

2824

ARREST / NOTICE TO APPEAR		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		1		JUVENILE	
Agency ORI Number 0500800		Agency Name West Palm Beach Police Department		Agency Report Number (N.T.A.'s only) 9 4 2017-0003692					
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 NOT APPLICABLE		Multiple Clearance Indicator					
Location of Arrest (Including Name of Business) 798 OKEECHOBEE BLVD/PARKER AVE WPB, FL				Location of Offense (Business Name, Address) 798 OKEECHOBEE BLVD/PARKER AVE, WEST PALM BEACH,					
Date of Arrest 02/23/2017		Time of Arrest 02:44		Booking Date 02/23/2017		Booking Time 02:54		Jail Date	
Jail Time		Location of Vehicle							
Name (Last, First, Middle) FINCHAM, SHEENA LYNN				Alias (Name, DOB, Soc. Sec. #, Etc.) Alias:					
Race W - White B - Black O - Oriental/Asian W		Sex F		Date of Birth 11/13/1981		Height 5'01		Weight 150	
Eye Color BLUE		Hair Color BLOND OR		Complexion MEDIUM		Build Small			
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)				Marital Status S		Religion UNKNOWN		Indication of: Alcohol Influence Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Drug Influence Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unk. <input type="checkbox"/>	
Local Address (Street, Apt. Number) 3000 PORTOFINO CIR 118, PALM BEACH GARDENS, FL 33418				(City) PALM BEACH GARDENS		(State) FL		(Zip) 33418	
Permanent Address (Street, Apt. Number) 3000 PORTOFINO CIR 118, PALM BEACH GARDENS, FL 33418				(City) PALM BEACH GARDENS		(State) FL		(Zip) 33418	
Business Address (Name, Street) FL DL				(City) FL DL		(State) FL DL		(Zip) FL DL	
D/L Number, State F525792819130 / FL				Soc. Sec. Number [REDACTED]		INS Number [REDACTED]		Place of Birth (City, State) BALTIMORE, MD,	
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	
Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth		<input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile	
<input type="checkbox"/> Parent <input type="checkbox"/> Other: _____		Name (Last, First, Middle)		Residence Phone					
<input type="checkbox"/> Legal Custodian		Address (Street, Apt. Number)		(City)		(State)		(Zip)	
Notified by: (Name)		Date		Time		JUVENILE DISPOSITION 1. Handled/Processed within Department and Released 2. TOT JAC 3. Incarcerated			
Released To: (Name)		Relationship		Date		Time			
The above address was provided by <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 355-2526) informed of any change of address.				School Attended		Grade			
<input type="checkbox"/> Yes, by: <input type="checkbox"/> No:				Property Crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		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. Disperse/ Distribute		M. Manufacture/ Produce/ Cultivate	
Z. Other		Drug Type N. N/A A. Amphetamine		B. Barbiturate C. Cocaine E. Heroin		H. Hallucinogen M. Marijuana O. Opium/Deriv.		P. Paraphernalia/ Equipment S. Synthetic	
U. Unknown Z. Other		Charge Description DRIVING WHILE UNDER INFLUENCE		Statute Violation Number 316.193(1)		Violation of ORD #			
Drug Activity		Drug Type N		Amount / Unit /		Offense # 2017-0003692		Counts 1	
Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Warrant / Capias Number		Bond					
Charge Description		Statute Violation Number		Violation of ORD #					
Drug Activity		Drug Type		Amount / Unit		Offense #		Counts	
Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N		Warrant / Capias Number		Bond					
Charge Description		Statute Violation Number		Violation of ORD #					
Drug Activity		Drug Type		Amount / Unit		Offense #		Counts	
Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N		Warrant / Capias Number		Bond					
Health / Apparent Physical Condition of Defendant				Any knowledge of the following: <input type="checkbox"/> Mental <input type="checkbox"/> Escape Risk <input type="checkbox"/> Medication <input type="checkbox"/> Deformities <input type="checkbox"/> Injuries					
Check which applies: <input type="checkbox"/> Released O.R. <input type="checkbox"/> Released to Parent/Guardian <input type="checkbox"/> T.O.T. County Jail				PROPERTY - Received By		Released By		Released To	
<input type="checkbox"/> Posted Bond <input type="checkbox"/> South County Mental Health				Date Transported //		Time Transported		Other	
Transported By				Date Transported //		Time Transported		Other	
<input checked="" type="checkbox"/> INSTRUCTION NO. 1 - Mandatory appearance in court <input type="checkbox"/> INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.				Location (Court, Room) Criminal Justice CRIMINAL JUSTICE COMPLEX		Court Date and Time 03/23/2017 08:30:00		No Photo Available	
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.				Signature of Defendant (or Juvenile and Parent Custodian) [Signature]		Date Signed 2/23/17			
HOLD for Other Agency				Signature of Arresting Officer [Signature]		Name Verification (Printed by Arrestee) FEB 23 AM 5:01			
<input type="checkbox"/> Dangerous <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Suicidal <input type="checkbox"/> Other				Name of Arresting Officer (Print) ANNESE, MORRIS J.		I.D. # 01418			
Inmate Deputy [Signature]				Pouch #		Transporting Officer ANNESE		I.D. # 1418	
Witness here if subject signed with an "X".				PAGE 1 OF 1					

DUI PROBABLE CAUSE AFFIDAVIT

On the 23rd Day of February 2017 at 0244 A.M. P.M.
Subject: Fincham, Sheena Lynn Case Number: 17-3692
Agency: West Palm Beach Police Department Arresting Officer: Ofc Morris J Annese 1418

Personal Contact

Driving Pattern

Actual physical control (physical evidence putting the driver behind the wheel)

A red Lexus, FI DGHQ1, was stopped in the eastbound lanes of Okeechobee Blvd just east of Parker Ave facing west. The vehicle was in the left lane for eastbound traffic. The driver was the sole occupant of the vehicle and in the drivers seat. The vehicle was running and in drive with the headlights on. The driver was passed out at the wheel. WPBFR arrived and placed the vehicle into park.

Observation of Driver

Witness Knight saw the vehicle stopped facing oncoming traffic. He pulled up next to the Lexus. He saw the w/f driver passed out and sleeping.

Ofc Streigold arrived along with WPBPD medics. Ofc Streigold noticed the driver was now awake. He noticed the driver had glassy eyes and slurred speech along with an odor of unknown alcoholic beverages on her breath. Ofc Streigold noticed the driver swaying when she stood up.

I then met with the driver who was still sitting in the drivers seat. The driver had bloodshot glassy eyes. When asked to get out of the vehicle, she swayed while walking. I noticed that she had vomit on the front of her shirt. When speaking, I noticed she had slurred speech and a strong odor of unknown alcoholic beverages on her breath. The driver did not realize she had been driving on the wrong side of the road.

Drivers Statements:

The driver stated she was at E.R. Bradleys and on her way home. She did not know how much alcohol she had to drink then said 2 drinks. She said she drank vodka. The driver asked if she could pull over and have someone come pick her up. The driver said the monitor in the outside of her boot was to measure how much she had been drinking.

Odors:

Strong odor of unknown alcoholic beverages on her breath.

General Observations

Speech: slurred

Attitude: cooperative

Clothing: gray pants, white shirt, gray boots

Medical Problems/Medications: heart murmur, no medications

Other:

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DUI PROBABLE CAUSE AFFIDAVIT

Subject: Fincham, Sheena Lynn Case Number: 17-3692

Roadside Tasks

Horizontal Gaze Nystagmus

- | | |
|--|---|
| <input checked="" type="checkbox"/> Left Eye Does Not Follow Smoothly | <input checked="" type="checkbox"/> Right Eye Does Not Follow Smoothly |
| <input checked="" type="checkbox"/> Left Eye Jerks at 45 Degree Angle or Less | <input checked="" type="checkbox"/> Right Eye Jerks at 45 Degree Angle or Less |
| <input checked="" type="checkbox"/> Distinct Jerking Left Eye at Maximum Deviation | <input checked="" type="checkbox"/> Distinct Jerking Right Eye at Maximum Deviation |

Upon starting this task, I showed her how I wanted her to follow the light. When asked to touch the tip of the pen light with the tip of her finger, she touched the tip of her nose and then touched the penlight. I observed the driver swaying during the exercise.

Walk and Turn Task

I instructed the driver to stand with her left foot on the line and put her right foot in front of it with her right heel touching her left toe. The driver was instructed to keep his hands down by his sides and was told to remain in that position until told to begin. The driver began to walk down the line and had to be brought back for the instructions. During the instructions, the driver could not keep her balance and stepped off the line. 2 more times she began to walk down the line before the instructions were given. I explained and demonstrated the exercise and she said she understood the instructions. On the first 9 steps, the driver did not touch heel to toe on any step and walked in a normal gait with a 4-6 inch space between heel to toe. She took 9 steps and stopped. She just turned around and did not turn as instructed. On the second 9 steps, the driver did not touch heel to toe on any step and walked in a normal gait with a 4-6 inch space between heel to toe. The driver raised her arms more than 6 inches for balance and did not count her steps out loud.

One Leg Stand

I had the driver stand with her feet together and hands down at her sides. I explained and demonstrated the exercise and she stated she understood the instructions. When told to begin, the driver lifted her right foot off the ground. The foot was approximately 1-2 inches off the ground. The driver put her foot down and when told to keep going, she then raised her left foot. She put that foot down 2 times. She counted to 1009 then said 10 thousand. When she continued, she said 10 thousand 2, 10 thousand 3, 10 thousand 4 twice. The driver swayed.

Finger To Nose

I had the driver stand with her feet together, hands down at her sides and index fingers pointed out. I explained and demonstrated the exercise and she stated she understood the instructions. I asked the driver to tilt her head back and close her eyes. On the first left, the driver touched under her nose then the tip with the pad of her finger. On the first right, the driver touched the tip of the nose with the pad of her finger. On the next left, the driver touched under the nose then the tip with the pad of her finger. On the next right, the driver touched the tip of the nose with the pad of her finger. On the next right, the driver started to bring up her left hand then switched to the right hand. She touched the right side bridge of the nose then the tip with the pad of her finger. On the next left, she touched under her nose with the tip of her finger. I observed the driver swaying. She did not keep her eyes closed.

Romberg Alphabet

Breath Results from Instrument

1st Result

.160

2nd Result

.160

3rd Result

If Applicable

State of Florida

County of Palm Beach

The Following Instrument was notarized or sworn before me this

(DATE)

☒ Personally Known

☐ Produced Identification

☐ Notary Public

Notary / Clerk of Courts / Officer (FSS: 117.10)

Signature of Arresting Officer

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SUBJECT: Fincham, Sheena Lynn CASE NUMBER: 17-3692

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 determining its alcohol content.

OR

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

NOTE: READ ONLY IF THE SUBJECT DOES NOT COMPLY WITH YOUR REQUEST.

I am Ofc Morris J Annese 1418 of the West Palm 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.

SUBJECTS SIGNATURE: _____

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 can not 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.

SUBJECTS SIGNATURE: _____ on video

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West Palm Beach Police Department
Breath Testing Facility Report



Defendant: Fincham, Sheena Lynn Case #: 17-3692
Arresting Officer: Ofc Morris J Annese 1418 Date: 2/23/17

Breath Test Results: .160 g/210L 0329 Time .160 g/210L 0332 Time
--- g/210L --- Time --- g/210L --- Time

Note: Times are in Military Time

Breath Operator: Ofc Morris J Annese 1418
Maintenance Technician Ofc. R. Secord #1639

Testing Officer Observations:

Speech: Slurred
Attitude: cooperative
Clothing: gray pants, white shirt, gray boots
Medical Conditions: none
Medications: none
Other: _____

Arrival Time at Facility/ Time Twenty (20) Minute Observation Started: 0300

Comments:

I observed the driver during the 20 minute observation period. The driver asked for an attorney after Miranda Warnings were given.

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DEFENDANT: Fincham, Sheena Lynn

CASE NUMBER: 17-3692

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 OPERATION A MOTOR VEHICLE AT THE TIME OF THE STOP/ACCIDENT: Asked for attorney
WHERE WERE YOU GOING? _____

WHAT STREET OR HIGHWAY WERE YOU ON? _____

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 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(3) HOURS? _____

HOW MUCH DO YOU WEIGHT? _____ 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 YOUR 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? _____ WHEN? _____

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 CORRECTABLE 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: Ofc M. Annese 1418

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**600 Banyan Blvd
West Palm Beach, Florida 33401
(561)822-1900**

Arresting Officer: Ofc Morris J Annese 1418 **Case Number:** 17-3692

Address: (West Palm Beach Police Department) 600 Banyan Blvd, West Palm Beach, FL 33401

Phone Number Home: **Cell:** **Work:** (561)822-1900

Can Testify to: Roadsides and BAT

Witness Name: Ofc Ryan Secord 1639 **Case Number:** 17-3692

Address: West Palm Beach Police Department - 600 Banyan Blvd, West Palm Beach, FL 33401

Phone Number **Home:** **Cell:** **Work:** 561-822-1869

Can Testify to: Agency Intox Inspector

Witness Name: Ofc Dave Streigold 1753 **Case Number:** 17-3692
Address: West Palm Beach Police Department - 600 Banyan Blvd, West Palm Beach, FL 33401
Phone Number **Home:** _____ **Cell:** _____ **Work:** 561-822-1900
Can Testify to: assisting officer/witness

Witness Name:	<u>Ofc Neil Sterk 1943</u>	Case Number:	<u>17-3692</u>
Address:	<u>West Palm Beach Police Department - 600 Banyan Blvd, West Palm Beach, FL 33401</u>		
Phone Number	Home: _____	Cell: _____	Work: <u>561-822-1900</u>
Can Testify to:	<u>assisting officer/witness</u>		

Witness Name: Tyrell Knight **Case Number:** 17-3692
Address: 437 20th St West Palm Beach, FL 33407
Phone Number **Home:** _____ **Cell:** 561-255-0086 **Work:** _____
Can Testify to: witness

Witness Name: _____ **Case Number:** 17-3692

Address: _____

Phone Number **Home:** _____ **Cell:** _____ **Work:** _____

Can Testify to: _____

Item(s): _____
Date will be furnished: _____
Why not supplied at filing: _____

Signature of the Filing Officer

2/23/17
Date

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