Arrest Report

0504492 / 3483

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

Report Date / Time	Report Number	Case Number/CAD Number	Reporting Officer Name
1/12/2019 1:33:12AM	FHP99ARR790542	FHPL19OFF002913 / LWRC19CAD006835	MCWHERTER, P.

Originating Agency ORI	Occurrence Date Time Range	Jurisdiction	Clearance
FL0509000	1/12/2019 12:54:40 AM -		

Location of Occurrence

Location Type	Location Description	Apt/Lot/Bldg
PUBLIC PLACE		

Street Number	Street
	I-95 NB

County	City	State	Zip
PALM BEACH	LAKE WORTH	FL	33461

Defendant

First Name	Middle Name	Last Name	Suffix	Date Of Birth	Age	Race	Sex
THOMAS	CARL	CURRY		4/26/1963	55	WHITE	MALE

SSN	MNI #	Place of Birth	Height	Weight	Hair	Eyes
		MIAMI, FL, USA	602	210	BRO	BLU

DL or ID Number	ID State	ID Type	Address Type
C600823631460	FL	E	RELATIVE

Street Number	Street	Apt/Lot/Bldg
11530	SW 109RD UNIT W	

County	City	State	Zip	Phone Number	Extension
	MIAMI	FL	33176		

Location Description:

Arrest

Arrest Date/Time	Arrest Location Type	Arrest Location Description
01/12/2019 1:22:00AM	PUBLIC PLACE	

Street Number	Street	Apt/Lot/Bldg	County
	I-95 NB / PGA BLVD		PALM BEACH

City	State	Zip
PALM BEACH GARDENS	FL	33461

Charge(s)

Counts	Charge	General Offense Code	Bond Amount	No Bond
1	316.193.1		$ 0.00	☐

Charge Degree	Charge Level	Arrest Offense Code Description
N	MISDEMEANOR	DUI-UNLAW BLD ALCH

Charge Description: DUI ALCOHOL OR DRUGS

Counts	Charge	General Offense Code	Bond Amount	No Bond
1	316.1939		$ 0.00	☐

Charge Degree	Charge Level	Arrest Offense Code Description
F	MISDEMEANOR	DUI-UNLAW BLD ALCH

Charge Description: REFUSE TO SUBMIT DUI TEST AFTER LIC SUSP

Probable Cause

On 01/12/2019 at approximately 0:55am a BOLO was put out for a white truck unable to maintain it's lane traveling northbound on State Road 9 (Interstate 95) in the left lane traveling at varying rates of speed. (Between 30 and 70 miles per hour) I caught up to the BOLO and advised my dispatch that I needed the witness to pull over in reference to a statement. At approximately 01:14 am I established a driving pattern of varying speeds and an inability to maintain a lane. I intiated my emergency lights and sirens to conduct a traffic stop. The driver pulled from the left lane to the right shoulder. I approached

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2019 JAN 12

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the vehicle on the passenger side where I observed the driver in jeans and a button up with a disheveld look. The driver opened the passenger window and I was able to immediately smell the odor of alcohol coming from within the vehicle. I asked the driver for his license, registration, and insurance for the vehicle where I heard slurred speech coming from the driver. The driver was able to give me his license and I identified him as Thomas Carl Curry. I went back to my vehicle to run the information of the driver and my backup trooper, , instructed Mr. Curry to exit his vehicle. The driver was then instructed to exit the vehicle. Upon exiting the vehicle Mr. Curry did stumble and had trouble maintaining his balance. As I approached Mr. Curry and asked if he wanted to perform field sobriety exercises, I observed glazed and watery eyes as well as the smell of alcohol coming from Mr. Curry's breath. After asking Mr. Curry if he would like to perform standardized field sobriety exercises he stated he did not wish to perform the exercises. At the time of refusal Mr. Curry was informed he was going to be placed under arrest under suspision of Driving Under the Influence.

During the ride to the county jail Mr. Curry was read his Miranda Warning and he stated he only wished to speak with a lawyer present. The odor of alcohol was apparent coming from Mr. Curry's mouth in my vehicle. Once we arrived at the BAT Mr. Curry was observed for 20 minutes and refused to provide samples of his breath. Mr. Curry was also read implied consent and again refused to provide samples of his breath. Mr. Curry was charged under F.S.S. 316.193.1 DUI-Refusal and F.S.S. 316.1939 Prior Refusal. All events occured in Palm Beach County Florida.

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	Officer Rank	Officer ID No
MCWHERTER, P.	TROOPER	4188

Officer Agency
FLORIDA HIGHWAY PATROL

Officer Signature

Sworn and subscribed before me, the undersigned authority
This the _____ day of _____, _____
DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT OFFICER

Approving Supervisor

Officer Name	Officer Rank	Officer ID No	Officer Agency

Officer Signature

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JAN 15 20

TESTING FACILITY TASK REPORT

(8)

AGENCY: FHP Tpr. McWhorter #4132

SUBJECT: Curry, Thomas C. CASE NUMBER: 19-024848

DATE: 01-12-19 VIDEO TAPE NUMBER: —

BEGINNING TIME: 0213hrs ENDING TIME: 0221hrs

BREATH TESTS RESULTS 1) REFUSED TIME 0214 A.M./P.M. 2) _____ TIME _____ 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. Hardcastle #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: Slurred, Low at times

ATTITUDE: Calm, Cooperative

CLOTHING: Shirt: Navy Blue & White Print Shirts; Black Jeans

MEDICAL CONDITIONS: None

MEDICATIONS: None

OTHER: Eyes: Red, Glassy

#4132

COMMENTS: 20 min. observation done by A/O McWhorter
A/O requested the breath test.
D refused the request.
A/O read the implied consent or cameras.
D understood the I/C.
D still refused the breath request after the I/C was read.
C/W read on camera.
Q+A conducted.

