0430063 19CT6954 3188

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

1 Arrest 2 NTA 3 Request for Warrant 4 Request for Capias | 1 | Juvenile

OBTS Number

ADMINISTRATIVE

Agency ORI Number: FLO 502600 | Agency Name: PALM BEACH GARDENS POLICE DEPARTMENT | Agency Report Number (NTA's only): 78- 19-002358

Charge Type (Check as many as apply): ☐ 1 Felony ☐ 2 Traffic Felony ☐ 3 Misdemeanor ☒ 4 Traffic Misdemeanor ☐ 5 Ordinance ☐ 6 Other

Weapon Seized / Type: 2 | 1 Yes 2 No | Multiple Clearance Indicator:

Location of Arrest (Including Name of Business): Macarthur Blvd/Lighthouse Dr - PBG FL 33410

Location of Offense (Business Name, Address): Macarthur Blvd/Lighthouse Dr - PBG FL 33410

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
4-17-19	00:34					Macarthur Blvd/Lighthouse Dr

DEFENDANT

Name (Last, First, Middle): ~~Sulay, Yudelca~~ Bencosme, Sulay, Yudelca | Alias (Name, DOB, Soc. Sec #, Etc.)

Race (W - White I - American Indian B - Black O - Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	F	08/05/1979	5-03	137	Bro	Bro	Lgt	Slim

Scars, Marks, Tatoos, Unique Physical Features (Location, Type, Description): Sun on right shoulder blade | Marital Status: Married | Religion: Christian | Indication of Alcohol Influence / Drug Influence: Y ☐ N ☒ Unk ☐

Local Address (Street, Apt Number) (City) (State) (Zip): 9147 Nugent Trl, West Palm Beach, FL, 33411 | Phone: (561) 951-9611 | Residence Type (1 City 2 County 3 Florida 4 Out of State): 1

Permanent Address (Street, Apt Number) (City) (State) (Zip): 9147 Nugent Trl, West Palm Beach, FL, 33411 | Phone: ( ) | Address Source: FL DL

Business Address (Name, Street) (City) (State) (Zip): | Phone: ( ) | Occupation: Unemployed

DL Number, State	Soc Sec Number	INS Number	Place of Birth (City, State)	Citizenship
B522799797850 FL	[redacted]		WPB, FL	US

CO-DEF

Co-Defendant Name (Last, First, Middle) | Race | Sex | Date of Birth | ☐ 1 Arrested ☐ 2 At Large | ☐ 3 Felony ☐ 4 Misdemeanor ☐ 5 Juvenile

Co-Defendant Name (Last, First, Middle) | Race | Sex | Date of Birth | ☐ 1 Arrested ☐ 2. At Large | ☐ 3 Felony ☐ 4 Misdemeanor ☐ 5 Juvenile

JUVENILE

☐ Parent ☐ Legal Custodian ☐ Other | Name (Last) (First) (Middle) | 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 provided by ☐ defendant and / or ☐ defendant's parents the child and / or parent was told to keep the Juvenile Court Clerk (Phone 355-2526) informed of any change of address ☐ Yes, by (Name) ☐ No (Reason) | School Attended | Grade

Property Crime? ☐ Yes ☐ No | Description of Property | Value of Property

CODE

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 Barbiturate C Cocaine E Heroin | H Hallucinogen M Marijuana O Opium/Derv | P Paraphernalia/ Equipment S Synthetics | U Unknown Z Other

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
DUI	1	☐ Y ☒ N	316.193 (1)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
N	N	N/A			OR

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐ Y ☐ N		

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐ Y ☐ N		

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐ Y ☐ N		

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond

NOTICE TO APPEAR

Location (Court Room Number, Address): NORTH COUNTY COURTHOUSE, 3188 PGA BOULEVARD, PALM BEACH GARDENS, FL 33410 - PH: (561) 662-6700

Court Date and Time: Month May | Day 22nd | Year 2019 | Time 10:00 | AM X | PM —

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) | Date Signed: 04/16/2019

ADMIN

HOLD for other Agency Name | ☐ Dangerous ☐ Suicidal ☐ Resisted Arrest ☐ Other | Intake Deputy | ID # | Pouch #

Signature of Arresting Officer: X [signature] | Name of Arresting Officer (Print): Ofc. Trudeau | ID #: #493

Transporting Officer: Ofc. Trudeau | ID #: 493 | Agency: PBGPD

Name Verification (Printed by Arrestee) (PRINT) | Witness here if subject signed with an "X"

