J-050342R1

ARREST / NOTICE TO APPEAR

NH 18CT2497 P. 2144

1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias 5. Juvenile Referral

1 JUVENILE

ADMINISTRATION

OBTS Number	Agency ORI Number	Agency Name	Agency Report Number (N.T.A.'s only)
	0500200	Boca Raton Police Department	3 2 2018-016089

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

If Weapon Seized — Enter Type: None/not Applicable

Multiple Clearance Indicator

Location of Arrest (Including Name of Business)	Location of Offense (Business Name, Address)
1735 NE 5TH AVE	1735 NE 5TH AVE, BOCA RATON, FL 33432

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
11/30/2018	01:31	11/30/2018	01:41	11/30/2018	01:41	WESTWAY TOWING

DEFENDANT

Name (Last, First, Middle): PREMAN, TIMOTHY WILLIAM — Alias:

Alias (Name, DOB, Soc. Sec. #, Etc.)

Race (W - White, B - Black, I - American Indian, O - Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	M	12/02/1990	6'00	230	BROWN	BROWN	LIGHT	Medium

Scars, Marks, Tatoos, Unique Physical Features (Location, Type, Description)

Marital Status	Religion	Indication of: Alcohol Influence / Drug Influence
S	NONE	Yes ☐ No ☒ Unk. ☐

Local Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Residence Type: 1. City 2. County 3. Florida 4. Out of State
8385 SE KETCH CT, HOBE SOUND, FL 33455				(561) 281-8196	2

Permanent Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Address Source
8385 SE KETCH CT, HOBE SOUND, FL 33455				(561) 281-8196	FL DL

Business Address (Name, Street)	(City)	(State)	(Zip)	Phone	Occupation
OCEAN PROPERTYS, DELRAY BEACH					District Manage

DL Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
P655819904420 / FL	[redacted]		JUPITER, FL, United	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 ☐ Other: ☐ Legal Custodian — 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 Department and Released 2. TOT JAC 3. Incarcerated

Released To: (Name) — Relationship — Date — Time

The above address was provided by ☐ defendant and/or ☐ 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.
☐ Yes, by: ☐ No:

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/Deriv. P. Paraphernalia/ Equipment S. Synthetic U. Unknown Z. Other

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #
DUI	316.193(1)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N	/		1	☐ Y ☒ N		BR

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
		/			☐ Y ☐ N		

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
		/			☐ Y ☐ N		

INTAKE

Health / Apparent Physical Condition of Defendant: GOOD

Any knowledge of the following: ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deformities ☐ Injuries
Explain:

Check which applies: ☐ Released O.R. ☐ Posted Bond ☐ Released to Parent/Guardian ☐ South County Mental Health ☒ T.O.T. County Jail

PROPERTY - Received By	Released By	Released To
ALVAREZ	ALVAREZ	PBCJ

Transported By	Date Transported	Time Transported	Other
	/ /	: :	

NOTICE TO APPEAR

☒ INSTRUCTION NO. 1 - Mandatory appearance in court
☐ INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.

Location (Court, Room): South County 200 W Atlantic Ave Delray Beach, FL 33444

Court Date and Time: 12/31/2018 08:30:00

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.

X _____
Signature of Defendant (or Juvenile and Parent/Custodian) — Date Signed

ADMIN

HOLD for Other Agency — Signature of Arresting Officer 769

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other

Name of Arresting Officer (Print): ALVAREZ, A. — I.D. #: 769

Name Verification (Printed by defendant) (PRINT) 11/30/18

Intake Deputy: DS (Collins 7607) — Pouch #

Transporting Officer: Hood — I.D. #: 814 — 8290 ALVAREZ

Witness here if subject signed with an "X".

PAGE 1 OF 1

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NOV 30 or 2021

PROBABLE CAUSE AFFIDAVIT

OBTS Number:

1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias | 1 | JUVENILE:

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FL 0500200	BOCA RATON POLICE DEPARTMENT	3 2 2018-016089

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

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
PREMAN, TIMOTHY WILLIAM		W	M	12/02/1990

CHARGES

Charge Description	Charge Description
316.193(1) DUI	
Charge Description	Charge Description

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
STATE OF FLORIDA,			

Local Address (Street, Apt. Number) (City) (State) (Zip)	Phone	Address Source
100 NW 2ND AVE, BOCA RATON, FL 33432	(561) -	
Business Address (Name, Street) (City) (State) (Zip)	**Phone**	**Occupation**
	(56) -	

PROBABLE CAUSE STATEMENT

The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe that the above named Defendant committed the following violation of law.

The Person taken into custody . . .

☐ committed the below acts in my presence.

☐ confessed to _____ admitting to the below facts.

☐ was observed by _____ who told _____ that he/she saw the arrested person committ the below acts.

☒ was found to have committed the below acts, resulting from my (described) investigation.

On the 30 day of November, 2018 at 01:31 (Specifically include facts constituting cause for arrest.)