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JAN 15 2019

WHITE - STATE ATTY. YELLOW - DHSMV PINK - CENTRAL RECORDS GOLD - JAIL

SUBJECT: _____ CASE NUMBER: _____

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? 95 NB

DIRECTION OF TRAVEL? N WHERE DID YOU START? [illegible]

WHAT TIME DID YOU START? NOT SURE WHAT TIME IS IT NOW? NO IDEA

WHAT IS TODAY'S DATE? 10th or 11th WHAT DAY OF THE WEEK IS IT? FRI / SAT

WHAT COUNTY AND CITY ARE YOU IN NOW? Palm Beach / I DO NOT KNOW CITY

WHEN DID YOU LAST EAT? 7PM WHAT DID YOU EAT? FAST

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? DRINKING

HOW MUCH DO YOU WEIGH? 150 HAVE YOU BEEN DRINKING? YES WHAT? VODKA

HOW MUCH? 3-4 drinks WHERE? Friends ? WITH WHOM? MYSELF

WHEN DID YOU HAVE YOUR FIRST DRINK? 7:30 PM AND YOUR LAST DRINK? 11:30

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? Glass

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? [illegible] ARE YOU UNDER THE INFLUENCE? NOT SURE

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? _____ HOW MUCH? _____

WHAT? _____ WHERE? _____ WHEN? _____

WHAT LINE OF WORK ARE YOU IN? ELEVATOR CONSTRUCTOR WHEN DID YOU LAST WORK? [illegible]

DO YOU HAVE ANY PHYSICAL DEFECTS OR INJURIES? NO WHAT? _____

ARE YOU SICK OR INJURED? NO WHAT'S WRONG? _____

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

WERE YOU IN AN ACCIDENT TODAY? NO

HAVE YOU TAKEN ANY DRUGS OR SMOKED ANY MARIJUANA TODAY? NO WHEN? _____

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

ARE YOU TAKING ANY PRESCRIPTION MEDICINES? NO WHAT? _____ WHEN? _____

DO YOU HAVE:

EPILEPSY?	NO
GLASS EYE?	NO
FALSE TEETH?	NO
EAR INFECTION?	NO
INNER EAR TROUBLE?	NO
DIABETES?	NO

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

DO YOU TAKE INSULIN? NO IF SO, WHEN WAS YOUR LAST INJECTION? _____

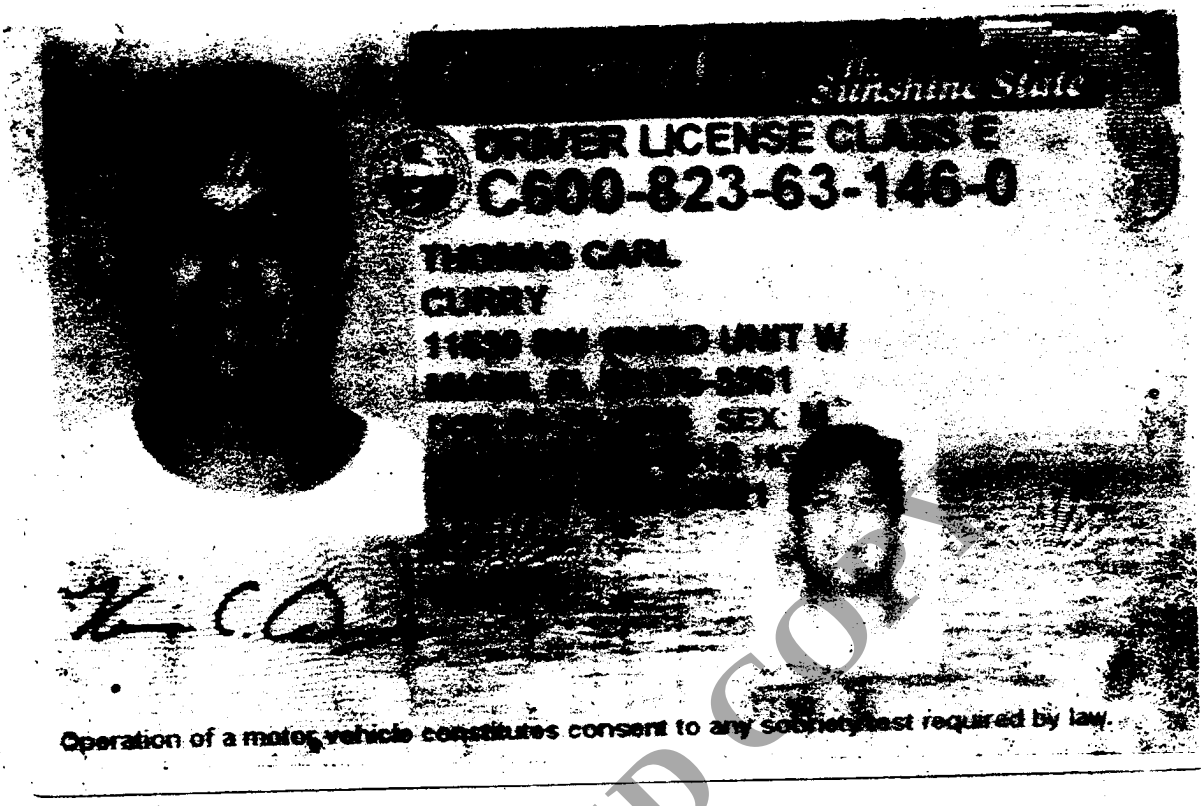
HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? NO WHERE? _____

INTERVIEWER: P. M. WHEATLEY

WHITE - STATE ATTY. YELLOW - DHSMV PINK - CENTRAL RECORDS GOLD - JAIL

PBSO #0129C REV. 9/93

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