO	☐ YES ☑ NO

- ☑ THIS CITATION IS FOR A CRIMINAL VIOLATION. COURT APPEARANCE IS REQUIRED, AS INDICATED BELOW.
- ☐ THIS CITATION IS FOR A CRIMINAL VIOLATION. COURT APPEARANCE IS NOT REQUIRED.
- ☐ THIS CITATION IS FOR AN INFRACTION WHICH DOES NOT REQUIRE APPEARANCE IN COURT. (SEE REVERSE)
- ☐ THIS CITATION IS FOR AN INFRACTION. COURT APPEARANCE IS REQUIRED AS INDICATED BELOW.

I AGREE AND PROMISE TO COMPLY AND ANSWER TO THE CHARGES AND INSTRUCTIONS SPECIFIED IN THIS CITATION. WILLFUL REFUSAL TO POST BOND OR ACCEPT AND SIGN THIS CITATION MAY RESULT IN ARREST. FAILURE TO APPEAR OR PROPERLY RESPOND TO THIS CITATION IS A SEPARATE AND ADDITIONAL CRIME.

X [signature] (YOU MUST READ REVERSE FOR VIOLATOR EDUCATION REQUIREMENTS)
X SIGNATURE OF DEFENDANT

COURT INFORMATION — DATE: MAY 13, 2019 TIME: 0930

South County Court House
200 W. Atlantic Ave, CR 81, Delray, FL 33444
COURT LOCATION

☑ ARRESTED-DELIVERED TO: CJ
☐ ACCEPTED BOND ON SCENE (AMOUNT) ____ TYPE ____ RECEIPT NO. ____

DATE OF ARREST ____ ORG. OR UNIT ____

INV. J. Frey 9655
RANK - SIGNATURE AND IDENTITY OF OFFICER I.D. NO.

FWC LE 190 (5/02)

NOT A CERTIFIED COPY

SCANNED
APR 17 2019

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	☐	539.001 FS	Other: All records relating to pawnbroker transactions.	
	☐	119.0712(2)	Other: Personal information contained within a motor vehicle record	

NOT A CERTIFIED COPY

REVIEW COMPLETED BY

Booking Number: 2019012457	**Date:** 04/15/2019
	Specialist Name/ID: howardt/7185

APR 17