

0090517

ARREST / NOTICE TO APPEAR
Juvenile Referral Report1. Arrest
2. N.T.A.
3. Request for Warrant
4. Request for Capias

1 Juvenile N

OBTS Number			ARREST / NOTICE TO APPEAR Juvenile Referral Report																			
ADMINISTRATIVE	Agency ORI Number		Agency Name			Agency Report Number (N.T.A.'s only)		16153921														
	FLO 500000		PALM BEACH COUNTY SHERIFF'S OFFICE			06-		16153921														
Charge Type: <input type="checkbox"/> 1. Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance Check as many as apply. <input type="checkbox"/> 2. Traffic Felony <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other																						
Location of Arrest (Including Name of Business) Orange Blvd and 140th Ave North, Loxahatchee FL 33412							Location of Offense (Business Name, Address) Orange Blvd and 140th Ave North, Loxahatchee FL 33412															
Date of Arrest 11/18/2016		Time of Arrest 2203		Booking Date		Booking Time		Jail Date		Jail Time		Location of Vehicle Removed from scene by girlfriend										
Name (Last, First, Middle) Ciceroni Jr., Robert Frederick							Alias (Name, DOB, Soc. Sec. #, Etc.)															
Race W - White I - American Indian B - Black O - Oriental/Asian		Sex M		Date of Birth 08/16/1964		Height 5'11"		Weight 215		Eye Color Brown		Hair Color Grey										
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) Multiple tattoos on body							Marital Status Divorced		Religion NONE		Indication of: Alcohol Influence <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Drug Influence <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>											
DEFENDANT	Local Address (Street, Apt. Number) 7504 Grapeview Blvd, Loxahatchee FL 33470							Phone (561) 543-6506		Residence Type: 1. City <input type="checkbox"/> 3. Florida <input type="checkbox"/> 2. County <input type="checkbox"/> 4. Out of State <input type="checkbox"/>												
	Permanent Address (Street, Apt. Number) Same as above							Phone ()		Address Source FL DL												
Business Address (Name, Street) Business Address (Name, Street)							Phone ()		Occupation Electrical contractor													
D/L Number, State C26576642960, FL			Soc. Sec. Number			INS Number			Place of Birth (City, State) Framingham, Mass			Citizenship USA										
CO-DEF	Co-Defendant Name (Last, First, Middle)							Race		Sex		Date of Birth		Indication of: 1. Arrested <input type="checkbox"/> 3. Felony <input checked="" type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile <input type="checkbox"/>								
	Co-Defendant Name (Last, First, Middle)							Race		Sex		Date of Birth		Indication of: 1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile <input type="checkbox"/>								
JUVENILE	Parent Name (Last) (First) (Middle)							Residence Phone ()														
	Legal Custodian Other:							Business 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. N/A B. Buy P. Possess		S. Sell D. Deliver T. Traffic		R. Smuggle 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/Derv.		P. Paraphernalia/ Equipment S. Synthetics		U. Unknown Z. Other	
	Charge Description DUI crash 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 #								
CHARGE	Drug Activity N		Drug Type N		Amount / Unit		Offense # 16153921		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 #				
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, West Palm Beach FL 33406													SCANNED NOV 21 2016								
	Court Date and Time Month December Day 15th Year 2016 Time 0830 AM ✓													NOV 21 2016								
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													NOV 21 2016									
Signature of Defendant (or Juvenile and Parent / Custodian)													Date Signed									
ADMIN	HOLD for other Agency				Signature of Arresting Officer x / 16153921				Name Verification (Printed by Arrestee)				Nov 19 am 1:35									
	Name:				Name of Arresting Officer (Print) Inv. Christopher Ficarra 8368				I.D. # 8368				(PRINT)									
Dangerous <input type="checkbox"/> Resisted Arrest Suicidal <input type="checkbox"/> Other:				Transporting Officer ID # Inv. Christopher Ficarra 8368				Agency PBSO				PAGE										
Intake Deputy P# Pouch #												Witness here if subject signed with an 'X'										
DISTRIBUTION: WHITE - COURT COPY GREEN - STATE ATTORNEY YELLOW - AGENCY PINK - AGENCY GOLD - DEFENDANT (N.T.A.'s ONLY)																						