PAGE 1 OF 1

DISTRIBUTION: WHITE - COURT COPY | GREEN - STATE ATTORNEY | YELLOW - AGENCY | PINK - AGENCY | GOLD - DEFENDANT (If Juvenile Only)

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SCANNED
APR 17 2019

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 26th DAY OF March 20 19, AT 2343 ✓ AM PM

SUBJECT: Sulay, Yudelca, Bencosme CASE NUMBER: 19-002358

AGENCY: PALM BEACH GARDENS POLICE DEPT. ARRESTING OFFICER: Ofc. Trudeau #493

PERSONAL CONTACT

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

On 04/16/2019 at approximately 2343 hours, Ofc. Slaughter #500 observed a white Volvo SUV bearing FL tag (HVXF36) stopped at the intersection of Macarthur Blvd/Lighthouse Dr in the North-bound lane. Another vehicle was in front of Ofc. Slaughter who was also stopped at the intersection awaiting the Volvo SUV to clear the intersection. The other vehicle honked its horn to warn the driver to move, at which point the Volvo stayed at the intersection without moving. The vehicle then went around the Volvo. Ofc. Slaughter then utilized her air horn on her patrol car to warn the driver to move for approximately 5 seconds and then waited for a response. The SUV then turned West onto Lighthouse Dr making a wide turn with the passenger side tires traveling on the grass. Ofc. Slaughter conducted a traffic stop on the vehicle and observed a white female sitting in the driver's seat of the vehicle and the sole occupant of the vehicle.

OBSERVATION OF DRIVER:

I observed Sulay's pupils to be dilated more than a normal persons, the sicera of her eyes to be reddened, her eyes to be watery, her face to be flushed, and her speech to be slow, low and mumbled at times. I asked Sulay where she was coming from and going to and she was confused about where she was. She stated she was coming from her friend's house and trying to go home to Royal Palm, but got lost. Sulay was disoriented and was having difficulty answering questions. Due to my observations on scene, I requested she perform several field sobriety exercises. Sulay agreed and exited the vehicle at which point she used the door for support while walking away from the vehicle and had an ataxic gait. Sulay had an orbital sway while standing with her feet shoulder width apart.

DRIVER'S STATEMENTS:

Sulay stated she was coming from a friends house and could not remember where exactly it was located. Then Sulay stated it was near PGA Blvd and she was going home to Royal Palm Beach. Sulay stated she had 2 glasses of wine and does not take any medication, but is prescribed Xanax (0.5gm). Sulay advised she was very emotional and was looking for her phone, which caused her to not pay attention to the roadway.

ODORS:

Strong odor of the additives of an unknown alcoholic beverage emitting from her breath from a conversational distance.

GENERAL OBSERVATIONS

SPEECH: Slow, low, mumbled

ATTITUDE: Confused, Polite

CLOTHING: Clean

MEDICAL/OTHER: Sulay stated she did not consume any medications and did not have any ailments that would prohibit her from being able to operate a vehicle or perform daily tasks.

STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 16h day of April 2019 by Ofc. Trudeau

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

Notary Public, Clerk of Court, Officer (F S S 117 10)

Notary Public State of Florida
Samantha Palmer
My Commission GG 233762
Expires 10/28/2022

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SCANNED
APR 17 2019

SUBJECT: Sulay, Yudelca, Bencosme CASE NUMBER 19-002358

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

- [x] LT EYE-LACK OF SMOOTH PURSUIT
- [x] RT EYE-LACK OF SMOOTH PURSUIT
- [x] LT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION
- [x] RT EYE-DISTINCT & SUSTAINED NYSTAGMUS AT MAX. DEVIATION
- [x] LT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES
- [x] RT- EYE-ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES

Other Observations:

The exercise was attempted to be performed several times due to Sulay not following instructions. Sulay would not focus on the stimulus, although she stated she could see it without any issues. She also kept moving her head with the stimulus after repeated instructions on not to move her head. The exercise was unable to be completed. VGN and LOC were not conducted.

WALK & TURN:

During the instruction stage, Sulay was unable to maintain balance and began walking down the line after being instructed to stay in the starting position. Sulay was given several instructions on how to position herself in the starting position and she began switching between the left and right solid yellow line in the middle of the roadway. Sulay was uncooperative and unable to follow instructions. I repeatedly gave her instructions to stand on the line at which she finally stated "I cant" and refused to perform the exercise.

