

Arrest Report

18CT6426

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

Report Date / Time 4/9/2018 2:33:45AM	Report Number FHP99ARR772622	Case Number/CAD Number FHPL18OFF029029 / LWRC18CAD063552	Reporting Officer Name Z. TODD
Originating Agency ORI FL0509000	Occurrence Date Time Range 4/ 9/2018 2:22:41 AM -	Jurisdiction	Clearance

Location of Occurrence

Location Type OTHER	Location Description ROADWAY		
Street Number SR-809	Street SB SOF BELVEDERE ROAD	Apt/Lot/Bldg	
County PALM BEACH	City WEST PALM BEACH	State FL	Zip 33417

Defendant

First Name SEBASTIAN	Middle Name	Last Name INZANO	Suffix	Date Of Birth 4/8/1978	Age 40	Race WHITE	Sex MALE
SSN [REDACTED]	MNI #	Place of Birth BRONX, NY, USA	Height 510	Weight 200	Hair BRO	Eyes BLU	
DL or ID Number I525780781280	ID State FL	ID Type A	Address Type RESIDENCE				
Street Number 108	Street TWO PINE DR	Apt/Lot/Bldg					
County PALM BEACH	City GREENACRES CITY	State FL	Zip 33413	Phone Number	Extension		
Location Description							

Arrest

Arrest Date/Time 4/9/2018 2:34:30AM	Arrest Location Type OTHER	Arrest Location Description	
Street Number SR-809	Street SB SOF BELVEDERE	Apt/Lot/Bldg	County PALM BEACH
City WEST PALM BEACH	State FL	Zip 33417	

Charge(s)

Counts 1	Charge 316.193.1	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				

Probable Cause

On Monday April 9, 2018 I was on routine patrol in my marked patrol vehicle in Palm Beach County. I was traveling southbound on Military Trail (SR-809) southbound approaching Belvedere road. I observed a dark colored vehicle ahead in the left lane. I observed that the vehicle was failing to maintain a single lane and crossing the white lane dividers on the left and the right. As we approached the light for Belvedere road the vehicle attempted to change lanes but did not and stopped abruptly in the left lane before the white stop bar. While the vehicle was stopping the rear tires screeched. The vehicle then continued southbound and I again observed that the vehicle was failing to maintain its lane. I then activated my emergency equipment and initiated a traffic stop on the vehicle. The vehicle yielded to the right lane of the roadway. I then approached the vehicle and observed that there was a white male driver and that he was the sole occupant of the vehicle. I observed that the male had bloodshot glassy eyes and that the odor of an unknown alcoholic substance emitted from his breath as he talked. As I talked to the driver he stated that he was drinking approximately 2 hours prior to me stopping him. The driver was later identified as Sebastian Inzano by his FL CDL. I then requested that he step out of the

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vehicle and walk towards my patrol car. As he stepped out and walked I observed that he was unable to maintain his balance and used the car balance himself. As he stood in front of me I observed that he had an orbital sway, bloodshot glassy eyes, and the odor of an unknown alcoholic substance was emitting from his breath as he talked. I then requested that he conduct field sobriety exercises and he agreed.

Horizontal Gaze Nystagmus

Before beginning the exercises, I checked to see if Mr. Inzano was wearing glasses or contact lenses. It was determined that Mr. Inzano was not wearing glasses or contacts. I then checked Mr. Inzano's eyes and observed equal tracking and equal pupil size. Mr. Inzano was instructed to place his feet together and place his hands down at his side. He then was instructed to keep his head still and follow the stimulus with his eyes and his eyes only. He was also instructed to keep looking at the stimulus until told not to. Mr. Inzano verbally indicated that he understood.

- Lack of smooth pursuit, left eye
- Lack of smooth pursuit, right eye
- A distinct and sustained nystagmus at maximum deviation in the left eye
- A distinct and sustained nystagmus at maximum deviation in the right eye
- An onset of nystagmus prior to 45 degrees in the left eye
- An onset of nystagmus prior to 45 degrees in the right eye

I also observed Mr. Inzano to have orbital sway and glassy red eyes.

Walk and Turn Exercise

The area was level and free of debris. Mr. Inzano verbally indicated that he saw the line on the ground. Mr. Inzano was instructed to put his left foot on the line, then place his right foot on the line ahead of the left foot in a heel to toe manner. then demonstrated this position. Mr. Inzano was instructed not to begin untold to do so. Mr. Inzano verbally indicated that he has understood all instructions up to this point. Mr. Inzano was then instructed to take 9 heel to toe steps on the line when told to do so. I then demonstrated this. Mr. Inzano was then instructed to turn on the ninth step and to keep the front foot on the line and to take a series of small steps with the foot on the line. I then demonstrated this for Mr. Inzano. Mr. Inzano was also instructed to keep his arms at his sides and to watch his feet during the exercise. Mr. Inzano was also instructed to count aloud and to not stop once he begins the exercise. He was also instructed to keep his arms at his sides at all times.