<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>OBTS Number</p> <p>Agency ORI Number FLO 500000</p> <p>Charge Type: Check as many as apply: 1. Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 2. Traffic Felony <input checked="" type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other <input type="checkbox"/></p> </div> <div style="width: 45%;"> <p>PROBABLE CAUSE AFFIDAVIT</p> <p>1. Arrest 3. Request for Warrant 2. N.T.A. 4. Request for Capias</p> </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 15%;">1</div> <div style="width: 15%;">Juvenile</div> </div>					
<div style="display: flex; justify-content: space-between;"> <div style="width: 33%;"> <p>ADMIN:</p> <p>Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE</p> </div> <div style="width: 33%;"> <p>Agency Report Number 06-16153921</p> </div> <div style="width: 33%;"> <p>Special Notes:</p> </div> </div>					
<div style="display: flex; justify-content: space-between;"> <div style="width: 65%;"> <p>DEF: Name (Last, First, Middle) Ciceroni Jr., Robert Frederick</p> </div> <div style="width: 15%;"> <p>Alias</p> </div> <div style="width: 15%;"> <p>Race W</p> </div> <div style="width: 15%;"> <p>Sex M</p> </div> <div style="width: 15%;"> <p>Date of Birth 08/16/1964</p> </div> </div>					
<div style="display: flex; justify-content: space-between;"> <div style="width: 50%;"> <p>CHARGES: Charge Description DUI crash with property damage</p> </div> <div style="width: 50%;"> <p>Charge Description 316.193(3)(c)(1)</p> </div> </div>					
<div style="display: flex; justify-content: space-between;"> <div style="width: 50%;"> <p>VICTIM: Charge Description</p> </div> <div style="width: 50%;"> <p>Charge Description</p> </div> </div>					
<div style="display: flex; justify-content: space-between;"> <div style="width: 65%;"> <p>Victim's Name (Last, First, Middle) State of Florida</p> </div> <div style="width: 15%;"> <p>Race</p> </div> <div style="width: 15%;"> <p>Sex</p> </div> <div style="width: 15%;"> <p>Date of Birth</p> </div> </div>					
<div style="display: flex; justify-content: space-between;"> <div style="width: 33%;"> <p>Local Address (Street, Apt. Number)</p> </div> <div style="width: 15%;"> <p>(City)</p> </div> <div style="width: 15%;"> <p>(State)</p> </div> <div style="width: 15%;"> <p>(zip)</p> </div> <div style="width: 15%;"> <p>Phone ()</p> </div> <div style="width: 15%;"> <p>Address Source</p> </div> </div>					
<div style="display: flex; justify-content: space-between;"> <div style="width: 33%;"> <p>Business Address (Name, Street)</p> </div> <div style="width: 15%;"> <p>(City)</p> </div> <div style="width: 15%;"> <p>(State)</p> </div> <div style="width: 15%;"> <p>(zip)</p> </div> <div style="width: 15%;"> <p>Phone ()</p> </div> <div style="width: 15%;"> <p>Occupation</p> </div> </div>					
<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. The Person taken into custody.</p> <p><input 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.</p> <p><input type="checkbox"/> confessed to _____ admitting to the below facts. <input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.</p> <p>On the 18th day of November 20 16 at 2039 <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M. (Specifically include facts constituting cause for arrest.)</p>					
<p>Post Constitutional Warnings Robert stated the following: He was not injured. He took several prescription medication for things such as blood pressure and cholesterol. He did not take any further prescription medication. He stated he did not have any physical defects or injuries. Robert stated his vision sucked because he had gotten older, did not have any other issues, and wore prescription sunglasses. Robert again stated he had no physical defects or injuries and only had prescriptions for his blood pressure and cholesterol. He did not take any illegal drugs or smoke any marijuana. Robert stated in regards to the crash that the other vehicle stopped and took off which made Robert think he was leaving. The other vehicle then stopped again. Robert stated he was driving the Ford and his daughter was a passenger in the vehicle at the time of the crash. Robert stated that the Ford was registered to him. Robert did not have anything to drink since getting in the crash but stated that he drank two shots of "Crown" approximately an hour and a half prior to the crash. He stated that he drank at his friend's house and he was heading home. Robert ate prior to getting to his friend's house, he ate grilled chicken broccoli and coleslaw. Robert did not have any beer to drink just the shots that night.</p> <p>Based on my above observations I asked Robert to submit to standardized field sobriety tasks which he stated he would do. Robert stated that his knees had been "jacked up" prior to the tasks but stated that they were not bothering him at that point. Robert stated that he missed the point that I asked him if he had any physical defects or injuries. I repositioned my patrol vehicle onto 140th Ave North just north of the intersection and blocked an entire lane of traffic. Robert stated he was okay to walk in his boots and decided to keep them on for the tasks. Robert stated that he did not have diabetes or seizure issues that he knew of. He assisted in placing a white tape line on the roadway for the tasks. The overhead police blue lights were turned off prior to the tasks. **See DUI Roadside task page for further**</p>					
<p>STATE OF FLORIDA COUNTY OF PALM BEACH</p> <p>Inv. Christopher Ficarra <i>INV C JF368</i></p> <p>(Signature of Arresting/Investigative Officer)</p>					
<p>The foregoing instrument was sworn to or affirmed and subscribed before me this 18th day of November 20 16 by Inv. Christopher Ficarra 8368</p> <p>(Print name of Arresting/Investigative Officer who is personally known to me and/or produced identification) Type of identification produced _____</p> <p>Notary Public, Clerk of Court, Officer (F.S.S. 117.10)</p>					
<p>State of Florida-Notary Public Commission # FF093160 My Commission Expires May 30, 2018</p>					