ONE LEG STAND:

During the instruction stage, Sulay stood in the position however I observed a 1-2inch orbital sway. After giving all of the instructions Sulay advised she understood and was able to perform the exercise as instructed. I told Sulay to begin the exercise and she stood still and then stated "No Im nervous, I cant." Sulay then did not perform the exercise and began questioning about the instructions and how long she had to raise her leg for. Sulay failed to comply with my instructions and the exercise was not performed.

ROMBERG ALPHABET:

Not performed.

FINGER TO NOSE:

I instructed Sulay to stand in the starting position and stood there without moving. I asked Sulay if she was going to comply and do as instructed and she became argumentative and stated she was not going to perform the exercise.

BREATH TEST RESULTS: 1) Refused | 2) Refused | 3) N/A | 4) N/A

STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigating Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 16h day of April 2019 by Ofc. Trudeau

(Print name of Arresting/Investigating Officer), who is personally known to me and/or produced identification. Type of identification produced Personally Known

Notary Public, Clerk of Court, Officer (F S S 117 10)

Notary Public State of Florida
Samantha Palmer
My Commission GG 233762
Expires 10/28/2022

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SCANNED
APR 17 2019

TESTING FACILITY TASK REPORT

AGENCY: PBG/TRUDEAU

SUBJECT: BENCOSME, SULAY

CASE NUMBER: 19-060593

DATE: Apr 17, 2019

VIDEO DVD NUMBER: N/A

BEGINNING TIME: 0117

ENDING TIME: 0120

BREATH TESTS RESULTS: 1) R TIME 0119 A.M. ☒ P.M. ☐ 2) XX TIME XX A.M. ☐ P.M. ☐

3) XX TIME XX A.M. ☐ P.M. ☐ 4) XX TIME XX A.M. ☐ P.M. ☐

BREATH OPERATOR: S. PALMER #24520

MAINTENANCE TECHNICAN: J Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: ACCENT

ATTITUDE: QUIET, UPSET, CRYING

CLOTHING: MULTI COLOR BLOUSE, WHITE PANTS, PINK SHOES

MEDICAL CONDITIONS: HEART CONDITION

MEDICATIONS: METROPROLOL, XANX

OTHER:

EYES:WATERY AND BLOODSHOT, ODOR OF UNKNOWN ALCOHOLIC BEVERAGE COMING FROM BREATH AND PERSON

COMMENTS:

ARRESTING OFFICER CONDUCTED THE 20 MINUTE OBSERVATION BEGINNING AT 0055
SUBJECT REFUSED TO TAKE BREATH TEST
A/O READ I/C
SUBECT STATED SHE UNDERSTOOD I/C
AND AGAIN REFUSED TO TAKE BREATH TEST @ 0119
A/O READ RIGHTS
SUBJECT STATED SHE UNDERSTOOD HER RIGHTS
AND REFUSED ANY QUESTIONING

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SCANNED
APR 17 2019

SUBJECT: _____ CASE NUMBER: _____

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 OFC THUGEAU #493 of the [illegible]

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) Refused 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.

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SCANNED
APR 17 2019

SUSPECT'S SIGNATURE: (X) [illegible]

SUBJECT: Pinc..., Ulay CASE NUMBER: 19 002358

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: OFC. Trudeau #1493

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APR 17 2019

PALM BEACH COUNTY
SHERIFF'S OFFICE
Florida State Statute Exemption Sheet

Palm Beach County Sheriff's Office – Arrests Only

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	☐	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	☐	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	☐	119.071(4)(c)	Undercover personnel.	
	☐	119.071(2)(f)	Confidential informants (CIs).	
	☐	119.071(2)(e)	Confession.	
Public Info. Exemptions	☐	985.04(1)	Juvenile offender records.	
	☐	119.071(h)(i)	Assets of a crime victim.	
	☐	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	☐	394.4615(7)	Mental health information.	
	☐	119.071(4)(d)(2)(a)	Home address, telephone, Social Security number, date of birth, or photos of active/former LE personnel, spouses, and children.	
Florida Rules of Judicial Administration 2.420 (Rule of 23)	☒	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	☐	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	☐	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	☐	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	☐			
	☐			
	☐			
	☐			
	☐			
Other	☐	943.031 (2)	Other: Names of Gangs Criminal Activity	
	☐	119.0712 (2)	Other: Personal Information Contained in a Motor Vehicle Record	

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REVIEW COMPLETED BY

Booking Number: 2019012719	**Date:** 4/17/2019
	Specialist Name/ID: M. Tooks #8557

SCANNED
APR 17 2019