

0237846

1910

ADMINISTRATION		ARREST / NOTICE TO APPEAR Juvenile Referral Report				1. Arrest 3. Request for Warrant 2. N.T.A. 4. Request for Capias		1	Juvenile	N
Agency ORI Number FL 0500300		Agency Name BOYNTON BEACH POLICE DEPT.		Agency Report Number 34-16-053279						
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		If Weapon Seized Enter Type		Multiple Clearance Indicator
Location of Arrest (Including Name of Business) 744 W SR 804, BOYNTON BEACH, FL, 33435				Location of Offense (Business Name, Address) 744 W SR 804, BOYNTON BEACH, FL, 33435						
Date of Arrest 09/25/2016		Time of Arrest 0254		Booking Date		Booking Time		Jail Date		Jail Time
Name (Last, First, Middle) SULLIVAN, SEAN PATRICK		Alias (Name, DOB, Soc. Sec. #, Etc)								
W - White B - Black		I - American Indian O - Oriental / Asian		Race W		Sex M		Date of Birth 05/11/1981		Height 511
						Weight 190		Eye Color HAZEL		Hair Color BLK
								Complexion FAIR		Build MED
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)				Marital Status MARRIED		Religion N/A		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) 643 NE 8TH AVE,		(City) BOYNTON BEACH,		(State) FLORIDA		(Zip) 33435		Phone () - ()		Residence Type 1. City 3. Florida 2. County 4. Out of State
Permanent Address (Street, Apt. Number)		(City)		(State)		(Zip)		Phone () - ()		Address Source FL DL
Business Address (Street, Apt. Number)		(City)		(State)		(Zip)		Phone () - ()		Occupation "SIGNS"
D/L Number, State S415795811710 / FL		Soc. Sec. Number		INS Number		Place of Birth LOWELL, MASS		Citizenship US		
Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 5. Juvenile <input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor		
Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 5. Juvenile <input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor		
<input type="checkbox"/> Parent Name (Last) (First) (Middle)		<input type="checkbox"/> Legal Custodian		<input type="checkbox"/> Other		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 was 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's Office (Phone 561-355-2526) informed of any change of address: <input type="checkbox"/> Yes, By: (Name) <input type="checkbox"/> No: (Reason)						School Attended		Grade		
Property Crime? Yes <input type="checkbox"/> No <input type="checkbox"/>		Description of Property				Value of Property				
Drug Activity N. N/A P. Possess		S. Sell B. Buy T. Traffic		R. Smuggle D. Deliver E. Use		K. Dispense/ Distribute		M. Manufacture Produce/ Cultivate		Z. Other
Drug Type N. N/A A. Amphetamine		B. Barbituate C. Cocaine E. Heroin		H. Hallucinogen M. Marijuana O. Opium/Deriv.		P. Paraphernalia/ Equipment S. Synthetic		U. Unknown Z. Other		
Charge Description DUI		Counts 1		Domestic Violence <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Statute Violation Number 316.193.1		Violation of ORD#		
Drug Activity		Drug Type		Amount/Unit		Offense # 16-053279		Warrant/Capias Number		Bond
Charge Description		Counts		Domestic Violence <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		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"/> Yes <input checked="" type="checkbox"/> No		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"/> Yes <input checked="" type="checkbox"/> No		Statute Violation Number		Violation of ORD#		
Drug Activity		Drug Type		Amount/Unit		Offense #		Warrant/Capias Number		Bond
Instruction No. 1 Mandatory Appearance in Court		Instruction No. 2 You need not appear in Court but must Comply with instruction on reverse side.		Location (Court, Room Number, Address) South County Courthouse, 200 West Atlantic Ave, Delray Beach, FL 33445						
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.		Court Date and Time Month 10 Day 24 Year 2016 Time 10:30		A.M. <input type="checkbox"/> P.M. <input type="checkbox"/>						
Signature of Defendant (or Juvenile and Parent/Custodian) <i>Ma Glyn</i>		Signature of Arresting Officer <i>905</i>		Name Verification (Printed by Arresting Officer) OFFICER D. CASTRO						
HOLD for other Agency Name:		Name of Arresting Officer (Print) OFFICER D. CASTRO		I.D. # 905		Agency BBPD		Witness here is subject Signed with an "X"		
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal		<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:		Intake Deputy <i>[Signature]</i>		I.D. #		Pouch #		Page 1 OF 1

SCANNED
SEP 26 2016
SEP 25 AM 6:34

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 25 DAY OF September 2016 AT 0226 ☒ A.M ☐ P.M.