OBTS Number

PROBABLE CAUSE AFFIDAVIT

1. Arrest 3. Request For Warrant
2. N.T.A. 4. Request For CapiasJuvenile

Agency ORI Number FLO 500000	Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE	Agency Report Number 06			
Charge Type: Check as many as apply <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 _____	Special Notes				
Defendant Name (Last, First, Middle) CICERONI	ROBERT	Race F	Sex W M Date of Birth 8/16/64		
Charge DUI	Charge				
Charge	Charge				
Victim Name (Last, First, Middle) FLORIDA		Race	Sex		
Local Address (Street, Apt. Number)	City	State	Zip	Phone	Address Source
Business Address (Street, Apt. Number)	City	State	Zip	Phone	Occupation
<p>The undersigned 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...</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 type="checkbox"/> was found to have committed the below acts, resulting from (described) investigation.</p>					
On the <u>18</u> day of <u>NOV</u> <u>20</u> <u>16</u> at <u>2050</u>	<input type="checkbox"/> AM	<input type="checkbox"/> PM			

ON THE ABOVE DATE AND TIME I RESPONDED TO ORANGE BLVD AND 140TH AVE N IN REFERENCE TO A TRAFFIC CRASH. UPON ARRIVAL I OBSERVED ROBERT CICERONI STANDING NEXT TO A BLACK PICK UP TRUCK TALKING TO THE DRIVER OF THE TRUCK, KENNETH ROCHEFORT. I ASKED THEM IF THEY NEEDED A CRASH REPORT, AND KENNETH SAID YES. ROBERT BEGAN TO TALK AND SAID THAT HE PROMISES TO TAKE CARE OF THE DAMAGE WITHOUT THE REPORT. WHILE HE WAS TALKING I COULD SMELL A STRONG ODOR OF ALCOHOL ON HIS BREATH, HE HAD RED AND GLOSSY EYES, HE WAS SHIFTING HIS WEIGHT SIDE TO SIDE AND SWAYING BACK AND FORTH. I TOLD THEM BOTH TO GET THEIR INFORMATION FOR ME AND ROBERT WALKED BACK TO HIS TRUCK. HE WAS STUMBLING AS HE WALKED AND ALMOST FALLING OVER. KENNETH THEN TOLD ME THAT HE THOUGHT THAT ROBERT WAS DRUNK. I ASKED HIM WHO WAS DRIVING THE CAR THAT HIT HIM AND HE CONFIRMED THAT IT WAS ROBERT.

BASED ON MY OBSERVATIONS I CALLED INV FICARRA TO THE SCENE TO CONDUCT A DUI INVESTIGATION. THE CRASH REPORT WAS COMPLETED UNDER PBSO CASE # 16153901.

