

0496093

2018 CT-3639

3247

ARREST / NOTICE TO APPEAR  
Juvenile Referral Report

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

OBTS Number	Agency ORI Number <b>FLO 500000</b>		Agency Name <b>PALM BEACH COUNTY SHERIFF'S OFFICE</b>		Agency Report Number (N.T.A.'s only) <b>06- 18-043357</b>	
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 1. Yes 2. No	Multiple Clearance Indicator <b>01</b>	
Location of Arrest (Including Name of Business) <b>1300 GREENVIEW SHORES BLVD WELLINGTON, FL 33414</b>			Location of Offense (Business Name, Address) <b>1300 GREENVIEW SHORES BLVD WELLINGTON FL 33414</b>			
Date of Arrest <b>02/26/2018</b>	Time of Arrest <b>0149</b>	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle <b>WESTWAY TOWING</b>

Name (Last, First, Middle) <b>LUCAS ROSA</b>		Alias (Name, DOB, Soc. Sec. #, Etc.) <b>RAFAEL C</b>						
Race W - White I - American Indian B - Black O - Oriental/Asian	Sex <b>M</b>	Date of Birth <b>08/13/1993</b>	Height <b>5-05</b>	Weight <b>135</b>	Eye Color <b>BRN</b>	Hair Color <b>BRN</b>	Complexion <b>FAIR</b>	Build <b>SMALL</b>
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) <b>NONE</b>				Marital Status <b>SINGLE</b>	Religion <b>CATH</b>	Indication of: Alcohol Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Unk. Drug Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Unk.		
Local Address (Street, Apt. Number) <b>1385 Pampas Way</b>		(City) <b>Wellington, FL</b>	(State) <b>33414</b>	(Zip)	Phone <b>(561) 506-5686</b>	Residence Type: 1. City 3. Florida 2. County 4. Out of State <b>2</b>		
Permanent Address (Street, Apt. Number)		(City)	(State)	(Zip)	Phone	Address Source <b>VERBAL</b>		
Business Address (Name, Street)		(City)	(State)	(Zip)	Phone	Occupation <b>PROFESSIONAL RIDER</b>		
D/L Number, State <b>NONE</b>	Soc. Sec. Number <b>NONE</b>	INS Number		Place of Birth (City, State) <b>PORTO ALEGRE, BRASIL</b>		Citizenship <b>BRASIL</b>		

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 <input type="checkbox"/> Legal Custodian <input type="checkbox"/> Other:	Address (Street, Apt. Number)		(City)	(State)	(Zip)	Residence Phone ( )	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				

Drug Activity N. N/A P. Possess	S. Sell B. Buy T. Traffic	R. Smuggle D. Deliver E. Use	K. Dispense/ Distribute	M. Manufacture/ Producer/ 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 Description <b>DUI</b>	Counts <b>1</b>	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number <b>316.193(1)</b>		Violation of ORD #					
Drug Activity <b>N</b>	Drug Type <b>N</b>	Amount / Unit	Offense # <b>18-043357</b>	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				
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				

Location (Court Room Number, Address) <b>PALM BEACH COUNTY COURTHOUSE CRIMINAL JUSTICE COMPLEX, 3228 GUN CLUB RD, WEST PALM BEACH, FL 33406 - PH: (561) 355-2996</b>					
Court Date and Time Month <b>03</b> Day <b>22</b> Year <b>2018</b> Time <b>8:30</b> AM <input checked="" type="checkbox"/> 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.					
Signature of Defendant (or Juvenile and Parent /Custodian) <i>Thomas Walton</i>				Date Signed <b>02/26/2018</b>	

HOLD for other Agency Name:	Signature of Arresting Officer <i>Thomas Walton</i>	Name Verification (Printed by Arresting Officer)
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal	<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:	(PRINT)
Intake Deputy <i>SMAN 8101</i>	I.D. # <b>6942</b>	Pouch #
Transporting Officer <b>Cpl. Thomas Walton</b>	ID # <b>6942</b>	Agency <b>PBSO</b>
Witness here if subject signed with me		

# D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 02 DAY OF FEBRUARY 20 18, AT 0114  AM  PM

SUBJECT: LUCAS ROSA RAFAEL C CASE NUMBER: 18-043357

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: Cpl. Thomas Walton #6942

## PERSONAL CONTACT

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

On the above date and time while conducting traffic enforcement along Greenview Shores Blvd. I was stationary at the 2100 blk when I noticed a vehicle approaching me from the rear at a high rate of speed. I estimated the vehicle speed at 70 mph. My in-car radar unit Stalker DSRx2 gave a crisp clear dopplar tone consistent with a vehicle traveling at that speed. The LCD display showed a speed of 69mph. The posted speed limit is 45 mph. The vehicle passed me and then activated its brakes slowing down some. I caught up to the vehicle at the 1800 blk of Greenview Shores Blvd and activated my lights. The vehicle continued northbound without stopping. I used my PA system and told def to pull vehicle to the side. The light at Wellington Trace turned green and the vehicle continued Northbound. I activated my siren and the vehicle finally pulled to the side at the 1400 blk Greenview Shores Blvd.