He took 9 steps forward and 9 steps back. Mr. Inzano showed difficulty keeping balance during the instructions and the exercise. He completed the turn incorrectly, and did not touch heel to toe multiple times. He also raised his arms more than 6 inches away from his body. He also had a sway while he walked down the line and stepped of the line.

One Leg Stand Exercise

Mr. Inzano was instructed to stand with his feet together and to place his arms down at his side. Mr. Inzano was instructed to maintain that position until told to do so. Once told to do so, Mr. Inzano was instructed to raise one foot approximately 6 inches off the ground and to keep both legs straight with both arms at his side. He was also instructed to look at the elevated foot and count aloud in the manner of one thousand-one, one thousand-two and so on until told to stop. Mr. Inzano verbally indicated that he understood the instructions after I demonstrated to him.

Mr. Inzano was told to begin and raised his left foot. During the exercise Mr. Inzano displayed an orbital sway. He placed his foot down. Mr. Inzano also did not count aloud properly as instructed. He had to hop while trying to maintain balance. Mr. Inzano did not look down at his foot during the exercise and had to be told to do so and had to be told to straighten his leg. He also raised his arms more than 6 inches away from his body.

Finger To Nose

Mr. Inzano was instructed stand with his feet together and arms at his side and to have his index fingers pointed out. He was instructed to not start and stay in that position until told to do so. He stated that he understood. I then demonstrated the position. Mr. Inzano was then instructed to when told to start to close both eyes and tilt his head back. When told to do so he was instructed to bring the hand I directed upward, touching the tip of your finger to the tip of his nose. I then demonstrated this. He was then instructed to after touching the tip of the nose to immediately bring his hand down to his side. He stated that he understood. I then demonstrated and he stated that he understood. He was instructed to raise his

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hand in the following order, left, right, left, right, and right, left.

- Left: Missed tip of nose. Didn't return down immediately.
- Right: Didn't return down immediately.
- Left: Missed tip of nose. Didn't return down immediately.
- Right: Didn't return down immediately.
- Right: Missed tip of nose. Didn't return down immediately.
- Left: Missed tip of nose. Didn't return down immediately.

He was then placed into handcuffs and under arrest for DUI. He was then secured inside of my patrol car and transported to the county jail. Once I arrived at the testing center I conducted a twenty minute observation. At no time did he regurgitate or take anything by mouth. I then requested that he provide a lawful sample of his breath and he refused. Implied consent was read and he stated that he understood. He then agreed to provide a breath sample. He blew a .098 and a .104. He was then booked into the Palm Beach County Jail.

Jail Booking Facility

Booking Date/Time 4/9/2018 2:57:32AM	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 200 WEST ATLANTIC AVE. DELRAY BEACH, FL 33444		
Court PALM BEACH SOUTH COUNTY COURTHOUSE	Court Phone 561-274-1530	Court Appearance Date / Time 4/30/2018 0830	Court Fine
Comments			

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 Z. TODD	Officer Rank TROOPER	Officer ID No 4141	Sworn and subscribed before me, the undersigned authority This the <u>09</u> day of <u>April</u> , <u>2018</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT OFFICER
Officer Agency FLORIDA HIGHWAY PATROL			
Officer Signature 			 SHARI L. O'NEAL Notary Public - State of Florida Commission # FF 966854 My Comm. Expires Jun 25, 2020 Bonded through National Notary Assn.

Approving Supervisor

Officer Name	Officer Rank	Officer ID No	Officer Agency
Officer Signature			

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APR 11 2018

TESTING FACILITY TASK REPORT

12

AGENCY: FHP Trp. Todd #4141
SUBJECT: Inzano, Sebastian CASE NUMBER: 18-060163
DATE: 04-09-18 VIDEO TAPE NUMBER: N/A
BEGINNING TIME: 0312hrs ENDING TIME: 0324hrs
BREATH TESTS RESULTS: 1) .098 TIME 0318 A.M./P.M. 2) .104 TIME 0321 A.M./P.M.
3) _____ TIME _____ A.M./P.M. 4) _____ TIME _____ A.M./P.M.

