ARREST / NOTICE TO APPEAR

18CT 16406 SB

1 Arrest 3 Request for Warrant 2 NTA 4 Request for Capias

1 JUVENILE

ADMINISTRATION

OBTS Number

Agency ORI Number: 0500200

Agency Name: Boca Raton Police Department

Agency Report Number (N T A 's only): 3 2 2018-012142

Charge Type (Check as many as apply): ☐ 1 Felony ☐ 2 Traffic Felony ☒ 3 Misdemeanor ☐ 4 Traffic Misdemeanor ☐ 5 Ordinance ☐ 6 Other

If Weapon Seized, Enter Type: None/not Applicable

Multiple Clearance Indicator

Location of Arrest (Including Name of Business): 440 NW 67TH ST

Location of Offense (Business Name, Address): 440 NW 67TH ST, BOCA RATON, FL 33487

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
09/11/2018	22:20	09/11/2018	22:30	09/11/2018	22:22	440 NW 67TH ST

DEFENDANT

Name (Last First Middle): LINO, ROBERT ADAM

Alias (Name DOB Soc Sec # Etc): Alias:

Race (W - White, B - Black, I - American Indian, O - Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	M	03/03/1980	5'11	167	BLUE	BALD	LIGHT	

Scars, Marks, Tatoos, Unique Physical Features (Location, Type, Description): TATT L ARM / PALM TREES

Marital Status:

Religion:

Indication of Alcohol Influence: ☒ Yes ☐ No ☐ Unk — Drug Influence: ☐ Yes ☒ No ☐ Unk

Local Address (Street, Apt Number) (City) (State) (Zip): 606 SW NATURA BLVD, DEERFIELD, FL 33441

Phone: (954) 695-4001

Residence Type (1 City 2 County 3 Florida 4 Out of State): 3

Permanent Address (Street, Apt Number) (City) (State) (Zip): 606 SW NATURA BLVD, DEERFIELD, FL 33441

Phone: (954) 695-4001

Address Source: OFFENDER

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

Phone:

Occupation: Owner

DL Number, State: L500761800830 / FL

Soc Sec Number: [redacted]

INS Number:

Place of Birth (City, State): MASSACHUSETTS,

Citizenship: US

CO-DEF

Co-Defendant Name (Last First Middle) | Race | Sex | Date of Birth | ☐ 1 Arrested ☐ 2 At Large ☐ 3 Felony ☐ 4 Misdemeanor ☐ 5 Juvenile

Co-Defendant Name (Last, First, Middle) | Race | Sex | Date of Birth | ☐ 1 Arrested ☐ 2 At Large ☐ 3 Felony ☐ 4 Misdemeanor ☐ 5 Juvenile

JUVENILE

☐ Parent ☐ Other ☐ Legal Custodian — 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 Department and Released, 2 TOT JAC, 3 Incarcerated)

Released To (Name) — Relationship — Date — Time

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

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 Disperses/ 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 Synthetic, U Unknown, Z Other

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #
DUI	316.193(1)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N	/		1	☐ Y ☒ N		OR

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
		/			☐ Y ☐ N		

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
		/			☐ Y ☐ N		

INTAKE

Health / Apparent Physical Condition of Defendant: GOOD

Any knowledge of the following: ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deformities ☐ Injuries

Explain:

Check which applies: ☐ Released O R ☐ Released to Parent/Guardian ☒ T O T County Jail ☐ Posted Bond ☐ South County Mental Health

PROPERTY - Received By: BACHAR

Released By: BACHAR

Released To: BACHAR

Transported By: BACHAR

Date Transported: 09/11/2018

Time Transported: 22:22

Other:

NOTICE TO APPEAR

☒ INSTRUCTION NO. 1 - Mandatory appearance in court
☐ INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2

Location (Court Room): South County 200 W Atlantic Ave Delray Beach, FL 33444

Court Date and Time: 10/15/2018 08:30:00

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 COMTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED

Signature of Defendant (or Juvenile and Parent/Custodian)

Date Signed

No Photo Available

ADMIN

HOLD for Other Agency

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other

Intake Deputy

Pouch #

Signature of Arresting Officer

Name of Arresting Officer (Print): BACHAR, B.