The foregoing instrument was sworn to and affirmed before me this 18 day of NOV 20 16, by:

E.R. WHITE P READ 13022

Name of Notary Public / Clerk of Court / Officer (F.S.S. 117.00)

E.R. WHITE Name of Arresting/Investigating Officer

Name of Notary Public / Clerk of Court / Officer (F.S.S. 117.00)

E.R. WHITE Name of Arresting/Investigating Officer

Page 1 of 1

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 18th DAY OF November 20 16, AT 2039 AM PM

SUBJECT: Ciceroni Jr., Robert Frederick CASE NUMBER: 16153921

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: Inv. Christopher Ficarra

PERSONAL CONTACT

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

On 11/18/2016 at approximately 2124 hours I responded to the intersection of Orange Blvd and 140th Ave North, in unincorporated Palm Beach County, in reference to a DUI crash investigation. Upon my arrival I observed a black Ford F250 bearing Florida tag 520JVX pulling a trailer bearing Florida tag Y22BLC stopped behind a black GMC Denali pickup truck bearing Florida tag N519EH. I observed that the GMC had crash damage done to the rear bumper which appeared fresh. I did not observe any signs of damage to the front of the Ford. Both vehicles were stopped on the north side of Orange Blvd just west of the intersection with 140th Ave North. I observed a white male wearing a hat sitting in the driver's seat of the Ford. I then spoke with the responding deputy, Deputy Read ID: 13022, who stated the following: Upon his arrival he observed the driver who was also the registered owner of the F250, later identified as Robert Frederick Ciceroni Jr by his Florida issued driver's license, standing at the window of the black GMC pickup truck leaning in the window. He appeared to be talking with the other driver, later identified as Kenneth Phillip Rochefort by his Florida issued driver's license. Deputy Read talked to the drivers to see if he was needed for the reported crash. Robert turned around and stumbled and looked at Deputy Read. Robert stated to him that he did not know if he was needed. As he spoke with Robert Deputy Read observed the obvious odor of an unknown alcoholic beverage on Robert's breath. He also observed that Robert's eyes were red and glassy. The driver of the GMC stated that he wanted a crash report completed. As Robert walked back toward his truck Deputy Read observed that he was uneasy on his feet, he walked with a side to side sway. As he spoke Robert slurred his words as well. Kenneth stated to Deputy Read that he could smell the odor of an alcoholic beverage on Robert's breath and he was slurring his words.

OBSERVATION OF DRIVER:

Deputy Read had Kenneth fill out a sworn written statement regarding the incident. He also advised that a female passenger of the Ford had called for a ride because she believed that Robert would be going to jail that night. Deputy Read conducted the crash investigation (reference crash case number 16153901). The passenger also stated to Deputy Read that she did not want to drive home with Robert and she would go home with the ride she called. Deputy Read filled out a supplemental probable cause affidavit regarding the incident. ** See attached** I then spoke with Kenneth who was still sitting in the driver's seat of the GMC. I obtained his sworn written statement from him. **See attached** Kenneth stated that he observed Robert appeared very tired and his words were slurred. He also was able to identify Robert as the driver of the Ford. Kenneth also stated that he could hear Robert's intoxication in his voice. He also advised that as he spoke to Robert, Robert became agitated with him. The passenger of the Ford did not want to give a sworn statement regarding the incident.

DRIVER'S STATEMENTS:

I then spoke with Robert who was in the driver's seat of the Ford. I observed that he had what appeared to be chewing tobacco in his mouth at that time. I also observed over that smell the obvious odor of an unknown alcoholic beverage coming from the vehicle. I asked Robert to step out of the vehicle and asked him to spit out his chewing tobacco which he did. I had Robert walk to the front of my marked PBSO patrol vehicle so that I could speak with him. As he walked I observed he had a side to side staggered walk. I observed he was wearing a black polo shirt, blue jeans, brown boots, and a black hat. I then talked with Robert about the crash. While speaking with him I observed that his speech was slow, low, unclear, and slurred. His eyes appeared red, bloodshot, glassy, and droopy. I also could smell the obvious odor of an unknown alcoholic beverage on his breath more clearly. As he stood still he had a side to side sway. I asked Robert if he had any injuries or needed to go to the hospital which he stated he did not. Once I finished talking to him about the crash I stated my concerns and observations to him. I then explained I was going from a crash to a DUI investigation. I explained I had to read him his Constitutional Warnings which he stated he understood. **See attached PC page for further**

ODORS:

The obvious odor of an unknown alcoholic beverage coming from his mouth

GENERAL OBSERVATIONS

SPEECH: Slurred, unclear, low, slow

ATTITUDE: Calm, compliant

CLOTHING: Black polo shirt, Blue Jeans, Brown boots

MEDICAL/OTHER: No medical issues (no diabetes or seizures), no physical defects or injuries (stated prior knee issue which was not bothering at that time), no issues with eyes (except old age seeing issue) and had prescription sunglasses, stated okay to walk in boots, no prescription medications besides blood pressure and cholesterol meds taken, no illegal drugs or marijuana taken, stated had two shots at a friends house

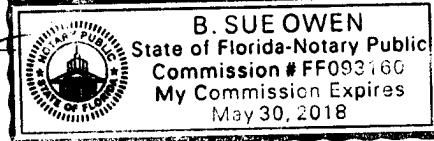
STATE OF FLORIDA
COUNTY OF PALM BEACH

Inv. Christopher Ficarra WCF 8368
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 18th day of November 20 16 by Inv. Christopher Ficarra 8368

(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)



ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

LT EYE-LACK OF SMOOTH PURSUIT
 LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION
 LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

RT EYE-LACK OF SMOOTH PURSUIT
 RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION
 RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

Other Observations:

Robert's eyes tracked equally, the pupils were the same size and appropriate for the lighting conditions, and no resting nystagmus was observed. Vertical gaze nystagmus was administered and was observed. Lack of convergence was administered and was observed. His eyes began to converge with his right eye shooting back out and his left eye staying converged. Robert had difficulty keeping his head still during the task and stopped focusing on the stimulus as well. He swayed from side to side and front to back during the task. Robert moved from the instructed position during the LOC explanation.

WALK & TURN:

I explained and demonstrated the instructions for the walk and turn task to Robert who stated that he understood. During the task I observed that Robert had the following cues: couldn't keep balance while listening to instructions (moved from line multiple times, could not stand in position without stepping off line); started too soon; stops walking to steady self/regain balance on steps: 1 on the first set then 2 on the return; missed heel-to-toe on steps: 3, 5, 7, 9 on the first set then on steps 2, 6, 7, 8, 9, 10 on the return; stepped off the line on steps: 1 on the first set then on steps 2, 6, 7, 8, 9, 10 on the return ; used arms for balance (raises arms over six inches); improper turn (did not keep front foot on ground as instructed); took incorrect number of steps: 10 steps on the return; did not count as instructed; swayed side to side during the instructions.

ONE LEG STAND:

I explained and demonstrated the instructions for the one leg stand task to Robert who stated that he understood. During the task I observed that Robert had the following cues: swayed while balancing; used arms for balance (raises arms over six inches); put foot down: left foot on count of 1003, 1001, and 1003 (before 30 seconds); task was stopped after third time placing foot down for safety reasons; swayed from side to side during the instructions.

FINGER TO NOSE:

I explained and demonstrated the instructions for the finger to nose task to Robert. I explained what is considered the tip of the finger and tip of the nose to Robert who stated that he understood. Robert also knew his left from his right. During the task I observed that Robert had the following cues: did not keep eyes closed (peaked throughout task); used pad of finger instead of tip as instructed on 2nd, 4th, 5th, and 6th instructed hand; used wrong hand for task: began raising right on 1st instructed hand instead of left; swayed side to side and front to back during task; lowered head during task did not keep it back as instructed.

ROMBERG ALPHABET:

I explained and demonstrated the instructions for the Romberg with recitation task to Robert who stated that he understood. I asked him to say and not sing his ABCs from start to finish which he stated he could. During the task I observed that Robert had the following cues: did not keep eyes closed; swayed side to side and front to back; incorrectly recites alphabet: stated to V then paused, stated X then laughed, stated X, Y then stopped; peaked throughout task. The modified Romberg balance was explained and demonstrated to Robert who stated that he understood. Robert was asked to estimate the passage of 30 seconds in their head. Robert showed the following cues: swayed side to side and front to back during task; had eyelid tremors; stopped estimating at 24 seconds; stated estimated to 33 seconds because he felt short; stated counted normally.