CASE #: 16-053279 DEFENDANT: SULLIVAN, SEAN PATRICK

PERSONAL CONTACT/DRIVING PATTERN/OBSERVATION OF DRIVER:

On the above date and time I responded to 744 W. Boynton Beach Blvd (7-11) in reference to a traffic stop conducted by Officer Grigorian. Let it be noted that this incident occurred within the City of Boynton Beach, Palm Beach County, Florida.

Upon arrival I made contact with Officer Grigorian who advised that while traveling eastbound on W. Boynton Beach Blvd (SR 804) in the 1400 block, he observed a White Chevy Tahoe bearing Florida tag CHBT99 traveling in front of him, in the center lane. Officer Grigorian advised that he estimated the vehicle to traveling approximately 65mph in a 40mph zone. Officer Grigorian advised that by utilizing the pace method, he paced the Tahoe with his fully marked patrol vehicle at a constant speed of 60mph. Officer Grigorian advised that while pacing the vehicle, the vehicle failed to maintain a single lane as it was swerving into the inside and outside lanes of travels. Officer Grigorian advised that due to the traffic infractions, he activated his emergency lights and sirens and conducted a traffic stop on the vehicle at 744 W. Boynton Beach Blvd. Officer Grigorian advised that while making contact with the driver of the vehicle W/M Sullivan, Sean (05/11/81), he detected an odor of an alcoholic beverage emitting from his breath. Officer Grigorian advised that Sullivan's eyes were bloodshot/glassy and his speech was thick and slurred. Officer Grigorian advised that based on his investigation and observation he contacted me so that I could continue the investigation. See Officer Grigorian's supplement for further.

I then made contact with Sullivan, who was still sitting in the driver seat of the above vehicle. I identified myself to Sullivan and re-advised him the reason for the traffic stop, which he advised that he understood. I asked Sullivan where was he coming from, which he stated from getting something to eat. Sullivan further stated that he and his friend ate at Walmart. Knowing that Walmart does not serve food, yet alone at 0300hrs, I asked him what did he eat. Sullivan just stared at me with a blank stare. I asked him again, which he stated that he forgot. Sullivan then advised that after Walmart he and his friend began to drive around to look for an open place to eat. When I asked Sullivan, what places did he check; he just looked at me and stated that he did not remember. Sullivan appeared to be nervous while speaking with me. As Sullivan spoke, I detected an odor of an unknown alcoholic beverage emitting from his breath and within the vehicle. Sullivan's eyes were bloodshot/glassy and he spoke with a thick slur speech. To further continue my investigation, I requested Sullivan to exit his vehicle and walk to the front of my fully

marked patrol vehicle (4445), which he agreed to. While walking towards my vehicle, Sullivan swayed side to side. Once in front of my vehicle I advised Sullivan that the investigation was being audio and video recorded, which he stated that he understood. I advised Sullivan that I requested that he exited the vehicle due to that fact that I smell the odor of an alcoholic beverage emitting from his breath and within the vehicle. Sullivan advised that it wasn't coming from him but his passenger. I asked Sullivan if he any type of alcoholic beverage tonight, which he stated no. I asked him if he had any throughout the day, due to the fact that I can smell it, which he stated no. Therefore I requested Sullivan to submit to a series of Road Side Sobriety Task, which he agreed to. Let it be noted that prior to starting the exercises I asked Sullivan if he had any injuries and/or disabilities which he stated no. See the following:

HORIZONTAL GAZE NYSTAGMUS:

- | | |
|--|---|
| <input type="checkbox"/> Left eye does not follow smoothly | <input type="checkbox"/> Right eye does not follow smoothly |
| <input type="checkbox"/> Left eye prior to 45 degrees | <input type="checkbox"/> Right eye prior to 45 degrees |
| <input type="checkbox"/> Distinct jerking in left eye at maximum deviation | <input type="checkbox"/> Distinct jerking in right eye at maximum deviation |
| <input type="checkbox"/> Vertical Nystagmus in left eye | <input type="checkbox"/> Vertical Nystagmus in right eye |

WALK AND TURN:

The Task was explained and demonstrated to Sullivan, which he stated that he understood. During the instructional stage, Sullivan had a difficult time standing in the manner I requested of him. Sullivan swayed side to side. During the walking stage, Sullivan took 9 steps forward missing heel to toe between steps # 1-2, 2-3, 4-5, 5-6, 6-7, 7-8, 8-9. Sullivan completed an improper turn. Sullivan took 9 returning steps, missing heel to toe between steps #1-2,2-3,3-4,4-5,6-7,7-8,8-9. Sullivan did not count his steps out loud.

ONE LEG STAND:

The Task was explained and demonstrated to Sullivan, which he stated that he understood. During the instructional stage, Sullivan sway side to side. Sullivan raised his right foot up and counted to # 25.

FINGER TO NOSE:

The Task was explained and demonstrated to Sullivan, which he stated that he understood. During the instructional stage, Sullivan sway side to side. During the exercise stage, on the first "left" command Sullivan raised his left hand directly to his side for approximately 3-4 seconds then touched the bottom of his nose. Sullivan missed the tip of his nose on the first and second "right" command. When given the third "right" command, Sullivan utilized his left hand. When given his third "left" hand, Sullivan used his right hand. Sullivan failed to return his arm to his side after every command.

ROMBERG/ALPHABET:

The Task was explained and demonstrated to Sullivan, which he stated that he understood.

During the instructional stage, Sullivan sway side to side. Sullivan advised that he did not feel comfortable reciting the alphabet, therefore I had him count from 46-76; which he agreed to. During the exercise stage, Sullivan miss counted.

Based on the above facts Sullivan placed into custody under suspicion of DUI, which he stated that he understood. Sullivan was placed into handcuff (D/L and Spaced) and placed in the back seat of my patrol vehicle (#4445). While attempting to place Sullivan in my vehicle, he refused to comply. I had to repeat to Sullivan to "stop resisting", as I told Sullivan to enter to the vehicle and he kept responding with a "NO". After numerous commands, I was able to get Sullivan inside the vehicle. I then transported Sullivan to the Boynton Beach Police Department to continue my investigation. I arrived at BBPD at 0256hrs, started my 20 minutes observation at 0300hrs and completed at 0320hrs. Upon completion I requested Sullivan to provide a sample of his breath to determine the alcohol content, which he refused. I therefore read Sullivan Implied Consent, which he advised that he did not understand. I then read Implied Consent two additional times, which Sullivan advised that he still didn't understand. I asked Sullivan, what part he didn't understand, which he stated "all of it". I then asked Sullivan if it would be easier if he read it, which he did not answer. Sullivan advised that he could not understand my speech and advised that I couldn't read. Therefore Officer Roedel assisted and read Implied Consent to Sullivan. When asked if he understood, Sullivan advised "NO". I asked Sullivan if he wanted me to read it again, which he "I'm not going to understand it". I advised Sullivan that I would read it one more time, and continue with the investigation. I then read Implied Consent to Sullivan and asked if he understood which he stated no. At that point, due to Sullivan being uncooperative and refusing to understand what is being read, I continued the investigation. I requested a second time for Sullivan to provide a sample of his breath, which he advised that he did not understand anything I was talking about. Sullivan was very argumentative. I attempted to explain to Sullivan what I was requesting, which he stated he did not understand. I advised Sullivan that I was going to request one more time and continue with my investigation. I requested one more time for a sample of Sullivan breath, which he stated that he did not understand. Therefore I understood Sullivan behavior as being uncooperative and on purpose, therefore the request for the breath sample was a refusal. I then began to read Sullivan his Miranda Warnings, which Sullivan advised that he wish to remain silent. I asked Sullivan if he understood, which he stated no. I then asked Sullivan if he wanted me to repeat to warnings, which he refused to answer. I asked Sullivan if he wanted to answer the questions on the packet, which he refused to answer.

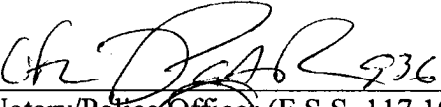
Based on the above stated facts I have established Probable Cause to charge Sullivan with 1M count of DUI pursuant with F.S.S. 316.193.1. Sullivan was later TOT PBCJ. BAT Video was later placed into BBPD Evidence, Sullivan's vehicle was left on scene on his request.

Sullivan was given a citation by Officer Grigorian for his initial speed, 60 mph in a 40 mph zone and failure to maintain a single lane.

Nothing further.

The following instrument was sworn to before me this 25 day of September 2016

By: PERSONALLY KNOWN / OFFICER D. CASTRO #905


Notary/Police Officer (F.S.S. 117.10)


Signature of Arresting Officer

CASE #: 16-053279

DEFENDANT: SULLIVAN, SEAN PATRICK

1. _____ g/210L Time _____ ☐ a.m. ☐ p.m.

3. _____ g/210L Time _____ ☐ a.m. ☐ p.m.

2. _____ g/210L Time _____ ☐ a.m. ☐ p.m.

4. g/210L Time ☐ a.m. ☐ p.m.

MAINTENANCE TECHNICIAN: OFFICER MUNRO #876

SPEECH: SLURRED, THICK

ATTITUDE: UNCOOPERATIVE, ARGUMENTATIVE

CLOTHING: BLUE SHIRT, TAN SHORTS, BLACK FLIP FLOPS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

COMMENTS:

CASE #: 16-053279

DEFENDANT: SULLIVAN, SEAN PATRICK

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.

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.

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.

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

I am OFFICER CASTRO of the Boynton Beach Police Department

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.

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 statements can and will be used against you in a court of law.

Suspect's Signature: READ OR VIDEO

OBTS Number		PROBABLE CAUSE AFFIDAVIT		1 Arrest 2 NTA		3 Request for Warrant 4 Request for Capias		1		Juvenile		N	
Agency ORI Number FL 0500300		Agency Name BOYNTON BEACH POLICE DEPT.				Agency Report Number 34 -16-053279							
Charge Type Check all that 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					
Name (Last, First, Middle) SULLIVAN, SEAN, PATRICK						Alias		Race W		Sex M		Date of Birth 05/11/1981	
Charge Description DUI				Charge Description									
Charge Description				Charge Description									
Victim's Name (Last, First, Middle) STATE OF FLORIDA						Race		Sex		Date of Birth			
Local Address (Street, Apt Number)				(City)		(State)		(Zip)		Phone		Address Source	
Business Address (Name, Street)				(City)		(State)		(Zip)		Phone		Occupation	
100 EAST BOYNTON BCH BLVD, BOYNTON BCH, FL										561-742-6100			
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... <input checked="" type="checkbox"/> Committed the below acts in my presence. <input type="checkbox"/> Was observed by Who told That he/she saw the arrested person commit the below acts. <input type="checkbox"/> Confessed to Admitting the below facts <input checked="" type="checkbox"/> Was found to have committed the below acts, resulting from my (described) investigation.													
On The 25 Day Of SEPT 20 16 At 02:26 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M.													

*****SUPPLEMENTAL PROBABLE CAUSE*****

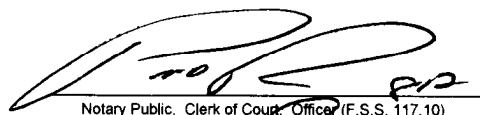
On Sunday, September 25, 2016 at approximately 0226 hours I was on patrol in the area of 1500 West State Road 804 (West Boynton Beach Boulevard) in my fully marked BBPD patrol vehicle #4451.