ID #: 793

Transporting Officer: BACHAR

ID #: 793

Agency: BOCA

Name Verification (Printed by Arrestee) (PRINT)

Witness here if subject signed with an "X"

☐ COURT ☐ [illegible] ☐ [illegible] ☐ [illegible] ☐ JAIL ☐ CRIME ANALYSIS ☐ P. I. O. ☐ DEFENDANT

0501445

3661

SEP 12 AM 2:52

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PROBABLE CAUSE AFFIDAVIT

1 Arrest 2 NTA 3 Request for Warrant 4 Request for Capias | 1 | JUVENILE

ADMIN

OBTS Number			

Agency ORI Number	Agency Name	Agency Report Number
FL 0500200	BOCA RATON POLICE DEPARTMENT	3 | 2 | 2018-012142

Charge Type (Check as many as apply): ☐ 1 Felony ☐ 2 Traffic Felony ☒ 3 Misdemeanor ☐ 4 Traffic Misdemeanor ☐ 5 Ordinance ☐ 6 Other

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
LINO, ROBERT ADAM		W	M	03/03/1980

CHARGES

Charge Description	Charge Description
316.193(1) DUI	
Charge Description	Charge Description

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
STATE OF FLORIDA,			

Local Address (Street, Apt Number) (City) (State) (Zip)	Phone	Address Source
100 NW 2ND AVE, BOCA RATON, FL 33432	(561) -	
Business Address (Name, Street) (City) (State) (Zip)	**Phone**	**Occupation**
	(56) -	

PROBABLE CAUSE STATEMENT

The undersigned certifies and swears that he/she has just and resonable grounds to believe, and does believe that the above named Defendant committed the following violation of law

The Person taken into custody

☐ committed the below acts in my presence
☐ confessed to _____ admitting to the below facts
☐ was observed by _____ who told _____ that he/she saw the arrested person committ the below acts
☒ was found to have committed the below acts, resulting from my (described) investigation

On the 12 day of September, 2018 at 00:15 (Specifically include facts constituting cause for arrest)

On September 11, 2018 at 2118 hours, I responded to 440 NW 67th Street in reference to a male who struck a pole in the parking lot of the complainant`s apartment complex with his vehicle multiple times. The complainant also advised he believed the male to be intoxicated based on his behavior.

Upon arrival I made contact with white-male, later identified by his Florida Driver`s License as Robert Lino. Lino was standing outside of his vehicle near apartment building 440. While speaking to Lino, his eyes were bloodshot and a strong odor of an alcoholic beverage was present. Lino was also slurring his speech and appeared to be under the influence. While speaking to Lino, he was stumbling around and lost his balance, causing him to fall backwards into the bushes. According to Lino, he was waiting for girlfriend to let him inside her residence so he could spend the night.

I then spoke with two wheel witnesses to the incident, Brian Curran and his girlfriend, Dayna Reinitz. Curran stated he called the police after he and Dayna witnessed, a white-male, who was later identified as Robert Lino strike a pole with his vehicle multiple times. According to Curran, he and his girlfriend, Dayna just got home and saw a black Audi (FL tag HQXH33) attempting to park behind their vehicle in the parking lot. Curran advised Lino proceeded to park his vehicle in an assigned parking space for a resident when he struck a pole with his vehicle. Curran stated after Lino struck the pole, he reversed his vehicle and attempted to park again, subsequently striking the same pole again causing minor damage to the pole and damage to his front right-side bumper. It should be noted, a piece of Lino`s Audi`s bumper was laying on the ground next to the pole he struck. After he struck the pole for the second time, Lino reversed his vehicle and pulled forward into the assigned resident parking space. According to Curran, he approached Lino and advised him he was parked in a resident space and that he had to move his vehicle into a guest space. Lino then reversed his vehicle out of the parking space and into a guest space where his vehicle was left. Curran advised he

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

HARDING, BRANDON BLAZE
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F S S 117 10)

09/12/2018
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

BACHAR, BRIAN (793)
NAME OF OFFICER (PLEASE PRINT)

09/12/2018
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

ADMIN

OBTS Number

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

1 Arrest 2 NTA 3 Request for Warrant 4 Request for Capias | 1 | JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL 0500200	BOCA RATON POLICE DEPARTMENT	3 | 2 | 2018-012142

Charge Type (Check as many as apply): ☐ 1 Felony ☐ 2 Traffic Felony ☒ 3 Misdemeanor ☐ 4 Traffic Misdemeanor ☐ 5 Ordinance ☐ 6 Other

Special Notes

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
LINO, ROBERT ADAM		W	M	03/03/1980

PROBABLE CAUSE STATEMENT

believed Lino to be intoxicated by the smell of an alcoholic beverage coming from person and how he was stumbling around after he got out of his vehicle. It should be noted, Reinitz provided a similar account of the incident. According to both Curran and Dayna, they maintained constant visual of Lino until police arrived on scene. They advised at no point did Lino consume any alcohol after exiting the vehicle.

I then spoke with Lino again regarding the accident. When asked, Lino stated he was never in an accident and he was never driving his vehicle. When asked about the front bumper damage to his vehicle which was consistent to striking a pole, he advised the damage has been there for three weeks and that it did not occur tonight. When asked about the missing bumper piece to his vehicle, he advised it was not his. It should be noted, when Lino provided his registration and issuance from his vehicle, there was an open container of "Mike`s Hard Lemonade" in the cup holder next to the driver`s seat. It should be also noted, Lino refused any medical attention.

I then advised Lino that the crash investigation was over and that I would now be conducting a criminal investigation. I explained my observations and witness account of the incident to Lino and asked him if he wished to submit to a variety of road-side sobriety tasks to dispel my alarm that he was not driving impaired, Lino stated, no. I then asked Lino again if he would submit to road-side sobriety tasks and explained to him the consequences if he refused, he again stated, no.

Based on my investigation, and by Lino refusing to submit road-side sobriety tasks, I placed him under arrest pursuant to F.S.S. 316.193(1), for driving under the influence. Lino was then transported to the Boca Raton Police Department for processing.

Officer Reissi responded to the Boca Raton Police Department as my Breath Test Operator. Officer Reissi and I conducted the 20 minute observation and then Lino was taken into the DUI Breath Test room. I then requested Lino to submit to a breath sample to determine his alcohol content, however Lino refused to give a breath sample. I then read Lino the Implied Consent form and he verbally acknowledged that he was not going to provide a breath sample. Lino was then read his Miranda Rights. Lino verbally acknowledged that he understood his rights and stated he did not wish to speak to me any further. The process was captured on videotape and was later submitted into evidence. Lino was then transported to Palm Beach County Jail.

Officer Bruggeman obtained sworn written statements from both wheel witnesses, Curran and Reinitz. Officer Bruggeman also took photographs which were later submitted into evidence pole that was damage and of Lino`s vehicle. Lino`s vehicle was left in the guest parking space where he last parked his vehicle.

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

HARDING, BRANDON BLAZE
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F S S 117 10)

09/12/2018
DATE

793
SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

BACHAR, BRIAN (793)
NAME OF OFFICER (PLEASE PRINT)

09/12/2018
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

18-12142
1015-2153
OBS: 2214

DUI INFLUENCE REPORT

NOT A CERTIFIED COPY

BOCA RATON POLICE SERVICES DEPARTMENT
100 NW 2nd Avenue
Boca Raton, FL 33432

Revised: July 9, 2018

BOCA RATON POLICE SERVICES DEPARTMENT

DUI INFLUENCE REPORT – PART I

On the _____day of _____, at _____ AM/PM:

Subject: _____ Case Number: _____

PERSONAL CONTACT

Driving Pattern: _____

_____

_____

_____

_____

_____

Observation of Driver: _____

_____

_____

_____

_____

_____

Driver's Statement: _____

_____

_____

_____

Odors: _____

_____

GENERAL OBSERVATIONS

Speech: _____

Attitude: _____

Clothing: _____

Medical Problems: _____

Medications: _____

Other: _____

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Horizontal Gaze Nystagmus:

☐ Left eye does not follow smoothly
☐ Left eye jerks at 45 degrees angle or less
☐ Distinct jerking left eye maximum deviation
☐ Right eye does not follow smoothly
☐ Right eye jerks at 45 degrees angle or less
☐ Distinct jerking right eye maximum deviation

Can not do, Why? _____

Walk and turn: _____

Can not do, Why? _____

One leg stand: _____

Can not do, Why? _____

Finger to nose: _____

Can not do, Why? _____

Alphabet (speech pattern): _____

Can not do, Why? _____

Breath/Blood test results: _____

State of Florida, County of Palm Beach,
Sworn and subscribed before me this _____ (date) by _____.

_____ _____
Notary/Clerk of Court/ Officer (FSS 117.10) Date

_____ _____
Signature of Arresting Officer Name of Officer (print)

NOT A CERTIFIED COPY

ARRESTING OFFICER: Ofc. Bachar

Name: Ofc. Bruggerman Phone # _____ Work # _____

Address: 100 NW 2nd Ave

Can testify to: Back up

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

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-END OF PART ONE-

BOCA RATON POLICE SERVICES DEPARTMENT

DUI INFLUENCE REPORT – PART II

To be filled out at testing facility

Agency Case # 18-12142

I. INTRODUCTION (Instrument Operator faces video camera)

A. The day is Tuesday (day), September (month), 11 (date), 2018 (year).

B. The time is now approximately 1036 AM/PM.

C. The following is in reference to case number 18-12142.

D. Present at this time is Ofc. Bachar (Officer's Name) of the Boca Raton Police Department.

E. Officer Bachar, have you arrested Robert Lino (Defendant's name) in violation of Florida State Statute 316.193?

F. Did this violation occur within the City of Boca Raton, Palm Beach County, Florida? _____

G. Mr./Mrs./Ms. Lino, I am required to inform you these proceedings are being video recorded.

Operator Note: *Video record breath request, breath sample, and interview.*

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II. AT THIS TIME THE ARRESTING OFFICER WILL REQUEST A BREATH SAMPLE.

Note: Read only the paragraph applicable to the type of test you are requesting.

A. I am now requesting that you submit to a lawful test of your **BREATH** for the purpose of determining its alcohol content.

B. I am now requesting that you submit to a lawful test of your **URINE** for the purpose of determining the presence of chemical or controlled substances.

C. 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.

IMPLIED CONSENT WARNINGS

Note: Read only if the subject does not comply with your request.

I am Balhar of the BRPD.

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 Signature: on video Refused to sign

Note: Also read for CDL holders:

IN ADDITION, your refusal to submit will result in the loss of your commercial privileges for one year from today. If this is your SECOND REFUSAL, you will be permanently disqualified from operating a commercial motor vehicle.

Note: After reading the implied consent warning, the arresting officer must request a breath sample again.

(IF REFUSAL THEN)

At this time Mr./Mrs./Ms. Lino has refused to submit to a breath test.

The date is Sep (month), 11 (day), 2018 (year), and the time is 1042 AM/PM.

A refusal form will be completed by the arresting officer.

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BOCA RATON POLICE SERVICES DEPARTMENT

JUVENILE CONSTITUTIONAL WARNINGS

Rights of suspects prior to custodial questioning.
Identify yourself and state:

I am required to warn you before you make any statement that you have the following Constitutional rights:

(1) You have the right to remain silent and not answer any questions. *Tell me in your own words what you think this means.*
(You do not have to talk to me or answer any questions about this offense. You can be quiet if you want.)

