



Arrest Report

0496689 180F2640 3842

FLORIDA HIGHWAY PATROL
P.O. BOX 540007, GREENACRES, FL 33454

Report Date / Time 3/18/2018 9:08:46AM	Report Number FHP99ARR757306	Case Number/CAD Number FHPL18OFF022566 / LWRC18CAD048988	Reporting Officer Name L.E. ESCARAN
Originating Agency ORI FL0509000	Occurrence Date Time Range 3/18/2018 5:58:43 AM -	Jurisdiction	Clearance

Location of Occurrence

Location Type PUBLIC PLACE	Location Description INTERSTATE 95 (SR9) JSOF ATLANTIC AVE		
Street Number Street 1-95 SB JSOF ATLANTIC AVE	Apt/Lot/Bldg		
County PALM BEACH	City DELRAY BEACH	State FL	Zip 33444

Defendant

First Name SEBASTIAN	Middle Name DANIEL	Last Name RODRIGUEZ	Suffix	Date Of Birth 10/15/1988	Age 29	Race WHITE	Sex MALE
SSN [REDACTED]	MNI #	Place of Birth JOHNSON CITY, NY, USA	Height 511	Weight 185	Hair BRO	Eyes BRO	
DL or ID Number 367359209	ID State NY	ID Type D	Address Type RESIDENCE	Street Number 261	Street NE 38TH ST	Apt/Lot/Bldg D304	
County BROWARD	City OAKLAND PARK	State FL	Zip 33334	Phone Number	Extension	Location Description	

Arrest

Arrest Date/Time 3/18/2018 6:42:00AM	Arrest Location Type OTHER	Arrest Location Description INTERSTATE 95
Street Number Street 1-95 SB JSOF ATLANTIC AVE	Apt/Lot/Bldg	County PALM BEACH
City DELRAY BEACH	State FL	Zip 33444

Charge(s)

Counts 1	Charge 316.193.1 <i>OK</i>	General Offense Code	Bond Amount \$ 0.00	<input type="checkbox"/> No Bond
Charge Degree N	Charge Level MISDEMEANOR	Arrest Offense Code Description DUI-UNLAW BLD ALCH	Charge Description DUI ALCOHOL OR DRUGS	
Counts 1	Charge 893.13.6a <i>430000</i>	General Offense Code	Bond Amount \$ 0.00	<input type="checkbox"/> No Bond
Charge Degree T	Charge Level FELONY	Arrest Offense Code Description DRUGS-POSSESS	Charge Description CNTRL SUB WO PRESCRIPTION	

Probable Cause

On the above date and approximate time, I was in service in Palm Beach County. I was stationary on eastbound Atlantic Ave (State Road 806) just west of Interstate 95 (State Road 9) when I observed loud shrieking tires and then observed a vehicle crash on southbound Interstate 95 just south of Atlantic Ave. I observed there to be a black vehicle and several other vehicles on the road and I was unaware at this time as to how many vehicles were involved. I advised my dispatcher of the crash and advised to dispatch Fire Rescue as well. Upon my arrival to the scene of the crash, I observed about 4 vehicles towards the left side of the roadway. I observed a black vehicle with a male in the driver's seat with heavy front end

2018 MAR 19 9:07 PM
 SIMON ESCOBAR
 PALM BEACH COUNTY
 509 0018 BARCO

3/18/2018 9:08:46AM	FHP99ARR757306	FHPL18OFF022566 / LWRC18CAD048988	L.E. ESCARAN
Originating Agency ORI FL0509000	Occurrence Date Time Range 3/18/2018 5:58:43 AM -	Jurisdiction	Clearance