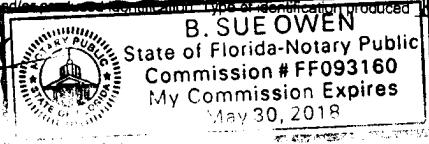
BREATH TEST RESULTS: 1) Refused 2) 3) 4)

STATE OF FLORIDA
 COUNTY OF PALM BEACH

Inv. Christopher Ficarra
 (Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 18th day of November 2016 by Inv. Christopher Ficarra 8368

(Print name of Arresting/Investigative Officer, who is personally known to me and/or is a Notary Public. Name of identification produced if known)



WITNESS LIST

16153921

CASE NUMBER: _____

ARRESTING OFFICER: **Inv. Christopher Ficarra**

ADDRESS: 3228 Gun Club Road, West Palm Beach FL 33406

PHONE NUMBERS (HOME): _____ (WORK) 5616883000

CAN TESTIFY TO: The elements of the crime of DUI

NAME: Deputy P. Read ID:13022

ADDRESS: 3228 Gun Club Road, West Palm Beach FL 33406

PHONE NUMBERS (HOME): _____ (WORK) 5616883000

CAN TESTIFY TO: The elements of the crime of DUI, Crash investigation

NAME: Deputy M. Gitschier ID: 27527

ADDRESS: 3228 Gun Club Road, West Palm Beach FL 33406

PHONE NUMBERS (HOME): _____ (WORK) 5616883000

CAN TESTIFY TO: The elements of the crime of DUI

NAME: Kenneth Phillip Rochefort

ADDRESS: 15665 71st Place North, Loxahatchee FL 33470

PHONE NUMBERS (HOME): 561-662-1971 (WORK) _____

CAN TESTIFY TO: The crash as well as impairment indicators of Robert

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: _____

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 #:	16153921	ZONE:	15-21	SUSPECT:	ROBERT CICERANI JR	DATE & TIME OF ORIGINAL EVENT/OFFENSE:	11/18/16 2039
EVENT TYPE:	DUI CRASH			DEPUTY:	FICARRA	ID#:	838

COMPLETE EVERYTHING BELOW – PRINT LEGIBLY

LAST NAME:	KENNETH	FIRST NAME:	P	MIDDLE INITIAL:	RACE:	SEX:				
DATE OF BIRTH:	(MM/DD/YYYY)	YOUR HEIGHT:	5'6"	YOUR WEIGHT:	140	YOUR HAIR COLOR:	BROWN	YOUR EYE COLOR:	Brown	
YOUR HOME ADDRESS:	15665 71ST PLACE NORTH			□ CHECK IF HOMELESS	CITY:	LOXAHATCHEE	STATE:	FL.	ZIP:	33470
YOUR WORK NAME & ADDRESS:				□ CHECK IF UNEMPLOYED OR RETIRED	CITY:		STATE:		ZIP:	
WORK PHONE:	□ CHECK IF NONE	CELL PHONE:	□ CHECK IF NONE	HOME PHONE:	□ CHECK IF NONE	EMAIL:	□ CHECK IF NONE			
(561) 662-1971 () ()										

WRITE WHAT HAPPENED IN YOUR WORDS IN FULL DETAIL – PRINT LEGIBLY

YOUR NAME:	KENNETH P. ROCHEFORT		DO HEREBY VOLUNTARILY MAKE THE FOLLOWING STATEMENT WITHOUT THREAT, COERCION, OFFER OF BENEFIT, OR FAVOR BY ANY PERSONS WHOMSOEVER...
<p>I WAS DRIVING WEST ON ORANGE BLVD. WHEN I GOT TO THE STOP SIGN AT 140TH & ORANGE I WAS AT A COMPLETE STOP AND I GOT HIT FROM BEHIND. THE DRIVER OF THE TRUCK WAS APPROACHED ME AND ASKED IF HE CAN JUST TAKE CARE OF THE DAMAGE HIMSELF. I TOLD HIM I WANTED TO MAKE A REPORT OF THE ACCIDENT. HE WAS VERY PROCESSED THAT HE WOULD TAKE CARE OF THE DAMAGE. SAID HE WAS VERY TIRED AND WANTED WANTED TO GO HOME. HIS WORDS WERE SLEERY.</p>			

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READ AND SIGN

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

YOUR SIGNATURE: X *Kenneth P. Rochefort*

□ DEPUTY SHERIFF □ NOTARY PUBLIC FSS: 117.10
 SWORN TO AND SUBSCRIBED BEFORE ME TODAY:
 DATE: 11/18/16 TIME: 2:13p
 SIGNATURE: *[Signature]* ID: 117.10

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: DISABILITY; LOST WAGES; LOSS OF SUPPORT; MEDICAL, DENTAL, MENTAL HEALTH COUNSELING AND FUNERAL EXPENSES. I AM AWARE I MAY BE GIVING UP THESE RIGHTS FOR MY FAMILY AND MYSELF BY INITIALLING 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.