(2) Any statement you make must be freely and voluntarily given. *Tell me in your own words what you think this means.*
(If you do talk to me it has to be because you want to and not because anyone is forcing you to speak.)

(3) You have a right to the presence and representation of a lawyer of your choice before you make any statement and during any questioning. *Tell me in your own words what you think this means.*
(You can talk to a lawyer before we ask you any questions and you can have him/her with you now, during our questioning.)

(4) If you cannot afford a lawyer, you are entitled to the presence and representation of a court appointed lawyer before you make any statement and during any questioning. *Tell me in your own words what you think this means*
(If you do not have money for a lawyer and you want one, a lawyer will be given to you for free.)

(5) If at any time during the interview you do not wish to answer any questions, you are privileged to remain silent. *Tell me in your own words what you think this means.*
(If you decide to talk to me then change your mind, you can stop answering my questions at any time.)

(6) I can make no threats or promises to induce you to make a statement. This must be of your own free will. *Tell me in your own words what you think this means*
(I am not allowed to threaten you or make you any promises to get you to talk to me. If you decide to talk, it must be because you want to.)

(7) Any statement can be and will be used against you in a court of law. *Tell me in your own words what you think this means*
(Anything you say to me can and will be told to the judge or a jury in court. A judge is a person who decides if you have done something wrong. Sometimes a group of people called a jury decide this, but the Judge is the person who decides what punishment you get.)

(8) Do you understand these rights as I have read them to you, and do you wish to speak to me?

Signed: _____ Date: _____ Time: _____

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BOCA RATON POLICE SERVICES DEPARTMENT

TESTING FACILITY TASK REPORT

SUBJECT: w/m Robert Lino

CASE #: 18-12142 DATE: 9/11/18

BREATH TEST RESULTS

1) TIME _____ AM/PM 2) TIME _____ AM/PM

3) TIME _____ AM/PM 4) TIME _____ AM/PM

BREATH OPERATOR: Reissi 776

MAINTENANCE TECHNICIAN: Pare

TESTING OFFICER'S OBSERVATIONS

SPEECH: _____

ATTITUDE: Calm but not answering questions

CLOTHING: gray shirt, Blk pants, Blk shoes

MEDICAL CONDITION: Refused to Answer

OTHER: ODor of Alcoholic Beverage

COMMENTS: _____

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Identify yourself and state:

I am required to warn you before you make any statement that you have the following Constitutional rights:

(1) You have the right to remain silent and not answer any questions.
(2) Any statement you make must be freely and voluntarily given.
(3) You have a right to the presence and representation 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 and representation of a court appointed lawyer before you make any statement 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 be and will be used against you in a court of law.
(8) Do you understand these rights as I have read them to you, and do you wish to speak to me?

Signed: Refused to sign Date: 9/11/18 Time: 1040

QUESTIONS AND ANSWERS

Were you operating a motor vehicle at the time of the accident/stop? _____

Where were you going? _____

What street or highway were you on? _____

Direction of travel? _____

Where did you start driving from? _____

What city (county) were you stopped in? _____

What time did you start? _____ AM/PM What time is it now? _____

What is today's date? _____ What day of the week is it? _____

When did you last eat? _____ What did you eat? _____

What have you been doing the past three hours prior to this stop/accident? _____

How much do you weigh? _____ Have you been drinking? _____ What were you drinking? _____
_____

How much? _____ Where? _____ With whom were you drinking? _____

When did you have your first drink? _____ AM/PM When did you stop drinking? _____AM/PM

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How did you consume your last two drinks? _____

Are you under the influence of alcohol now? ☐ Yes ☐ No

Can you feel the effects of alcohol? ☐ Yes ☐ No

Have you consumed alcohol since the accident? ☐ Yes ☐ No

Can you feel the effects of alcohol? ☐ Yes ☐ No

Have you consumed alcohol since the accident? ☐ Yes ☐ No How much? _____

What? _____ Where? _____

What line of work are you in? _____

When did you last work? _____

Do you have any physical defects or injuries? ☐ Yes ☐ No If yes, explain:

_____

Are you sick or injured? ☐ Yes ☐ No If yes, explain:

_____

Do you limp? ☐ Yes ☐ No Did you get a bump on the head? ☐ Yes ☐ No

Were you in an accident today? _____

Have you taken any drugs or smoked marijuana today? _____

What? _____ When? _____

Have you seen a doctor or dentist today? ☐ Yes ☐ No Who? _____

Are you taking any prescription medications? ☐ Yes ☐ No What? _____ When? _____

Do you have: Epilepsy? ☐ Yes ☒ No Inner ear trouble? ☐ Yes ☐ No

Glass eye? ☐ Yes ☐ No Ear infection? ☐ Yes ☐ No

False teeth? ☐ Yes ☐ No Diabetes? ☐ Yes ☐ No

Any problems not correctable by glasses or contact lenses? _____

Do you take insulin? ☐ Yes ☐ No If yes, when was your last injection? _____

Have you ever had a driver's license in any other state? _____

I am now ending this video recording. The time is now approximately 1048 AM/PM.

The date is September (month), 11 (day), 2018 (year).

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STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH AND/OR URINE TEST

I, Ofc. Bachar (Name of Officer reading Implied Consent Warning), a duly certified Law Enforcement Officer or Correctional Officer,

am a member of BRPD (Name of law enforcement agency), and I do swear

or affirm that on or about the 11 day of September, 20 18, at 1042 ☒ P.M ☐ A.M.

DRIVER (Type or Print) Robert (FIRST NAME) Adam (MIDDLE OR MAIDEN NAME) Lino (LAST NAME),

DL# L500-761-80-083-0, state of FL, was placed under lawful arrest for

the offense of DUI by Ofc. Bachar (Name of Arresting Officer) and

issued Citation # A8ERFOE.

That on or about the 11 day of September, 20 18, at 1042 ☒ P.M ☐ A.M.

in Palm Beach County,

I requested that the driver submit to a ☒ **breath and/or** ☐ **urine** test to determine his or her blood alcohol level and/or the presence of chemical or controlled substances. I informed the driver that the refusal to submit to such test(s) would result in the suspension of his or her driving privilege for a period of one (1) year for a first refusal, or for a period of eighteen (18) months if his or her driving privilege had been previously suspended for refusing to submit to a breath, urine or blood test. I also informed the driver that he or she commits a misdemeanor by refusing to submit to a lawful test as requested above if his or her driving privilege has been previously suspended for refusal to submit to a lawful test of his or her breath, urine, or blood. Additionally, I informed the driver that if he or she holds a CDL, or was operating a CMV, refusal will result in the disqualification of the Commercial Driver's License/driving privilege for a period of one (1) year in the case of a first refusal or permanently if he or she has previously been disqualified as a result of a refusal to submit to any such lawful test. Nonetheless, the driver refused to submit to the test(s) requested.

(X) _____
Signature of Law Enforcement Officer or Correctional Officer

THE AFFIDAVIT MUST BE NOTARIZED OR ATTESTED TO (F.S. 117.10)

The foregoing instrument was sworn and subscribed before me:

_____
Signature of Attesting Officer

Title Police Officer

Date 9/11/18

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before me this ____ day of _____, 20 ____,

by _____,

who is personally known to me or who has produced _____ as identification

Notary Public _____

Note: Mail or hand deliver to the designated Bureau of Administrative Reviews office, Department of Highway Safety and Motor Vehicles, with the driver's license, the appropriate copy of the UTC, and the probable cause affidavit.

HSMV-BAR1001 (REV. 10/2016)

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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	

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REVIEW COMPLETED BY

Booking Number: 2018030597	**Date:** 09/13/2018
	Specialist Name/ID: howardt/7185