damage with air bag deployment. I checked on the driver of this vehicle and he advised that he was fine and I had him exit the vehicle and guided him towards the left paved shoulder. Prior to my arrival there was an off duty fire fighter from Broward county that had advised that he did not observe the crash only the vehicles in the roadway and stopped to check out of them. He advised that there were two vehicles involved and they both claimed no injuries. I then relocated the black vehicle due to it being in the roadway and unable to move. The black vehicle was blocking the inside center lane and I was able to relocate it to the left paved shoulder. I observed there to be also a gray ford focus involved with the crash that that heavy rear end damage. The driver later identified as Sabastian Daniel Rodriguez DOB 10-15-1988 NY DL 367359209, advised that he was fine and was not hurt. A female witness was also on scene and she advised me that she observed the crash (See witness list for information on witness). The female witness advised that she observed the gray ford focus in the inside center lane and observed this vehicle to be swerving heavily and was failing to maintain a single lane. The witness then advised that she got away from the vehicle fearing it may run into her and she then observed the gray ford focus travel into the lane of the black vehicle that was in the center lane. The witness advised that the gray ford focus cut in front of the black vehicle abruptly that the driver of the black vehicle could not avoid collision. During this time when speaking to the witness fire rescue arrived on scene and was checking on the drivers involved. I then gathered the information for both drivers and was able to conduct a crash investigation. When speaking to both drivers, I observed both to have an odor of an unknown alcoholic beverage coming from their mouth area and breath. I observed Mr. Rodriguez and the driver of the black vehicle to have thick and slurred speech. Upon concluding my crash investigation, I advised Trooper Taveras of this and advised him of my observation on the driver of the black vehicle. I then advised the driver of the gray vehicle that I had concluded my crash investigation and was conducting a criminal investigation for DUI. I then read Mr. Rodriguez his Constitutional Warnings and he advised that he understood. I then asked the Mr. Rodriguez if he was driving the vehicle and he advised that he was driving. He advised the same information as he did prior to reading him his constitutional Warnings. He advised that he was driving home from work (Twin Peaks) and he had his head phones on and was possibly distracted while listening to a Podcast. I observed Mr. Rodriguez to have an odor of an unknown alcoholic beverage coming from his mouth area and breath and to have thick slurred speech. I then asked Mr. Rodriguez if he would be willing to perform roadside exercises and he agreed to do so. He advised that he did not have any problems with his eyes that are not corrected by glasses and did not have any physical injuries that would prevent him from performing the exercises. During the exercises I asked Mr. Rodriguez if he had anything to drink tonight and he advised that he had 1 or 2 when work closed. He advised that he had 2 beers and a shot.

Horizontal Gaze Nystagmus

- Left eye- lack of smooth pursuit
- Right eye- lack of smooth pursuit
- Left eye- distinct and sustained nystagmus at maximum deviation
- Right eye- distinct and sustained nystagmus at maximum deviation
- Left eye- onset of nystagmus prior to 45 degrees
- Right eye- onset of nystagmus prior to 45 degrees
- Observed subject to have equal track and pupil size. Observed subject to have red blood shot and glassy eyes. Observed subject to have onset of nystagmus at approximately 30 degrees in each eye. Observed subject to have lack of convergence. Observed subject to have an odor of an unknown alcoholic beverage coming from subject's mouth area and breath.

Walk and Turn-

Subject advised that he understood the instructions. Subject could not keep balance while listening to instructions. Subject missed heel to toe on steps 3, 7, and 9 on the first 9 heel to toe steps and missed heel to toe on step 1 on the second 9 heel to toe steps. Subject did not turn as instructed by not taking several small steps to turn. Subject's steps were slow and deliberate.

Originating Agency ORI FL0509000	Occurrence Date Time Range 3/18/2018 5:58:43 AM -	Jurisdiction	Clearance
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One Leg Stand

Subject advised he understood the instructions. Subject raised his right foot for this task. Subject swayed during task. Subject stopped on count 1018

Finger to nose

- Subject advised he understood the instructions. Subject identified his hands and index fingers correctly. Observed subject to have eye lid tremors.
- Subject performed task in the following manner: left- touched pad of left index finger to left nostril. Right- touched pad of right index finger to tip of nose. Left- touched tip of index finger to tip of nose. Right- touched tip of index finger to tip of nose. Right- touched tip of index finger to tip of nose. Left- touched tip of index finger to tip of nose.

Modified Romberg

- Subject advised that he understood the instructions. Observed subject to have eye lid tremors. Subject stopped task at approximately 25 seconds.