BREATH OPERATOR: S. O'Neal #6212
MAINTENANCE TECHNICIAN: Cpl. J. Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: Mumbled at times
ATTITUDE: Agitated, Sarcastic, Rambling, Profane, Disrespectful
CLOTHING: Shirt- Black Pants- Blue Jeans
MEDICAL CONDITIONS: None
MEDICATIONS: None
OTHER: Eyes: Very Red & Glassy

Odor of unknown alcoholic beverage
COMMENTS: 20 min. observation done by AIO Todd #4141
AIO requested the breath test.
D stated no to the test.
AIO read the implied consent & CDL portion.
D submitted to the test.
D completed the test correctly.
C/W read on camera.
No Q&A

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APR 11 2018

SUBJECT: Inzano, Sebastian CASE NUMBER: 18-060163

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 Trp. Todd #4141 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

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 CAMERA

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APR 11 2018

SUBJECT: Inzano, Sebastian CASE NUMBER: 18-060163

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? _____

WHERE WERE YOU GOING? _____

WHAT STREET OR HIGHWAY WERE YOU ON? _____

DIRECTION OF TRAVEL? _____ WHERE DID YOU START? _____

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

WHAT IS TODAY'S DATE? _____ WHAT DAY OF THE WEEK IS IT? _____

WHAT COUNTY AND CITY 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? _____

HOW MUCH? _____ WHERE? _____ WITH WHOM? _____

WHEN DID YOU HAVE YOUR FIRST DRINK? _____ AND YOUR LAST DRINK? _____

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? _____

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? _____ ARE YOU UNDER THE INFLUENCE? _____

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE 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? _____

WERE 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? _____

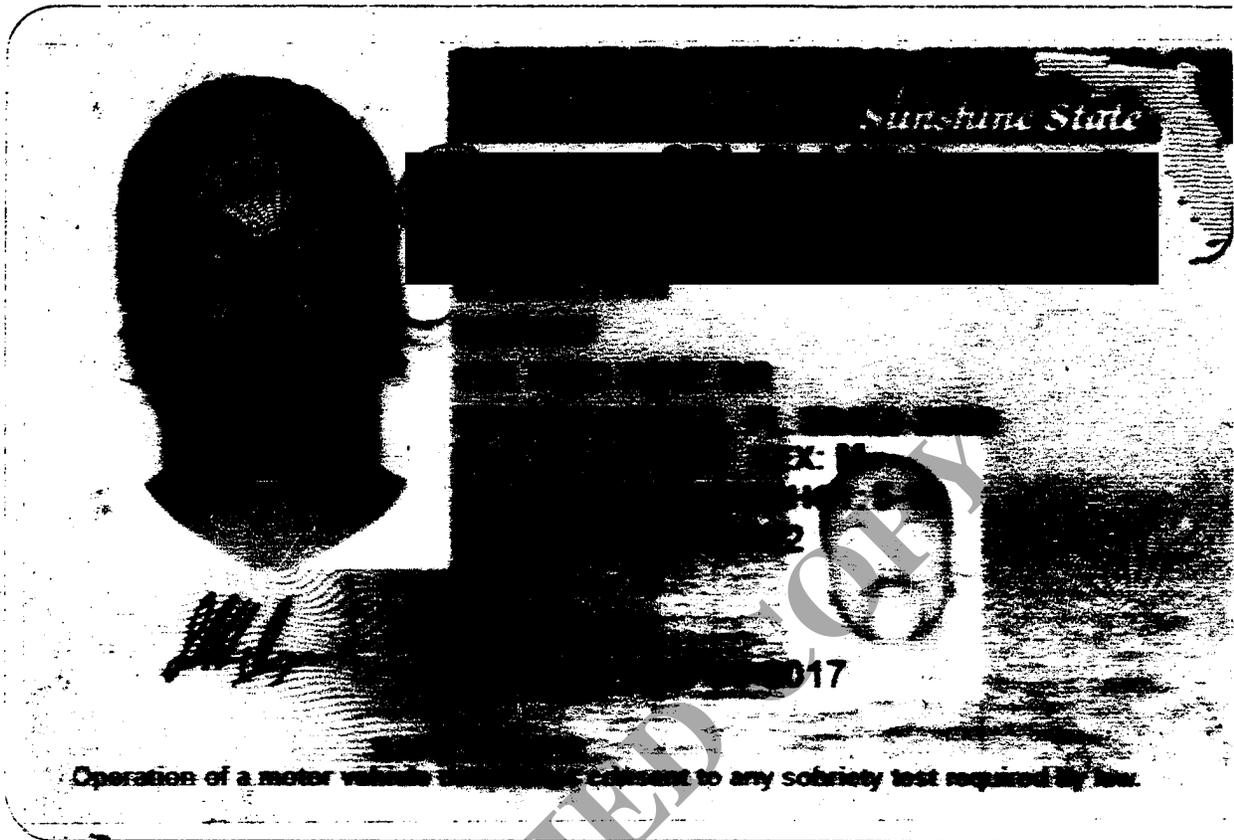
DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? _____

DO YOU TAKE INSULIN? _____ IF SO, WHEN WAS YOUR LAST INJECTION? _____

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? _____ WHERE? _____

INTERVIEWER: _____

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Sunshine State

SEX: M

2

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Operation of a motor vehicle requires consent to any sobriety test required by law.

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