 DO NOT WISH TO PROSECUTE (INITIAL)

(PROSECUTION WAIVER NOT TO BE USED FOR CASES INVOLVING DOMESTIC OR DATING VIOLENCE PER G.O. 508.00)

WHITE - RECORDS COPY CANARY - STATE ATTORNEY COPY PINK - OFFICER'S COPY GOLD - WITNESS / VICTIM COPY

TESTING FACILITY TASK REPORT

AGENCY: PBSO
SUBJECT: Ciceroni Jr, Robert Frederick CASE NUMBER: 16-153921
DATE: 1/11/81/16 VIDEO # QV077 C 1672

BEGINNING TIME: 2309 ENDING TIME: 2319

BREATH TESTS RESULTS: **REFUSED** TIME 2311 A.M. / P.M. 2) _____ TIME _____ A.M. / P.M.
3) _____ TIME _____ A.M. / P.M. 4) _____ TIME _____ A.M. / P.M.

BREATH OPERATOR: S. Owen # 3184

MAINTENANCE TECHNICIAN: J. Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: _____

ATTITUDE: talkative, cooperative, nice
CLOTHING: boots, jeans, black t-shirt

MEDICAL CONDITIONS: Sheehan's problems, high cholesterol, high blood pressure

MEDICATIONS: 18 sertraline & a lipid-lowering med.

OTHER: 1. Gelfoam in Frontal & Temporal 1/2 in.

52yoA Δ inc rash

COMMENTS: ~~4/08/13 arrived at 2248 hrs~~

Alb observed 20 minutes

Alorques yel brev y last a refresca

16. ~~He was asked to draw us, but refused~~

After a 40+ hour hold, Sonderwood, still refused

Can read on screen. I answered Q&A

- Had couple shots of Crown. Could feel effects a little bit, under influence.

SUBJECT: Ciceroni Jr, Robert Frederick CASE NUMBER: 16-153921

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. Ficarra 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 Camera

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 Scene

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 AT THE TIME OF THE STOP/ACCIDENT? YES

WHERE WERE YOU GOING? Home

WHAT STREET OR HIGHWAY WERE YOU ON? ORANGE BLVD

DIRECTION OF TRAVEL? W WHERE DID YOU START? FRIEND'S House on 140th

WHAT TIME DID YOU START? UNK WHAT TIME IS IT NOW? UNK

WHAT IS TODAY'S DATE? NO, UNK WHAT DAY OF THE WEEK IS IT? FRIDAY

WHAT COUNTY AND CITY ARE YOU IN NOW? Palm BEACH

WHEN DID YOU LAST EAT? 5 pm WHAT DID YOU EAT? Grilled CHICKEN, BACON, COLESLAW

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? Had dinner, went to another house and

HOW MUCH DO YOU WEIGH? 215 HAVE YOU BEEN DRINKING? YES WHAT? CROWN ROYAL

HOW MUCH? 2 shots WHERE? FRIEND'S House WITH WHOM? FRIENDS

WHEN DID YOU HAVE YOUR FIRST DRINK? 6 pm AND YOUR LAST DRINK? 1/2 hour prior to crash

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? ON ICE AND SIPPED

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? YES A LITTLE BIT ARE YOU UNDER THE INFLUENCE? YES

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? NO HOW MUCH? _____

WHAT? _____ WHERE? _____ WHEN? _____

WHAT LINE OF WORK ARE YOU IN? ELECTRICAL CONTRACTOR WHEN DID YOU LAST WORK? TODAY

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? A LOT, I'M OLD WHAT? Two BAD SHOULDERS, KNEES, BAD BACK

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

DO YOU LIMP? SOME TIMES DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? TONIGHT, HIT HEAD ON WHEEL

WERE YOU IN AN ACCIDENT TODAY? YES

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? YES WHAT? CHOLESTEROL AND BLOOD PRESSURE WHEN? LISINOPRIL

DO YOU HAVE: NO EPILEPSY? NO

NO GLASS EYE? NO

NO FALSE TEETH? NO

NO EAR INFECTION? NO

NO INNER EAR TROUBLE? NO

NO 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? _____

INTERVIEWER: _____

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL