

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 25 DAY OF September 2016 AT 2153 AM PM
SUBJECT: Sonia Maria Gaitan Briones CASE NUMBER: 16-000461
AGENCY: JUNO BEACH POLICE DEPARTMENT ARRESTING OFFICER: Matthew Isham 291

PERSONAL CONTACT

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

Sgt. Piantoni ID# 270, of the Juno Beach PD, initiated a traffic stop on a Silver Mazda bearing FL tag 237PJY, at the intersection of Donald Ross Rd/US Highway 1, Juno Beach, because the vehicle was driving with no front right tire, and a shower of sparks were flying from the rim as it was driving East on Donald Ross Rd and turning North onto US Highway 1. I was also at the intersection of US Highway 1/Donald Ross Rd and I observed the violation as well. The vehicle came to a stop at 14051 US Highway 1, Juno Beach.

OBSERVATION OF DRIVER:

Upon looking at the driver, I noticed that she had bloodshot, watery eyes. When Sgt. Piantoni requested her license, registration, insurance, she initially ignored him and kept talking. When Sgt Piantoni asked again, she provided him with her credit card and her Florida driver's license, he then had to ask again for the registration and insurance, and she provided him with a handful of papers, in which her registration and insurance was included in.

After the conclusion of sobriety tasks, I arrested the driver. While attempting to bring her back to my vehicle she began pulling away from me and yelling profanities. When I opened the back door and tried to put her in the back of the car, she turned and faced me and tightened her muscles and refused to get into the vehicle after multiple orders from myself and Sgt Piantoni. I attempted to put her in the back of the car by lightly pushing down on her shoulders and she continued to tense up and actively resist me, at which time I pushed down on the pressure point on her right shoulder to gain compliance and put her in the back of the car. For that reason I have probable cause to charge the driver with resisting without violence in violation of F.S.S. 843.02.

DRIVER'S STATEMENTS:

While initially speaking with the driver, she admitted to Sgt. Piantoni that she had been drinking. I was also present at the time. She then stated that she had a couple of drinks, and then a few drinks while she was at J.J. Mugs (a bar in Jupiter, FL). She kept talking about her daughter (who was not present) and kept asking us to help her. While performing sobrieties she changed from being apologetic to aggressive and began yelling profanities at us.

ODORS:

Very strong odor of an unknown alcoholic beverage were being emitted from drivers breath and person as well as from the vehicles interior.

GENERAL OBSERVATIONS

SPEECH: Quick and broken some of the time (Nervous), slow and slurred other times, aggressive and profane.

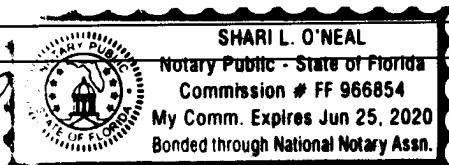
ATTITUDE: Upset, apologetic, angry/annoyed, apologetic again, happy, angry again, crying

CLOTHING: Shirt, short shorts, sandals

MEDICAL PROBLEMS: N/A

MEDICATIONS: N/A

OTHER: N/A



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SEP 26 2016

S. O'Neal *Matthew Isham 291*

SUBJECT: Sonia Maria Gaitan Brioses

16-000461

CASE NUMBER:

ROADSIDE TASKS

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 JERKS AT 45 DEGREE ANGLE OR LESS	<input type="checkbox"/> RIGHT EYE JERKS AT 45 DEGREE ANGLE OR LESS
<input type="checkbox"/> DISTINCT JERKING LEFT EYE MAXIMUM DEVIATION	<input type="checkbox"/> DISTINCT JERKING RIGHT EYE MAXIMUM DEVIATION

CAN NOT DO, WHY? Notes: moved head after being told not to.

WALK AND TURN:

Started task too soon, could not maintain balance during instructions, missed heel to toe (walked like normal), stepped off line (walked like normal), improper turn, used arms for balance.

CAN NOT DO, WHY?

ONE LEG STAND:

Used arms for balance, swayed, put foot down, almost fell down (sobriety tasks were then discontinued for her safety). While counting she was continuously repeating numbers.

CAN NOT DO, WHY?

FINGER TO NOSE:

Not performed for her safety.

CAN NOT DO, WHY?

ROMBERG/ALPHABET:

Not performed for her safety.

CAN NOT DO, WHY?

BREATH TEST RESULTS: 0.203 & 0.201

09/25/2016

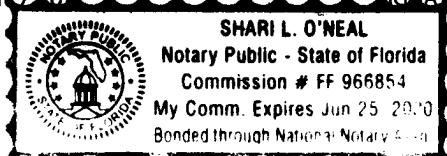
(DATE)

STATE OF FLORIDA
COUNTY OF PALM BEACH
THE FOLLOWING INSTRUMENT WAS NOTARIZED OR SWORN BEFORE ME THIS

BY: Matthew Isham

S. O'Neal Known
NOTARY/CLERK OF COURT OFFICER (F.S. 117.10)

SIGNATURE OF ARRESTING OFFICER



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TESTING FACILITY TASK REPORT

#291

AGENCY: JBPD Ofc. IshamSUBJECT: Gaitan Briones, Sonia M. CASE NUMBER: 16-131585DATE: 09-25-16 VIDEO TAPE NUMBER: 61440BEGINNING TIME: 2312 hrs ENDING TIME: 2331 hrsBREATH TESTS RESULTS: 1) .203 TIME 2320 ^{S.O.} A.M./P.M. 2) .201 TIME 2324 A.M./P.M.
3) _____ TIME _____ A.M./P.M. 4) _____ TIME _____ A.M./P.M.BREATH OPERATOR: S. O'Neal #6212MAINTENANCE TECHNICIAN: D/S J. Harlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: Slurred, Talkative*ATTITUDE: Talkative, Demanding, Sarcistic, Annoying, ProfaneCLOTHING: Shirt - Multi color / Print Shorts - WhiteMEDICAL CONDITIONS: —MEDICATIONS: —OTHER: Eyes: Red, Glassy, Watery from Crying.*Rumbling, Moodswings, Emotional, Crying, Disrespectful
Strong odor of unknown alcoholic beverage.COMMENTS: 20 min. observation done by AIO Isham #291AIO requested the breath test. 2 x'sD submitted to the breath request.D had a little difficulty, but eventually
blew correctly to complete the test.C/W read on camera.Q4A conducted.SCANNED
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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 _____ of the _____.

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) _____

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.

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SUSPECT'S SIGNATURE: (X) Read on Video

QUESTIONS AND ANSWERS

I AM NOW GOING TO ASK YOU SOME QUESTIONS. WITH THESE RIGHTS IN MIND, YOU MAY ANSWER SOME OF, ALL OF, OR NONE OF THE FOLLOWING QUESTIONS AS YOU LIKE.

WERE YOU OPERATING A MOTOR VEHICLE AT THE TIME OF THE STOP/ACCIDENT? Yes

WHERE WERE YOU GOING? Home

WHAT STREET OR HIGHWAY WERE YOU ON? Central Blv

DIRECTION OF TRAVEL? N WHERE DID YOU START? TJ Mugs

WHAT TIME DID YOU START? 930 - 10 WHAT TIME IS IT NOW? 12

WHAT IS TODAY'S DATE? 9/24/2016 WHAT DAY OF THE WEEK IS IT? Sunday or Tuesday depending time

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

WHEN DID YOU LAST EAT? 2:30 WHAT DID YOU EAT? Pop corn

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? With my friend

HOW MUCH DO YOU WEIGH? I don't know HAVE YOU BEEN DRINKING? "Are you fucking kidding me?" WHAT? WHAT?

HOW MUCH? WHERE? WITH WHOM? Karen

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?

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INTERVIEWER: Ofc. Matthew Tisham 291

WHITE - STATE ATTY.

YELLOW - DHSMV

PINK - CENTRAL RECORDS

GOLD - JAIL

SEP 26 2016



SAFE DRIVER
Operation of a motor vehicle constitutes consent to any sobriety test required by law.

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WITNESS LIST

16-000461

CASE NUMBER:

Matthew Isham 291

ARRESTING OFFICER:

ADDRESS: 340 Ocean Drive, Juno Beach, FL 33408

PHONE NUMBERS (HOME):

(WORK)

561-626-2100

CAN TESTIFY TO: Facts of case.

NAME: Sgt. Robert Piantoni

ADDRESS: 340 Ocean Drive, Juno Beach, FL 33408

PHONE NUMBERS (HOME):

(WORK)

561-626-2100

CAN TESTIFY TO: Driving pattern.

NAME:

ADDRESS:

PHONE NUMBERS (HOME):

(WORK)

CAN TESTIFY TO:

NAME:

ADDRESS:

PHONE NUMBERS (HOME):

(WORK)

CAN TESTIFY TO:

NAME:

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