While on patrol I observed a white 2004 Chevrolet Tahoe bearing FL Tag #CHBT99 traveling eastbound on West State Road 804 in the center lane at approximately 65 M.P.H. I paced the above listed vehicle for approximately ¾ mile and determined that the vehicle was traveling 60 M.P.H. It should be noted that while pacing the above listed vehicle I observed the vehicle failing to maintain a single lane (swaying in the lane).

I then conducted a traffic stop on the above listed vehicle in the parking lot of 744 West Boynton Beach Boulevard (7-11) for the above listed traffic offenses. Contact was then made with driver w/m Sean Sullivan and front seat passenger h/m Carlos Vilchez. It should be noted that while speaking with Sullivan I could detect a strong odor of alcohol emanating from his breath, blood shot eyes and slurred speech. Based on the above I requested DUI Officer Castro respond to the scene to conduct a DUI investigation.

I had no further involvement in this case.

The foregoing instrument was sworn to or affirmed and subscribed before me


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

09/25/2016

Date

(Signature of Arresting / Investigative Officer)

OFFICER A.GRIGORIAN 921

(Print name of Arresting/Investigative Officer)

09/25/2016

Date

CASE #: 16-053279

DEFENDANT: SULLIVAN, SEAN PATRICK

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.

Where you operating a motor vehicle at the time of the stop/Accident? REFUSAL

Where were you going? _____

What Street or Highway were you on? _____

What was you direction of travel? _____

Where did you start from? _____

What time did you start? _____

What time is it now? _____

What is today's date? _____

What day of the week is it? _____

What City and County are you in now? _____

When did you last eat? _____

What did you eat? _____

What have you been doing for the last three hours? _____

How much do you weigh? _____

Have you been drinking? _____

What have you been drinking? _____

How much? _____

With whom? _____

When did you have your first drink? _____

When did you have your last drink? _____

Can you feel the effects of the alcohol? _____

Are you under the influence? _____

Have you consumed any alcohol since the stop/accident? _____

How much? _____ What? _____ Where? _____ When? _____

What line of work are you in? _____

When did you last work? _____

Do you have any physical defects or injuries? _____ What? _____

Are you sick or injured? _____ What's wrong? _____

Do you limp? _____

Did you receive a bump on the head recently? _____

Where you in an accident today? _____

Have you taken any drugs or smoked any marijuana today? _____ When? _____

Have you seen a doctor or dentist today? _____

Who? _____ Why? _____

Are you taking any prescription medicines? _____

What? _____ When? _____

Do you have? Epilepsy _____ Glass Eye _____ False teeth _____

Ear infection _____ Inner ear trouble _____ Diabetes _____

Do you have any problems with you eyes that are not corrected by glasses? _____

Do you take insulin? _____ If so, when was your last injection? _____

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

Where? _____

Interviewer: _____

CASE #: 16-053279

DEFENDANT: SULLIVAN, SEAN PATRICK

Arresting Officer: D. CASTRO #905

Address: 100 E. Boynton Beach Boulevard Boynton Beach, Fl. 33435

Phone Numbers: Home: Work: (561) 742-6100

Name: OFFICER GRIGORIAN #921

Address: 100 E BOYNTON BEACH BLVD, BOYNTON BEACH, FL, 33435

Phone Numbers: Home: Work: 561-742-6100

Can testify to: THE INVESTIGATION

Name: OFFICER ROEDEL #936

Address: 100 E BOYNTON BEACH BLVD, BOYNTON BEACH, FL, 33435

Phone Numbers: Home: Work: 561-742-6100

Can testify to: THE INVESTIGATION

Name:

Address:

Phone Numbers: Home: Work:

Can testify to:

Name:

Address:

Phone Numbers: Home: Work:

Can testify to:

Name:

Address:

Phone Numbers: Home: Work:

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