

Skt: # 0484370

17CT 6024

Pch 1558

## ARREST / NOTICE TO APPEAR

Juvenile Referral Report

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

1

Juvenile

OBTS Number			Agency ORI Number FLO 500000			Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE			Agency Report Number (N.T.A.'s only) 06-			17025078		
ADMINISTRATIVE	Charge Type: 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							
	Location of Arrest (Including Name of Business) 7000 Forest Hill Blvd Greenacres, FL 33463			Location of Offense (Business Name, Address) 7000 Forest Hill Blvd Greenacres, FL 33463										
Date of Arrest 01/10/2017		Time of Arrest 2358		Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle Duvall's Towing						
Name (Last, First, Middle) Junco Aday, Orlando												Alias (Name, DOB, Soc. Sec. #, Etc.)		
DEFENDANT	Race W - White I - American Indian B - Black O - Oriental/Asian		Sex W	Date of Birth 07/19/1968	Height 6'00"	Weight 225	Eye Color Brown	Hair Color Brown	Complexion Medium	Build Large				
	Scars, Marks, Tatoos, Unique Physical Features (Location, Type, Description) Scar above left eyebrow						Marital Status Married	Religion NONE	Indication of: Y N Unk. Alcohol Influence Drug Influence					
Local Address (Street, Apt. Number) 4611 S. Congress Avenue Apt. 118		(City) Lake Worth, Florida		(State) 33461	(Zip)	Phone (561) 294-0589	Residence Type: 1. City 2. County			3. Florida 4. Out of State				
Permanent Address (Street, Apt. Number) Same		(City)		(State)	(Zip)	Phone ( )	Address Source FL DL							
Business Address (Name, Street)		(City)		(State)	(Zip)	Phone ( )	Occupation Houseman							
DL Number, State J523-640-68-259-0/FL		Soc. Sec. Number		INS Number		Place of Birth (City, State) Matanza, Cuba			Citizenship Resident					
CO-DEF	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:	Name (Last) (First) <i>[Signature]</i> (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 <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. <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No: (Reason)							School Attended			Grade				
Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No		Description of Property					Value of Property							
CODE	Drug Activity N/A S. Sell B. Buy T. Possess	R. Smuggle D. Deliver E. Use	K. Dispense/ Distribute	M. Manufacture/ Produce/ Cultivate	Z. Other	Drug Type N/A A. Amphetamine	B. Barbiturate C. Cocaine E. Heroin	H. Hallucinogen M. Marijuana O. Opium/Derv.	P. Paraphernalia/ Equipment S. Synthetics	U. Unknown Z. Other				
	Charge Description DUI		Counts 1	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number 316.193 (1)			Violation of ORD #						
CHARGE	Drug Activity N	Drug Type N	Amount / Unit N/A	Offense # 17025078			Warrant / Capias Number			Bond				
	Charge Description		Counts 1	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number			Violation of ORD #						
CHARGE	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 #						
CHARGE	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 #						
CHARGE	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 #						
NOTICE TO APPEAR	Location (Court, Room Number, Address) CRIMINAL JUSTICE COMPLEX 3228 Gun Club Road WPB, FL													
	Court Date and Time Month February Day 2nd Year 2017 Time 8:30 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)														
Date Signed <i>[Signature]</i>														
ADMIN	HOLD for other Agency Name: <i>[Signature]</i>			Signature of Arresting Officer X			Name Verification (Printed by Arrestee) D. A. Rodriguez							
	<input type="checkbox"/> Dangerous <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Suicidal <input type="checkbox"/> Other:			Name of Arresting Officer (Print) Inv. CHIQUITO-RODRIGUEZ #18334 18334			I.D. # (PRINT) <i>[Signature]</i>			PAGE 5				
Intake Deputy <i>Thomas Rodriguez</i> I.D. # Pouch # Transporting Officer ID # Agency PBSO														
Witness here if subject signed with an -X" 1 OF 1														

DISTRIBUTION: WHITE - COURT COPY

GREEN - STATE ATTORNEY

YELLOW - AGENCY

PINK - AGENCY

GOLD - DEFENDANT (PRINT ONLY)

PBSO #148 REV. 8/97

SCANNED

JAN 11 2017

OBTS Number		PROBABLE CAUSE AFFIDAVIT			1. Arrest 2. N.T.A.	3. Request for Warrant 4. Request for Capias	1	Juvenile
ADMIN	Agency ORI Number <b>FLO 500000</b>	Agency Name <b>PALM BEACH COUNTY SHERIFF'S OFFICE</b>			Agency Report Number <b>06-</b>	<b>17025078</b>		
	ChargeType: 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	Special Notes:					
DEF	Name (Last, First, Middle) <b>Junco Aday, Orlando</b>			Alias		Race <b>W</b>	Sex <b>M</b>	Date of Birth <b>07/19/1968</b>
CHARGES	Charge Description <b>DUI</b>		316.193 (1)		Charge Description			
VICTIM	Charge Description				Charge Description			
Victim's Name (Last, First, Middle) <b>STATE OF FLORIDA</b>						Race	Sex	Date of Birth
Local Address (Street, Apt. Number)		(City)	(State)	(zip)	Phone ( )	Address Source		
Business Address (Name, Street)		(City)	(State)	(zip)	Phone ( )	Occupation		
<p>The undersigned certifies and 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.</p> <p>The Person taken into custody</p> <p><input checked="" type="checkbox"/> committed the below acts in my presence.</p> <p><input type="checkbox"/> confessed to _____ admitting to the below facts.</p> <p><input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.</p> <p><input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.</p>								
<p>On the <b>10th</b> day of <b>January</b> 20 <b>17</b> at <b>2319</b> <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M. (Specifically include facts constituting cause for arrest.)</p>								
<p>I asked the defendant if he would submit to voluntary SFST's and he verbally consented. I explained and demonstrated all the roadside tasks in Spanish and the defendant verbally stated that he understood. I used a solid pre-painted white line in the roadway where the surface was level, dry, free of debris and away from through traffic.</p> <p>I advised the defendant that I concluded my DUI investigation and, based on the observational clues on the SFST's, the defendant's admission of consuming alcohol, and the pattern of driving that I observed determined that he was too impaired to operate a motor vehicle and placed the defendant under arrest for DUI. The defendant verbally stated that he understood. I placed the defendant in handcuffs that were checked for proper fit and tightness and double locked and placed defendant in the rear of my PBSO marked patrol vehicle and transported the defendant to the B.A.T. (Breath Alcohol Testing) facility. Once at the B.A.T. the defendant was observed for a period of twenty minutes, during which time the defendant did not ingest anything, place anything in his mouth regurgitate or vomit. After the twenty minute observation period the defendant was placed on camera and asked if he would submit a breath sample for the purpose of determining its alcohol content and the defendant refused. I read the defendant Florida Implied Consent and the defendant verbally stated that he understood implied consent. I then asked the defendant again if he would submit a breath sample after being informed of implied consent and the defendant refused. The refusal was noted and documented at 00:47 hours. I read the defendant his Constitutional warnings in Spanish on camera and the defendant verbally stated that he understood his rights. The defendant cooperated with Q&amp;A.</p> <p>I issued the defendant a citation for DUI and transported the defendant to the main detention center, without incident, for booking and processing.</p>								
<p>This case is cleared by arrest.</p>								
<p>STATE OF FLORIDA COUNTY OF PALM BEACH</p> <p><b>Inv. Chiquito-Rodriguez</b> (Signature of Arresting/Investigative Officer)</p> <p><i>Chiquito Rodriguez</i> A 18334</p> <p>11th day of January 20 17 by <b>Inv. Chiquito-Rodriguez</b></p> <p>The foregoing instrument was sworn to or affirmed and subscribed before me this _____ day of _____, 20 _____. (Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of Identification _____ <i>John O'Neal</i></p> <p>Notary Public, Clerk of Court, Officer (F.S.S. 117(10))</p> <p>Notary Public - State of Florida Commission # FF 966854 My Comm. Expires Jun 25, 2020</p> <p>SCANNED JAN 11 2017</p>								
ADMINISTRATIVE	DISTRIBUTION: WHITE - COURT COPY		GREEN - STATE ATTORNEY		YELLOW - AGENCY		PINK - AGENCY	

# D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 10th DAY OF January 20 17, AT 2319 AM ✓ PM  
SUBJECT: Junco Aday, Orlando CASE NUMBER: 17025078  
AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: Inv. Chiquito-Rodriguez  
**PERSONAL CONTACT**

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

On 01/10/2017, at approximately 23:15 hours, I was on routine patrol and traveling east on the 7000 block of Forest Hill Blvd in the inside lane. I observed a dark colored vehicle completely stopped in the third (outside) eastbound lane with the hazard lights on and flashing. I pulled off to the left, in a median break just in front of the Okeeheelee park BMX course, and allowed the traffic behind me to get through. Once it was clear I merged back on the roadway and to the far right lane to get behind the vehicle and investigate further. As I approached the vehicle, a black Nissan Altima bearing Florida tag DMEA30, the vehicle began to drive eastbound at approximately 25 miles per hour and still with the hazards on. I continued to travel behind the vehicle and observed that the vehicle fluctuated and would speed up and then slow down but it never traveled at more than 40 miles per hour. I observed the vehicle travel to the far left and the driver's side tires crossed over and into the center lane of travel and then abruptly then travel to the far right with the passenger side tires crossing over the solid white line. There was a white older style pick up truck traveling eastbound on Forest Hill in the center through lane and when the black Altima crossed into its lane, the truck had to abruptly swerve to avoid a collision. At this time I activated the emergency lights of my marked PBSO issued vehicle and initiated a traffic stop to check on the welfare of the driver. The driver continued driving for a short distance after I activated my lights but then came to a complete stop in the outside travel lane.

## OBSERVATION OF DRIVER:

I approached the driver's side of the vehicle and made contact with the driver and sole occupant of the vehicle, a white male later identified as Orlando Junco Aday (defendant) DOB: 0719/1968 by his Florida issued driver's license. When I asked the defendant for his driver's license, insurance and registration he was slow to respond. Upon initial contact with the defendant I noticed that he did not understand English and I verbally communicated with him in Spanish, his primary language, and even after explaining in Spanish I had to ask him more than once for his driver's license. I observed the defendant's speech was heavy and slurred, his eyes were red, glassy and bloodshot and there was a strong odor of an unknown alcoholic beverage emanating from the defendant's breath as he spoke to me. The defendant kept apologizing and asking me to "give him a break". When I asked if he had any medical problems he replied "No" and why he was driving slow and with his hazard lights on he responded that he was lost and was trying to get home. He stated that he was new to the area and was on Forest Hill Blvd and Florida Mango at a friend's house and was trying to get home near Melaleuca Lane and Congress Avenue. The defendant appeared frustrated and confused.

## DRIVER'S STATEMENTS:

I ask the defendant how much he had to drink and he replied, "I had to Budlite beers while I was at my friend's". I asked the defendant to exit the vehicle and he struggled to unlock the door and had a hard time finding and gripping the handle to open the door. He braced the frame of the door to exit the vehicle and observed that he was unsteady on his feet. I relocated the defendant to the front of my patrol vehicle and observed an unsteady gait as he walked. With my in car video camera activated, I explained to the defendant that I was conducting a DUI investigation to determine if he was too impaired to operate a motor vehicle and he verbally stated that he understood. The defendant denied having any medical problems, injuries, physical disabilities or taking any medications. SEE Probable Cause PAGE 2 for further.....

## ODORS:

Strong odor of an unknown alcoholic beverage emanating from defendant's breath that became stronger as the defendant spoke to me

## **GENERAL OBSERVATIONS**

SPEECH: Slow, slurred, mumbled,

ATTITUDE: Apologetic, Talkative, Mood swings

CLOTHING: Blue shorts, Black hooded sweatshirt, brown sandals

MEDICAL/OTHER: Defendant denied having any medical conditions, injuries or physical impairments. Defendant denied being on any medications or taking any medications.

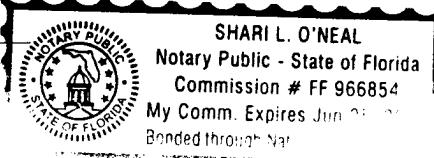
STATE OF FLORIDA  
COUNTY OF PALM BEACH

Inv. Chiquito-Rodriguez  
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 11th day of January 20 17 by Inv. Chiquito-Rodriguez #18334

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

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



SCANNED  
JAN 11 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:**

Red, Bloodshot, glassy eyes.

**WALK & TURN:**

Instructed and demonstrated in Spanish. Defendant verbally stated he understood the instructions. The defendant started task before being instructed to do so. Had to be repositioned while explaining task. He was unable to maintain balance when listening to instructions. He missed heel to toe, stepped off line more than once (Steps #2 and #4 forward and #8 on the return), he began task over, maintained his arms raised over six inches to assist with balance, and completed an improper turn.

**ONE LEG STAND:**

Instructed and demonstrated in Spanish. Defendant verbally stated he understood the instructions. He maintained his arms raised more than six inches to assist with his balance, put his foot down on the ground, stopped and paused and then continued task.

**FINGER TO NOSE:**

Instructed and demonstrated in Spanish. Defendant verbally stated he understood the instructions. The defendant demonstrated proficiency with identifying his left from his right hand. He swayed in a side to side motion, missed the tip of his nose more than once, repositioned his finger and double tapped his nose.

**ROMBERG ALPHABET:**

Instructed and demonstrated in Spanish. Defendant verbally stated he understood the instructions. Swayed in a side to side motion. Recited the alphabet in Spanish in a non rhythmic manner without difficulty in the beginning and then he skipped some letters and repeated others.

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

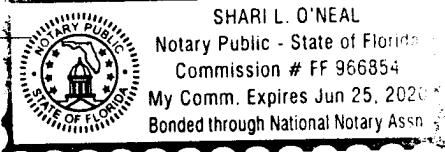
STATE OF FLORIDA  
COUNTY OF PALM BEACH

Inv. Chiquito-Rodriguez  
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 11th day of January 2017 by Inv. Chiquito-Rodriguez #18334

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

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



SCANNED  
JAN 11 2017

# WITNESS LIST

17025078

CASE NUMBER:

ARRESTING OFFICER: **Inv. Chiquito-Rodriguez**

ADDRESS: 3228 Gun Club Rd WPB, FL 33406

PHONE NUMBERS (HOME): \_\_\_\_\_ (WORK) 561-688-3000

CAN TESTIFY TO: Facts of case

NAME: D/S Michael Wells Jr. #8025

ADDRESS: 3228 Gun Club Rd WPB, FL 33406

PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) 561-688-3000

CAN TESTIFY TO: Facts of case, Back up deputy on scene

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: \_\_\_\_\_

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CAN TESTIFY TO: \_\_\_\_\_

NAME: \_\_\_\_\_

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ADDRESS \_\_\_\_\_

PHONE NUMBERS (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

CAN TESTIFY TO: \_\_\_\_\_

SCANNED

JAN 11 2017