

J-0492225

P-3364

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

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

OBTS Number	Agency ORI Number FLO 50000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number (N.T.A.'s only) 06-17-133587	
Charge Type: Check as many as apply	<input type="checkbox"/> 1. Felony	<input type="checkbox"/> 2. Traffic Felony	<input type="checkbox"/> 3. Misdemeanor	<input type="checkbox"/> 4. Traffic Misdemeanor	<input type="checkbox"/> 5. Ordinance	<input type="checkbox"/> 6. Other
Location of Arrest (Including Name of Business) RPB BLVD & POINCIANA BLVD RPB, FL 33411				Location of Offense (Business Name, Address) RPB BLVD & POINCIANA BLVD RPB, FL 33411		
Date of Arrest 09/30/17	Time of Arrest 02:03	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle STEVE'S TOWING

Name (Last, First, Middle) TIERNEY, NICOLE, RENE		Alias (Name, DOB, Soc. Sec. #, Etc.)						
Race W - White 1 - American Indian B - Black 0 - Oriental/Asian	Sex F	Date of Birth 05/09/1970	Height 5'4"	Weight 130	Eye Color BLUE	Hair Color BLONDE	Complexion FAIR	Build MED
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) NONE				Marital Status MARRIED	Religion CATHOLIC	Indication of Alcohol Influence Drug Influence Y <input checked="" type="checkbox"/> N <input type="checkbox"/> Unk <input type="checkbox"/>		
Local Address (Street, Apt. Number) 1218 OAKWATER DRIVE		(City) ROYAL PALM BEACH, FL	(State) FL	(Zip) 33411	Phone (561) 704-3620	Residence Type: 1. City 2. County 3. Florida 4. Out of State 1		
Permanent Address (Street, Apt. Number)		(City)	(State)	(Zip)	Phone	Address Source VERBAL		
Business Address (Name, Street)		(City)	(State)	(Zip)	Phone	Occupation TEACHER		
D/L Number, State T650-636-70-669-0; FL		Soc. Sec. Number		INS Number	Place of Birth (City, State) TOLEDO, OH		Citizenship US	

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

<input type="checkbox"/> Parent	Name (Last)	(First)	(Middle)	Residence Phone
<input type="checkbox"/> Legal Custodian	Address (Street, Apt. Number)			(City) (State) (Zip) Business Phone
<input type="checkbox"/> Other:	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 355-2526) informed of any change of address.			School Attended	Grade
<input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No: (Reason)				
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 E. Heroin	H. Hallucinogen M. Marijuana O. Opium/Deriv.	P. Paraphernalia/ Equipment S. Synthetics	U. Unknown Z. Other
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Charge Description DUI with PROPERTY DAMAGE	Counts 1	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number 316.193(3)(c)(1)	Violation of ORD #
Drug Activity N	Drug Type N	Amount / Unit \$1000.00	Offense # 17-133587	Warrant / Capias Number Bond
Charge Description LEAVING THE SCENE w/PROPERTY DAMAGE	Counts 1	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number 316.061(1)	Violation of ORD #
Drug Activity N	Drug Type N	Amount / Unit \$1000.00	Offense # 17-133587	Warrant / Capias Number Bond
Charge Description	Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" 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 checked="" type="checkbox"/> N	Statute Violation Number	Violation of ORD #
Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number Bond

Location (Court, Room Number, Address) CRIMINAL JUSTICE COMPLEX / 3228 GUN CLUB ROAD, WEST PALM BEACH, FL 33406
Court Date and Time Month OCTOBER Day 26th Year 2017 Time 08:30 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
Signature of Defendant (or Juvenile and Parent /Custodian) <i>Nicole Tierney</i>
Date Signed

HOLD for other Agency Name:	Signature of Arresting Officer <i>Inv. J Schaefer #8777</i>	Name Verification (Printed by Arrestee) (PRINT) Nicole Tierney
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal	Name of Arresting Officer (Print) INV. J SCHAEFER	I.D. # 8777
<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:	Transporting Officer INV. J. SCHAEFER	ID # 8777
Intake Deputy DS L. BRYANT #8241	Agency PBSO	Witness here if subject signed with an "X" 1 OF 1

SCANNED
OCT 03 2017

OBTS Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.	3. Request For Warrant 4. Request For Copies	<input type="checkbox"/>	Juvenile <input type="checkbox"/>
Agency ORI Number FLO 5 0 0 0 0 0		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06 17-133587			
Charge Type Check as many as apply		Special Notes Supplemental					
<input type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input checked="" type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other							
Defendant Name (Last, First, Middle) Tireney Nicole Rene				Race W	Sex F	Date of Birth 05/09/1970	
Charge Driving Under the Influence				Charge			
Victim Name (Last, First, Middle) State of Florida				Race	Sex	Date of Birth	
Local Address (Street, Apt. Number)		City	State	Zip	Phone	Address Source	
Business Address (Street, Apt. Number)		City	State	Zip	Phone	Occupation	
The undersign swears that he/she has just and reasonable grounds to believe, and does believe that the above named Defendant committed the following violation of law. The person taken into custody...							
<input checked="" type="checkbox"/> committed the below acts in my presence.				<input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.			
<input type="checkbox"/> confessed to admitting to the below facts.				<input type="checkbox"/> was found to have committed the below acts, resulting from (described) investigation.			
On the 30 day of September 20 17 at 1:13 <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM							

On 09/30/2017 at 1:06 AM, dispatch advised of a complainant stating he was involved in a hit and run on Southern Boulevard and is currently behind the vehicle that struck his car. Dispatch provided updates of where the vehicle was traveling. I got behind the hit and run vehicle which is a black Mitsubishi bearing FL license plate EZJY71. I conducted a traffic stop at Royal Palm Beach Boulevard and Poinciana going North bound, I activated my lights at this location in which the vehicle pulled over. I made contact with a white female, who identified herself by a Florida drivers license as Nicole R. Tireney. Nicole was located in the driver seat with no one else in the car.

When asked why she did not stop after hitting a vehicle on Southern Boulevard, she replied a vehicle hit her and she was going home. At this time I noticed Nicole's speech was slow and slurred. Nicole's hand movements were very slow as well. Nicole displayed possible signs of impairment. Shortly after, DUI 12 responded, in which this traffic stop was turned over to DUI 12.

NOT A CERTIFICATE

The foregoing instrument was sworn to and affirmed before me this 30 day of September 20 17 , by:	
Inv. J Schaefer #8777	D/S D. Smith 15521
Name of Notary Public / Clerk of Court / Officer (F.S.S. 117.00)	Name of Arresting/Investigating Officer
Inv. J Schaefer #8777	D/S D. Smith #15521
Signature of Notary Public / Clerk of Court / Officer (F.S.S. 117.00)	Signature of Arresting/Investigating Officer
	Page 1 of 1

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OCT 03 2017

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 30 DAY OF SEPTEMBER 20 17, AT 01:32 AM PM

SUBJECT: TIERNEY, NICOLE, RENE CASE NUMBER: 17-133587

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: INV. J. SCHAEFER #8777

PERSONAL CONTACT

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

On the above date at approximately 01:27hrs, I was dispatched to the scene of a traffic stop resulting from a reported hit & run. The traffic stop was to the intersection of RPB Blvd and Poinciana Blvd, which is located in the Village of Royal Palm Beach, Palm Beach County, Florida. I arrived at the scene at approximately 01:32hrs. After my independent crash investigation, based on physical evidence, and witness statements, I determined that, at approximately 01:00hrs, the defendant, "NICOLE RENE TIERNEY", did indeed side swipe V2 which was properly traveling in their lane. (See PBSO crash case #17-133582) Witness, "Christopher F. Wendel", identified the defendant, to me, as the driver & sole occupant, of the 2016 Mitsubishi bearing Florida tag EZJ-Y71 at the time of the crash. Wendel completed a written sworn statement as to the events which transpired surrounding the crash. D/S Dale Smith #15521 relayed to me that Tierney had articulable indicators of impairment, so he called for a DUI Unit to conduct a possible DUI investigation. D/S Smith provided me with a written sworn supplemental Probable Cause Affidavit.

OBSERVATION OF DRIVER:

Upon making contact with the driver who was identified by her Florida driver license as "NICOLE RENE TIERNEY", I immediately detected an obvious and strong odor of an unknown alcoholic beverage emitting from her person and face area. This odor intensified as I spoke to Nicole. She had glassy, glazed, and blood shot eyes. Nicole's speech was slurred, slow, thick, and at times difficult to understand. Nicole's movements were slow and deliberate. She was lethargic in her movements with poor coordination. Nicole had an unsteady gate while walking to my patrol vehicle and had difficulty following directions given to her. Nicole was wearing a white blouse, blue jeans, and heeled shoes. All the clothing appeared clean.

DRIVER'S STATEMENTS:

Post Miranda: Nicole stated she only had maybe 1 1/2 or 2 glasses of wine at Rocco's Tacos.

Nicole consented to breath after Implied Consent was read to her which she stated she understood but refused to participate in the Q&A.

ODORS:

A strong and obvious odor of an unknown alcoholic beverage was emitting from her person and face area which intensified as I spoke to her.

GENERAL OBSERVATIONS

SPEECH: Nicole 's speech was slurred, slow, and thick, and at times difficult to understand.

ATTITUDE: talkative, indifferent, cooperative, pleading, belligerent, insulting, mood swings

CLOTHING: white blouse, blue jeans, and heeled shoes.

MEDICAL/OTHER: Nicole alleged having a broken back, bad knee, pain in her hip.

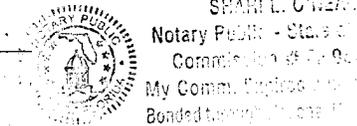
STATE OF FLORIDA
COUNTY OF PALM BEACH

INV. J. SCHAEFER #8777 *Inv. J. Schaefer #8777*
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 30th day of SEPTEMBER 20 17 by INV. J. SCHAEFER #8777

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

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



SCANNED
OCT 03 2017

SUBJECT: TIERNEY, NICOLE, RENE

CASE NUMBER 17-133587

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:

Nicole would sway roughly in a side to side front to back pattern throughout the task. Nicole was reminded numerous times to track the pen with her eyes only. She failed to keep her head still while tracking the stimulus. I had Nicole hold her chin with her right hand and her right elbow with her left hand to further stabilize her head because she continued to move her head. Nicole also had VGN and no LOC.

WALK & TURN:

I explained and demonstrated the instructions for the "Walk & Turn" to Nicole who stated she understood. Nicole would sway roughly in a side to side, front to back pattern throughout the demonstration phase. She could not maintain her balance while listening to instructions. Nicole stepped out of the instructional stance during the demonstration to catch her balance. She started the task before being instructed to do so. Nicole would stop walking to steady herself, with pauses to regain balance. Nicole, on both passes missed heel-to-toe steps and stepped off the line. Nicole used her arms for balance by raising them more than six inches. She performed the turn other than which was demonstrated. Additionally, she performed the incorrect number of steps because she wanted to show me she could do the task.

ONE LEG STAND:

I explained and demonstrated the instructions for the "One Leg Stand" to Nicole who stated that she understood. Nicole would sway roughly in a side to side, front to back pattern throughout the demonstration phase. She continued to sway while balancing on one leg. She used her arms to balance raising them more than 6 inches from her sides. Nicole started hopping in an attempt to maintain balance. Nicole put her foot down to regain balance numerous times before the 30 seconds had elapsed.

FINGER TO NOSE:

I explained and demonstrated the instructions for the "Finger to Nose" task to Nicole who stated that she understood. She would sway roughly in a side to side, front to back pattern throughout the demonstration phase. Nicole did not keep her eyes closed and had to be reminded numerous times. Nicole failed to return her arms down to her sides as instructed after touching her nose. Nicole's index finger did not touch the nose on 5 of 6 attempts. On L1, L2, R1, & L3, Nicole touched the under side of her nose. On R2, Nicole touched her right nostril. She hesitated & searched for the tip of her nose prior to touching the tip. The sequence used for this task was L, R, L, R, R, L.

ROMBERG ALPHABET:

I explained and demonstrated the instructions for the "Rhomberg Alphabet" task to Nicole who stated that she understood. She would sway roughly in a side to side, front to back pattern throughout the demonstration phase. Nicole correctly recited the alphabet to "X", paused then restarted with "W, X, Y, Z."

BREATH TEST RESULTS: 1) 2) 3) 4)

STATE OF FLORIDA
COUNTY OF PALM BEACH

INV. J. SCHAEFER #8777 *Inv. J. Schaefer #8777*

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 30th day of SEPTEMBER 20 17 by INV. J SCHAEFER #8777

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

A. O'Neal

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



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OCT 03 2017

PALM BEACH COUNTY SHERIFF'S OFFICE - **SWORN STATEMENT**

Per FL statute 837.012, whoever knowingly makes a false statement under oath shall be guilty of a misdemeanor of the first degree punishable by imprisonment up to 1 year.



WITNESS VICTIM OTHER

CASE #: **17-133587** ZONE: **9-22** SUSPECT: **NICOLE R TIERNEY** DATE & TIME OF ORIGINAL EVENT/OFFENSE: **9/30/17 @ 01:00**
 EVENT TYPE: **DUI w/ PROPERTY DAMAGE** DEPUTY: **D/S D. SMITH** ID#: **15521**

LAST NAME: **Wendel** FIRST NAME: **Christopher** MIDDLE INITIAL: **F** RACE: **W** SEX: **M**
 DATE OF BIRTH: **02/12/1988** (MM/DD/YYYY) YOUR HEIGHT: **6'2"** YOUR WEIGHT: **190** YOUR HAIR COLOR: **Brown** YOUR EYE COLOR: **Blue**
 YOUR HOME ADDRESS: **11866 Dowlin Dr.** CHECK IF HOMELESS CITY: **Wellington** STATE: **FL** ZIP: **33414**
 YOUR WORK NAME & ADDRESS: **California Pizza Kitchen** CHECK IF UNEMPLOYED OR RETIRED CITY: **Wellington** STATE: **FL** ZIP: **33414**
 WORK PHONE: CHECK IF NONE **(561) 793-1601** CELL PHONE: CHECK IF NONE **(561) 308-6332** HOME PHONE: CHECK IF NONE **()** EMAIL: **cwendel22@gmail.com** CHECK IF NONE

YOUR NAME: **Christopher Frank Wendel**

DO HEREBY VOLUNTARILY MAKE THE FOLLOWING STATEMENT WITHOUT THREAT, COERCION, OFFER OF BENEFIT, OR FAVOR BY ANY PERSONS WHOMSOEVER...

While driving west on southern boulevard I noticed a black SUV driving at inconsistent speeds next to me and swerving between lanes. I was in the left hand lane and she was in the right lane. At some point she moved into the center lane behind another vehicle. At that time I was directly to her left and as I saw her start to swerve, I held the horn down for 3 whole seconds and she still continued to drift into my lane, sandwiching me in and scraping the right side of my vehicle. I tried to slow down in order to pull over but she continued driving so I followed her and witnessed her swerving as I reported the hit and ran to the PASC through 911. Driver was white female blonde hair.

I SWORN AND AFFIRM THIS AND/OR THE ATTACHED STATEMENTS ARE CORRECT AND TRUE:

YOUR SIGNATURE: *[Signature]*

DEPUTY SHERIFF NOTARY PUBLIC FSS: 117.10
 SWORN TO AND SUBSCRIBED BEFORE ME TODAY:
 DATE: **9/30/17** TIME: **0200**
 SIGNATURE: *[Signature]* ID: **15521**