After roadside exercises were completed, I placed the driver under arrest for DUI and advised him of this. I then searched the driver and observed the driver to have a discolored tongue with a yellow film. I then placed the driver to the rear of my marked patrol vehicle and fastened the seatbelt. Upon inventorying the vehicle of Mr. Rodriguez, an orange pill bottle with white cap was discovered with no label with 3 compressed pills 1 pink oval shaped marked to be Amphetamine and dextroamphetamine 30 mg and two green (one of which was cut) rectangle shaped pills marked to be Alprazolam 2 mg. I advised the driver of this discovery and he first advised that they aren't his and late advised that the pills are his girlfriend's. The driver was then transported to the Palm Beach County jail. Upon arrival, the driver was escorted to the breath alcohol testing center and a 20 minute observation was conducted to ensure the driver did not take anything by mouth or regurgitate. After the 20 minute observation was conducted the driver was taken into the testing room and was requested to submit to a lawful test of his breath. The driver agreed and provided two samples. Upon completion of the samples, the results were advised to him; 0.073 and 0.073. The driver was then asked to submit to a urine sample and the driver seemed hesitant at first as asked what would happen if he didn't. I then advised him of the implied consent and the driver advised that he understood and he refused to submit to a urine sample at approximately 0758am. The driver agreed to answer questions (see questions and answers. Subject was later taken to booking for processing. Other driver of the black vehicle was also arrest for DUI. *Video is available through evidence.

Jail Booking Facility

Booking Date/Time	Booking County PALM BEACH	Booking Facility PALM BEACH COUNTY CORRECTIONS	Booking Facility Phone Number (561) 688-4400
Booking Facility Location 3228 GUN CLUB ROAD WEST PALM BEACH, FLORIDA 33406		Booking Number	
Booking Comments			

Court

Court County PALM BEACH	Court Location 3228 GUN CLUB ROAD WEST PALM BEACH, FL 33406		
Court CRIMINAL JUSTICE COMPLEX	Court Phone 561-355-2994	Court Appearance Date / Time 4/12/2018 830AM	Court Fine
Comments			

**SCANNED
MAR 20 2018**

Originating Agency ORI FL0509000	Occurrence Date Time Range 3/18/2018 5:58:43 AM -	Jurisdiction	Clearance
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The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the probable cause associated with this report

Reporting Officer

Officer Name L. E. ESCARAN	Officer Rank TROOPER	Officer ID No 3335	Sworn and subscribed before me, the undersigned authority This the 18 th day of March, 2018 DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT OFFICER
Officer Agency FLORIDA HIGHWAY PATROL			
Officer Signature 			

Approving Supervisor

Officer Name	Officer Rank	Officer ID No	Officer Agency
Officer Signature 			

NOT A CERTIFIED COPY

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 18th DAY OF March 20 18 AT 05:58AM AM PM

SUBJECT: SEBASTIAN D. RODRIGUEZ CASE NUMBER: FHPL18OFF022566

AGENCY: FLORIDA HIGHWAY PATROL ARRESTING OFFICER: TPR. L. ESCARAN 3335

PERSONAL CONTACT

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

On the above date and approximate time, I was in service in Palm Beach County. I was stationary on eastbound Atlantic Ave (State Road 806) just west of Interstate 95 (State Road 9) when I observed loud shrieking tires and then observed a vehicle crash on southbound Interstate 95 just south of Atlantic Ave. I observed there to be a black vehicle and several other vehicles on the road and I was unaware at this time as to how many vehicles were involved. I advised my dispatch of the crash and advised to dispatch Fire Rescue as well. Upon my arrival to the scene of the crash, I observed about 4 vehicles towards the left side of the roadway. I observed a black vehicle with a male in the driver's seat with heavy front end damage with air bag deployment. I checked on the driver of this vehicle and he advised that he was fine and I had him exit the vehicle and guided him towards the left paved shoulder. Prior to my arrival there was an off duty fire fighter from Broward county that had advised that he did not observe the crash only the vehicles in the roadway and stopped to check out of them. He advised that there were two vehicles involved and they both claimed no injuries. I then relocated the black vehicle due to it being in the roadway and unable to move. The black vehicle was blocking the inside center lane and I was able to relocate it to the left paved shoulder. I observed there to be also a gray ford focus involved with the crash that that heavy rear end damage. The driver later identified as Sebastian Daniel Rodriguez DOB 10-15-1988 NY DL 367359209, advised that he was fine and was not hurt. A female witness was also on scene and she advised me that she observed the crash (See witness list for information on witness). The female witness advised that she observed the gray ford focus in the inside center lane and observed this vehicle to be swerving heavily and was failing to maintain a single lane. The witness then advised that she got away from the vehicle fearing it may run into her and she then observed the gray ford focus travel into the lane of the black vehicle that was in the center lane. The witness advised that the gray ford focus cut in front of the black vehicle abruptly that the driver of the black vehicle could not avoid collision. During this time when speaking to the witness fire rescue arrived on scene and was checking on the drivers involved. I then gathered the information for both drivers and was able to conduct a crash investigation. When speaking to both drivers, I observed both to have an odor of an unknown alcoholic beverage coming from their mouth area and breath.

OBSERVATION OF DRIVER:

I observed Mr. Rodriguez and the driver of the black vehicle to have thick and slurred speech. Upon concluding my crash investigation, I advised Trooper Taveras of this and advised him of my observation on the driver of the black vehicle. I then advised the driver of the gray vehicle that I had concluded my crash investigation and was conducting a criminal investigation for DUI. I then read Mr. Rodriguez his Constitutional Warnings and he advised that he understood. I then asked the Mr. Rodriguez if he was driving the vehicle and he advised that he was driving. He advised the same information as he did prior to reading him his constitutional Warnings. He advised that he was driving home from work (Twin Peaks) and he had his head phones on and was possibly distracted while listening to a Podcast. I observed Mr. Rodriguez to have an odor of an unknown alcoholic beverage coming from his mouth area and breath and to have thick slurred speech. I then asked Mr. Rodriguez if he would be willing to perform roadside exercises and he agreed to do so. He advised that he did not have any problems with his eyes that are not corrected by glasses and did not have any physical injuries that would prevent him from performing the exercises. During the exercises I asked Mr. Rodriguez if he had anything to drink tonight and he advised that he had 1 or 2 when work closed. He advised that he had 2 beers and a shot.

DRIVER'S STATEMENTS:

After roadside exercises were completed, I placed the driver under arrest for DUI and advised him of this. I then searched the driver and observed the driver to have a discolored tongue with a yellow film. I then placed the driver to the rear of my marked patrol vehicle and fastened the seatbelt. Upon inventorying the vehicle of Mr. Rodriguez, an orange pill bottle with white cap was discovered with no label with 3 compressed pills 1 pink oval shaped marked to be Amphetamine and dextroamphetamine 30 mg and two green (one of which was cut) rectangle shaped pills marked to be Alprazolam 2mg. I advised the driver of this discovery and he first advised that they aren't his and late advised that the pills are his girlfriend's. The driver was then transported to the Palm Beach County jail. Upon arrival, the driver was escorted to the breath alcohol testing center and a 20 minute observation was conducted to ensure the driver did not take anything by mouth or regurgitate. After the 20 minute observation was conducted the driver was taken into the testing room and was requested to submit to a lawful test of his breath. The driver agreed and provided two samples.

ODORS:

Upon completion of the samples, the results were advised to him; 0.073 and 0.073. The driver was then asked to submit to a urine sample and the driver seemed hesitant at first as asked what would happen if he didn't. I then advised him of the implied consent and the driver advised that he understood and he refused to submit to a urine sample at approximately 0758am. The driver agreed to answer questions (see questions and answers. Subject was later taken to booking for processing. Other driver of the black vehicle was also arrest for DUI. *Video is available through evidence.

GENERAL OBSERVATIONS

SPEECH: Thick SLURRED

ATTITUDE: Cooperative, upset

CLOTHING: WHITE/GRAY BUTTON DOWN SHIRT, JEANS, BLK SHOES

MEDICAL/OTHER: NONE

STATE OF FLORIDA
COUNTY OF PALM BEACH

TPR. L. ESCARAN 3335

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 18TH day of MARCH 20 18 by TPR L. E. ESCARAN 3335

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

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:

- Observed subject to have equal track and pupil size. Observed subject to have red blood shot and glassy eyes. Observed subject to have onset of nystagmus at approximately 30 degrees in each eye. Observed subject to have lack of convergence. Observed subject to have an odor of an unknown alcoholic beverage coming from subject's mouth area and breath.

WALK & TURN:

- Subject advised that he understood the instructions. Subject could not keep balance while listening to instructions. Subject missed heel to toe on steps 3, 7, and 9 on the first 9 heel to toe steps and missed heel to toe on step 1 on the second 9 heel to toe steps. Subject did not turn as instructed by not taking several small steps to turn. Subject's steps were slow and deliberate.

ONE LEG STAND:

- Subject advised he understood the instructions. Subject raised his right foot for this task. Subject swayed during task. Subject stopped on count 1018

FINGER TO NOSE:

- Subject advised he understood the instructions. Subject identified his hands and index fingers correctly. Observed subject to have eye lid tremors.
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ROMBERG ALPHABET:

Modified Romberg

- Subject advised that he understood the instructions. Observed subject to have eye lid tremors. Subject stopped task at approximately 25 seconds.

BREATH TEST RESULTS:

1) 0.073	2) 0.073	3) REFUSED URINE	4)
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STATE OF FLORIDA
COUNTY OF PALM BEACH

TPR. L. ESCARAN 3335

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 18TH day of MARCH 2018 by TPR L. E. ESCARAN 3335

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



PALM BEACH COUNTY SHERIFF'S OFFICE
DUI TESTING FACILITY
INFORMATION SHEET

PBSO CASE # 18-051550

AGENCY CASE# FHPL18OFF022566

AGENCY ZONE 6-51

CRASH CASE # FHPL18OFF022566

TIME OF STOP/CRASH 05:58AM DATE 03/18/2018 DAY SUNDAY

SUBJECT'S NAME S D RODRIGUEZ RACE W SEX M

HGT 5'11" WGT 185 DOB 10-15-1988

LOCATION SB I-95 JSOF ATLANTIC AVE

ARRESTING OFFICER'S NAME & ID TPR. L. ESCARAN 3335 AGENCY FLORIDA HIGHWAY PATROL

DIVISION: LANTANA

NOTIFIED BY COMMO YES

ARRIVAL AT FACILITY 0725AM

ARREST TIME 06:42AM

BREATH RESULTS:

1. .073
2. .073
3. Refused Urine
4. _____

TESTING OFFICER'S ID 7607

PBSO VIDEOTAPE # N/A

NOT A CERTIFIED COPY

TESTING FACILITY TASK REPORT

AGENCY: FHP-ESCARAN

SUBJECT: RODRIGUEZ, SEBASTIAN D

CASE NUMBER: 18-051550

DATE: Mar 18, 2018

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 0747

ENDING TIME: 0809

BREATH TESTS RESULTS: 1) .073 TIME 0751 A.M. P.M. 2) .073 TIME 0754 A.M. P.M.
3) UR/REF TIME 0758 A.M. P.M. 4) XX TIME XX A.M. P.M.

BREATH OPERATOR: J Biggs# 7607

MAINTENANCE TECHNICAN: D/S J Karklecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: SLURRED, SLOW TO RESPOND

ATTITUDE: COOPERATIVE

CLOTHING: GRAY SHIRT, GRAY JEANS

MEDICAL CONDITIONS: NONE

MEDICATIONS: NONE

OTHER:

EYES RED

ODOR OF AN UNKNOWN ALCOHOLIC BEVERAGE ON SUBJECT

COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 0725
SUBJECT AGREED TO SUBMIT TO THE BREATH TEST
SUBJECT WAS GIVEN THE INSTRUCTIONS FOR THE TEST
SUBJECT COMPLETED BOTH SAMPLES SUCCESSFULLY
RESULTS WERE GIVEN, SUBJECT WAS ASKED FOR URINE
SUBJECT ASKED WHAT HAPPENS IF HE DOESNT SUBMIT
IMPLIED CONSENT WAS READ, SUBJECT REFUSED URINE
MIRANDA WAS READ ON SCENE
SUBJECT SUBMITTED TO THE QUESTIONS ASKED

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
ALCOHOL TESTING PROGRAM
BREATH ALCOHOL TEST AFFIDAVIT

Instrument Type: Intoxilyzer 8000
Instrument Registered To: PALM BEACH CO SO
Instrument Serial Number: 80-006238 Software: 8100.27
Date of Test: 03/18/2018

Date of Last Agency Inspection: 03/09/2018

Observation Period Began: 07:25

Subject's Name: SEBASTIAN D RODRIGUEZ

DOB: 10/15/1988 Sex: M

The subject was observed for at least twenty-minutes prior to the administration of the breath test to ensure that the subject did not take anything orally and did not regurgitate.

Results:	Test	g/210L	Time
	Diagnostics Check	OK	07:50
	Air Blank	0.000	07:50
	Control Test	0.079	07:50
	Air Blank	0.000	07:51
	Subject Sample #1	0.073	07:51
	Air Blank	0.000	07:52
	Air Blank	0.000	07:54
	Subject Sample #2	0.073	07:54
	Air Blank	0.000	07:55
	Control Test	0.079	07:55
	Air Blank	0.000	07:56
	Diagnostics Check	OK	07:56

Cylinder Lot: 22817080A5
Exp: 10/05/2019

State of Florida, County of Palm Beach

Personally appeared before me the undersigned authority, who () is personally known to me or () produced _____ as identification, and who after being placed under oath, states:

I JAMES G BIGGS hold a valid Breath Test Operator permit issued by the Florida Department of Law Enforcement. I administered the above breath test to the subject named above in accordance with Chapter 11D-8, Florida Administrative Code, and this form is a true and accurate report of that breath test.

Breath Test Operator: _____ Date: 3/18/18
Signature

Sworn to (or affirmed) before me this 18 day of March, 2018

[Signature] 3335 Tpr Escobar
Signature of Notary Public-State of Florida Printed Name of Notary Public-State of Florida

Note: Pursuant to section 117.10, Florida Statutes, law enforcement officers, correctional officers, traffic accident investigation officers and traffic infraction enforcement officers are notaries public when engaged in the performance of official duties. In accordance with section 316.1934(5), F.S., this completed form is admissible without further authentication and is presumptive proof of the results herein. To be used in accordance with Section 316.1934(5), F.S., and in administrative proceedings pursuant to 322.2615, F.S.

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

I, Tpr Lester E. Escaron 3335, a duly certified Law Enforcement Officer or Correctional Officer,
(Name of Officer reading Implied Consent Warning)

am a member of Florida Highway Patrol, and I do swear
(Name of law enforcement agency)

or affirm that on or about the 18th day of March, 20 18, at 0642 P.M. A.M.

DRIVER Sebastian Daniel Rodriguez,
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

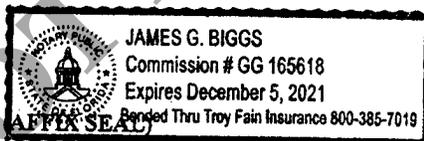
DL# 367 359 209, state of New York, was placed under lawful arrest for
the offense of DUI by Tpr LE. Escaron 3335 and
issued Citation # A761SJE
(Name of Arresting Officer)

That on or about the 18th day of March, 20 18, at 0758 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.

[Signature] 3335
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

Date

The foregoing instrument was sworn and subscribed before

me this 18th day of March, 20 18,

by Tpr Escaron 3335,

who is personally known to me or who has produced

as identification

Notary Public

HSMV-BAR100 (REV. 10/2016)

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.

WITNESS LIST

CASE NUMBER: FHPL18OFF022566

ARRESTING OFFICER: TPR. L. ESCARAN 3335

ADDRESS: P.O. BOX 540007 GREENACRES FL 33454

PHONE NUMBERS (HOME): (561)357-4000 (WORK) _____

CAN TESTIFY TO: DRIVER'S ACTIONS, ARREST

NAME: KRYSTAL, FAITH, SPEARS

ADDRESS: 10229 EASTERN LAKE AVE # 202 ORLANDO FL 32817

PHONE NUMBERS (HOME) 321-347-5037 (WORK) _____

CAN TESTIFY TO: Witness OF CRASH

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 _____

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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: _____

NOT A CERTIFIED COPY

SCANNED
MAR 20 2018

SUBJECT: Sebastian Daniel Rodriguez CASE NUMBER: FHPL180FF022566

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 Tpr L.E. ESCARAN 3335 of the FHP

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 7:58 AM

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

SUBJECT: Sebastian Daniel Rodriguez CASE NUMBER: FHPL18OFF022566

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 to 261 NE 38th St Apt D304 33334

WHAT STREET OR HIGHWAY WERE YOU ON? I-95 SB

DIRECTION OF TRAVEL? South WHERE DID YOU START? 2224 PBL Blvd

WHAT TIME DID YOU START? 0415 AM WHAT TIME IS IT NOW? ---

WHAT IS TODAY'S DATE? 3/18/18 WHAT DAY OF THE WEEK IS IT? Sunday

WHAT COUNTY AND CITY ARE YOU IN NOW? Palm Beach County

WHEN DID YOU LAST EAT? 4pm WHAT DID YOU EAT? chinese food

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? Working for the last 15 HR before 4am

HOW MUCH DO YOU WEIGH? 185# HAVE YOU BEEN DRINKING? Had 2 beers, so yes New England IPA

HOW MUCH? 2 7.5% ABV WHERE? two peaks WAB WITH WHOM? ---

WHEN DID YOU HAVE YOUR FIRST DRINK? 2am AND YOUR LAST DRINK? 4am

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? ---

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? yes I guess ARE YOU UNDER THE INFLUENCE? NO

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

WHAT? --- WHERE? --- WHEN? ---

WHAT LINE OF WORK ARE YOU IN? GM of restaurant WHEN DID YOU LAST WORK? last 3/17

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? No WHAT? nothing on paper, no

ARE YOU SICK OR INJURED? No head feel WHAT'S WRONG? ---

DO YOU LIMP? NO DID YOU RECEIVE A BUMP ON THE HEAD RECENTLY? NO

WERE YOU IN AN ACCIDENT TODAY? yes

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? Um... NO WHEN? ---

HAVE YOU SEEN A DOCTOR OR DENTIST TODAY? NO WHO? --- WHY? ---

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? Antibiotics WHAT? antib WHEN? ---

- DO YOU HAVE:
- EPILEPSY? _____
 - GLASS EYE? _____
 - FALSE TEETH? _____
 - EAR INFECTION? _____
 - INNER EAR TROUBLE? _____
 - 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? NY only WHERE? ---

INTERVIEWER: TN L.E. ESCARAN 3335

NEW YORK STATE

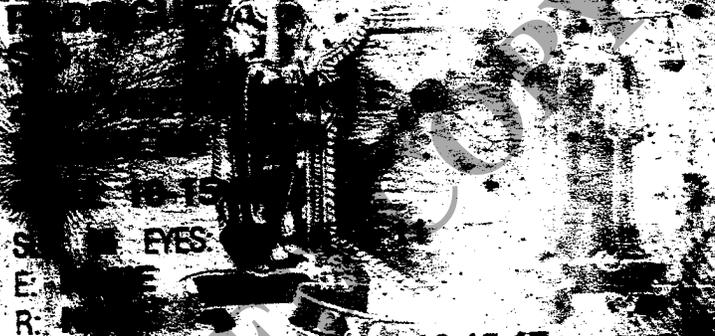
STATE



DRIVER LICENSE

ID: 17 353 209

CLASS D



SEX: M EYES: B

Sebastian Rodriguez

ISSUED: 10-06-09 EXPIRES: 10-15-17

NOT A CERTIFIED COPY

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