### OBSERVATION OF DRIVER:

I made contact with the def who was the sole occupant of the vehicle. I noticed immediately that the def had red glassy droopy eyes and an odor of an alcoholic beverage coming from his person. I asked the def for his license and registration. The def had slow motor skills and was able to retrieve his Brasil ID. The def fumbled around looking for the rental agreement and noticed that he laid it on his lap.

I asked the def how much he had to drink tonight and he stated nothing. I notified the def that I could smell the odor of an alcoholic beverage coming from his person and asked him again how much he had to drink. The def stated that he had nothing to drink. The def opened the car door without looking and almost hit me with the door. I told the def to watch what he was doing because he almost hit me with the car door. I had the def step out of the vehicle and walk to the rear of the car. The def was unsteady while standing still. The def was swaying while I asked him some questions. I asked the def again how much he had to drink and he stated

### DRIVER'S STATEMENTS:

nothing. The def began stating that he didn't understand me. I asked for a translator which D/S Tejada arrived from Dist 15. D/S Tejada explained to the def in Spanish that I was conducting a DUI Investigation and was requesting him to submit to SFST's. The def asked why he was being investigated because he had nothing to drink. D/S Tejada explained to him that he even smelled the alcohol and that I was the DUI Investigator who has even more experience. The def agreed to the SFST's and stated that he had no physical disabilities.

### ODORS:

Odor of an Unk Alcoholic beverage coming from his person

## GENERAL OBSERVATIONS

SPEECH: Slurred speech

ATTITUDE: Cooperative

CLOTHING: Blue riding pants, White shirt and blue deck shoes

MEDICAL/OTHER: None  
ALL ROADSIDES CAPTURED ON IN-CAR VIDEO

STATE OF FLORIDA  
COUNTY OF PALM BEACH

Cpl. Thomas Walton #6942

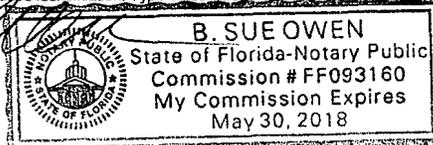
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 26 day of February 20 18 by Cpl. Thomas Walton #6942

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

Sue Owen (#3184)

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



**SCANNED**  
**FEB 27 2018**

**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:**

The def had to be told several times to not move his head. The def was explained the instructions in Spanish. The def had signs of VGN and was swaying during the task.

**WALK & TURN:**

THE DEF WAS PLACED INTO THE INSTRUCTIONAL STANCE FOR THE WALK AND TURN AND GIVEN INSTRUCTIONS IN SPANISH. THE DEF STATED THAT HE UNDERSTOOD THE INSTRUCTIONS. THE DEF FAILED TO REMAIN IN THE INSTRUCTIONAL STANCE AND STARTED TASK TOO SOON. THE DEF TOOK 10 STEPS FORWARD AND 9 BACK. THE DEF MISSED HEEL TO TOE 4 TIMES, USED ARMS FOR BALANCE, TURNED IMPROPER AND WAS COUNTING WRONG.

**ONE LEG STAND:**

THE DEF WAS PLACED INTO THE INSTRUCTIONAL STANCE FOR THE ONE LEG STAND AND GIVEN INSTRUCTIONS IN SPANISH. THE DEF STATED THAT HE UNDERSTOOD THE INSTRUCTIONS. THE DEF WAS SWAYING DURING THE TASK AND USED ARMS FOR BALANCE. THE DEF COUNTED INCORRECTLY DURING THE TASK.

**FINGER TO NOSE:**

THE DEF WAS PLACED INTO THE INSTRUCTIONAL STANCE FOR THE FINGER TO NOSE AND GIVEN INSTRUCTIONS IN SPANISH. THE DEF STATED THAT HE UNDERSTOOD THE INSTRUCTIONS. THE DEF MISSED THE TIP OF HIS NOSE 5 TIMES AND FAILED TO RETURN ARM TO SIDE 6 TIMES. THE DEF WAS SWAYING DURING THE TASK AND FAILED TO KEEP HEAD TILTED BACK. I HAD TO TELL THE DEF SEVERAL TIMES TO TILT HEAD BACK.

**ROMBERG ALPHABET:**

NOT COMPLETED DUE TO NOT KNOWING ENGLISH ALPHABET

BREATH TEST RESULTS: 1) .182    2) .170    3)    4)

STATE OF FLORIDA  
COUNTY OF PALM BEACH

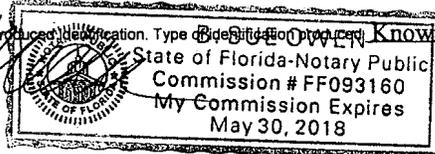
**Cpl. Thomas Walton #6942** *[Signature]*  
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 26 day of February 2018 by Cpl. Thomas Walton #6942

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced the original of the instrument. Type of Evidence Produced: Known

**Sue Owen (#3184)** *[Signature]*

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



**SCANNED**  
**FEB 27 2018**