IF YOU DO NOT WISH TO PROSECUTE, COMPLETE THE ABOVE STATEMENT, READ THIS DISCLAIMER AND INITIAL BELOW: I AM OF LEGAL AGE AND I AM THE REPORTED VICTIM OF A CRIME UNDER FLORIDA LAW. I HEREBY STATE THAT I WILL NOT COOPERATE ANY FURTHER WITH THE INVESTIGATION OF THE ALLEGED CRIME. I FURTHER RELEASE THE PALM BEACH COUNTY SHERIFF'S OFFICE OF ANY PRESENT OR FUTURE RESPONSIBILITY AS TO MY CASE. I ACKNOWLEDGE THAT I UNDERSTAND MY RIGHTS AS A CRIME VICTIM, PARTICULARLY REGARDING VICTIM COMPENSATION ELIGIBILITY, WHICH INCLUDES SUCH BENEFITS AS REIMBURSEMENT FOR INABILITY; LOST WAGES; LOSS OF SUPPORT; MEDICAL, DENTAL, MENTAL HEALTH COUNSELING AND FUNERAL EXPENSES. I AM TAKING UP THESE RIGHTS FOR MY FAMILY AND MYSELF. BY INITIALING BELOW, I AM TAKING THIS POSITION OF MY OWN FREE WILL KNOWING THAT THE CASE CAN ONLY BE FURTHER INVESTIGATED AND PROSECUTED WITH MY COOPERATION. I AM TAKING THIS POSITION OF MY OWN FREE WILL KNOWING THAT THE CASE CAN ONLY BE FURTHER PROSECUTED WITH MY COOPERATION. DO NOT WISH TO PROSECUTE (INITIAL _____)

WITNESS LIST

CASE NUMBER: 17-133587

ARRESTING OFFICER: INV. J. SCHAEFER #8777

ADDRESS: 3228 GUN CLUB ROAD WPB, FL 33406

PHONE NUMBERS (HOME): _____ (WORK) (561)681-4500

CAN TESTIFY TO: SEE OFFENSE REPORT

NAME: D/S DALE SMITH #15521

ADDRESS: 3228 GUN CLUB ROAD WPB, FL 33406

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

CAN TESTIFY TO: SEE SUPPLEMENTAL PROBABLE CAUSE AFFIDAVIT

NAME: CHRISTOPHER F. WENDEL

ADDRESS: 11866 DONLIN DRIVE WELLINGTON, FL 33414

PHONE NUMBERS (HOME) (561)308-6332 (WORK) (561)793-1601

CAN TESTIFY TO: SEE SWORN WITNESS STATEMENT

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 _____

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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: _____

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OCT 03 2017

TESTING FACILITY TASK REPORT

17

AGENCY: 1150 J. C. Sullivan #5777
SUBJECT: Timothy, Nicholas CASE NUMBER: 17-12577

DATE: 09-20-17 VIDEO TAPE NUMBER: N/A

BEGINNING TIME: 02:41:13 ENDING TIME: 03:11:13

BREATH TESTS RESULTS: 1) .111 TIME 03:11 A.M./P.M. 2) .126 TIME 03:14 A.M./P.M.
3) _____ TIME _____ A.M./P.M. 4) _____ TIME _____ A.M./P.M.

BREATH OPERATOR: S. O'Neal #1616

MAINTENANCE TECHNICIAN: J. J. ... #1989

TESTING OFFICER'S OBSERVATIONS

SPEECH: Low volume

ATTITUDE: Cooperative

CLOTHING: Blue shirt, khaki pants

MEDICAL CONDITIONS: None

MEDICATIONS: None

OTHER: Eyes: Red & watery from crying

COMMENTS: 20 min observation done by AIO #5777

D placed in breathalyzer during the 20 min observation.

D was escorted to the breath room.

AIO requested the breath test.

D submitted to the breath test, the AIO read

AIO read the expired breath on device.

D was escorted back to the jail.

D submitted to the breath test again.

D completed the test correctly with some difficulty.

CW was on scene.

D was escorted to the jail.

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OCT 03 2017

SUBJECT: TIERNEY, NICOLE RENE CASE NUMBER: 17-133587

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 Inv. J. SCHAEFFER # 8777 of the PBSO

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 VIDEO

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 VIDEO

SCANNED
OCT 03 2017



ORGAN DONOR

SAFE DRIVER

Operation of a motor vehicle constitutes consent to any sobriety test required by law.

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SCANNED

OCT 03 2017