On 11/30/18 at approximately 0104 hours, I responded to the area of 302 Plaza Real in reference to a drunk driver leaving the area. The driver was described as a W/M wearing a yellow jacket driving a gray GMC Sierra bearing Florida tag # Y04YBD. I observed the above-described vehicle making a right turn on NE 2nd St to go northbound on N Federal Hwy, occupied with a W/M wearing a yellow jacket. I followed the vehicle northbound from 200 N Federal Hwy to 2000 N Federal Hwy. I observed the vehicle driving approximately 20 mph where the speed limit was posted at 35 mph and having difficulty maintaining a single lane. At the intersection of NE 5th Ave, NE 20th St and N Federal Hwy, the driver of the vehicle failed to stop at the red traffic signal and made an improper right turn onto NE 5th Ave from the outside through lane, instead of the right turn lane. I conducted a traffic stop on the driver of the vehicle at 1735 NE 5th Ave. I made contact with the driver, W/M Timothy Preman and the front seat passenger, W/F Anita Freitas.

Upon speaking with Preman, I detected the strong odor of an alcoholic beverage emanating from his breath and he had slowed slurred speech. While Preman was retrieving his driver`s license, registration, and proof of insurance, his movements were slow and he had difficulty opening his insurance paper. Preman`s eyes were also bloodshot and watery. I requested Preman turn off his vehicle and step outside. I asked Preman if he consumed alcohol this evening and he stated he drank a cocktail earlier in the evening. I explained to Preman my observations of his impaired state (the odor of an alcoholic beverage and his slurred speech) and requested that he submit to standardized field sobriety tasks (SFST`s) to dispel my alarm that he had been driving impaired. Preman submitted to the SFST`s.

The first task was the horizontal gaze nystagmus. There was a lack of smooth pursuit. Preman had nystagmus distinct and sustained at maximum deviation and an onset at 45 degrees. He swayed back and forth throughout the task.

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

GRAHAM, KEITH T #714
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

11/30/2018
DATE

769
SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

ALVAREZ, AMANDA (769)
NAME OF OFFICER (PLEASE PRINT)

11/30/2018
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

ADMIN

OBTS Number

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias

1

JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL 0500200	BOCA RATON POLICE DEPARTMENT	3 | 2 | 2018-016089

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

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
PREMAN, TIMOTHY WILLIAM		W	M	12/02/1990

PROBABLE CAUSE STATEMENT

The second task was the walk-and-turn. Preman could not stay in the starting position of left foot on the line heel to toe touching with the right foot in front. Preman stepped off the line several times walking down the line and did not turn as instructed. Preman also missed heel to toe on several steps down the line. Preman also stepped off the line several times and during the exam stating he was not doing well. Preman continued back down the line 10 steps.

The third task was the one-leg stand. Preman dropped his foot several times and used his arms for balance. Preman also stopped before being instructed.

The fourth task was the rhomberg alphabet. Preman swayed back and forth during the task. Preman lost his place in reciting the alphabet after "W". Preman recited "W, S" and then stated he had a hard time finishing the task without singing the alphabet. Preman finished reciting "W, X, T, Y, Z Fuck it."

The fifth task was the finger to nose task (L-R-L-R-R-L). Preman swayed back and forth during the task. Preman missed the tip of his nose on one of the movements.

Based on my investigation, Preman was arrested at 0131 hours for DUI. I conducted an inventory of the vehicle and Officer Burnette completed the tow slip. Westway Towing removed the vehicle from the scene. Freitas was picked up from the scene by her mother. I transported Preman to the Boca Raton Police Department for processing.

Officer Deen conducted The Intoxilyzer 8000 testing. Preman refused breath and after being read his implied consent, refused again. Preman was read his constitutional rights from a pre-printed department issued paper. Preman refused answer questioning.

Preman was charged with DUI FSS 316.193(1) and given the court date of 12/31/2018 at 8:30am. The in-car video and my MVR was submitted into evidence. Preman was also cited for failure to obey a steady red signal and improper right turn. After processing, he was transported to the Palm Beach County Jail.

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

GRAHAM, KEITH T
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

11/30/2018
DATE

769
SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

ALVAREZ, AMANDA (769)
NAME OF OFFICER (PLEASE PRINT)

11/30/2018
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

145
205

0131 (1015)

2018-016089

DUI INFLUENCE REPORT

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BOCA RATON POLICE SERVICES DEPARTMENT
100 NW 2nd Avenue
Boca Raton, FL 33432

ARRESTING OFFICER: Officer Alvarez

Name: Ofc. Alvarez Phone # _____ Work # 561 368 6201

Address: 100 NW 2nd Ave Boca Raton, Fl 33432

Can testify to: DUI / Traffic Stop (1700 NE 5th Ave)

Name: officer Burnette Phone # _____ Work # 561 368 6201

Address: 100 NW 2nd Ave Boca Raton, Fl 33432

Can testify to: Support officer Role

Name: Officer Bissoon Phone # _____ Work # 561 368 6201

Address: 100 NW 2nd Ave Boca Raton, Fl 33432

Can testify to: Support officer Role

Name: Officer Lignal Phone # _____ Work # 561 368 6201

Address: 100 NW 2nd Ave Boca Raton, Fl 33432

Can testify to: Support Office Role

Name: Officer Deen Phone # _____ Work # 561368 6201

Address: 100 NW 2nd Ave Boca Raton, Fl 33432

Can testify to: Support officer Role

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

Name: _____ Phone # _____ Work # _____

Address: _____

Can testify to: _____

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-END OF PART ONE-

BOCA RATON POLICE SERVICES DEPARTMENT

DUI INFLUENCE REPORT – PART II

To be filled out at testing facility

Agency Case # 2018 016089

I. INTRODUCTION (Instrument Operator faces video camera)

A. The day is Friday (day), November (month), 30 (date), 2018 (year).

B. The time is now approximately 0212 (AM)/PM.

C. The following is in reference to case number 2018016089.

D. Present at this time is Ofc. Alvarez (Officer's Name) of the Boca Raton Police Department.

E. Officer Ofc. Alvarez, have you arrested Timothy Preman (Defendant's name) in violation of Florida State Statute 316.193?

F. Did this violation occur within the City of Boca Raton, Palm Beach County, Florida? yes

G. Mr./Mrs./Ms. Preman, I am required to inform you these proceedings are being video recorded.

Operator Note: *Video record breath request, breath sample, and interview.*

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II. AT THIS TIME THE ARRESTING OFFICER WILL REQUEST A BREATH SAMPLE.

Note: Read only the paragraph applicable to the type of test you are requesting.

(A.) I am now requesting that you submit to a lawful test of your **BREATH** for the purpose of determining its alcohol content.

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

C. I am now requesting that you submit to a lawful test of your **BLOOD** for the purpose of determining its alcohol content and the presence of chemical or controlled substances.

IMPLIED CONSENT WARNINGS

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 Signature: _____

Note: Also read for CDL holders:

IN ADDITION, your refusal to submit will result in the loss of your commercial privileges for one year from today. If this is your SECOND REFUSAL, you will be permanently disqualified from operating a commercial motor vehicle.

Note: After reading the implied consent warning, the arresting officer must request a breath sample again.

(IF REFUSAL THEN)

At this time Mr./Mrs./Ms. _____ has refused to submit to a breath test.

The date is NOV (month), 30 (day), 2018 (year), and the time is 0214 (AM)/PM.

A refusal form will be completed by the arresting officer.

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BOCA RATON POLICE SERVICES DEPARTMENT

JUVENILE CONSTITUTIONAL WARNINGS

Rights of suspects prior to custodial questioning.
Identify yourself and state:

I am required to warn you before you make any statement that you have the following Constitutional rights:

(1) You have the right to remain silent and not answer any questions. *Tell me in your own words what you think this means.*
(You do not have to talk to me or answer any questions about this offense. You can be quiet if you want.)

(2) Any statement you make must be freely and voluntarily given. *Tell me in your own words what you think this means.*
(If you do talk to me it has to be because you want to and not because anyone is forcing you to speak.)

(3) You have a right to the presence and representation of a lawyer of your choice before you make any statement and during any questioning. *Tell me in your own words what you think this means.*
(You can talk to a lawyer before we ask you any questions and you can have him/her with you now, during our questioning.)

(4) If you cannot afford a lawyer, you are entitled to the presence and representation of a court appointed lawyer before you make any statement and during any questioning. *Tell me in your own words what you think this means*
(If you do not have money for a lawyer and you want one, a lawyer will be given to you for free.)

(5) If at any time during the interview you do not wish to answer any questions, you are privileged to remain silent. *Tell me in your own words what you think this means.*
(If you decide to talk to me then change your mind, you can stop answering my questions at any time.)

(6) I can make no threats or promises to induce you to make a statement. This must be of your own free will. *Tell me in your own words what you think this means*
(I am not allowed to threaten you or make you any promises to get you to talk to me. If you decide to talk, it must be because you want to.)

(7) Any statement can be and will be used against you in a court of law. *Tell me in your own words what you think this means*
(Anything you say to me can and will be told to the judge or a jury in court. A judge is a person who decides if you have done something wrong. Sometimes a group of people called a jury decide this, but the Judge is the person who decides what punishment you get.)

(8) Do you understand these rights as I have read them to you, and do you wish to speak to me?

Signed: _____ Date: _____ Time: _____

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BOCA RATON POLICE SERVICES DEPARTMENT

TESTING FACILITY TASK REPORT

SUBJECT: Timothy William Preman

CASE #: 2018016089 DATE: 11/30/18

BREATH TEST RESULTS

1) TIME _____ AM/PM 2) TIME Refused AM/PM

3) TIME _____ AM/PM 4) TIME _____ AM/PM

BREATH OPERATOR: Deen 768

MAINTENANCE TECHNICIAN: Pace

TESTING OFFICER'S OBSERVATIONS

SPEECH: Slurred, talkative

ATTITUDE: Calm

CLOTHING: Blue Jeans, Gray T-shirt

MEDICAL CONDITION: N/A

OTHER: _____

COMMENTS: _____

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Identify yourself and state:

I am required to warn you before you make any statement that you have the following Constitutional rights:

(1) You have the right to remain silent and not answer any questions.
(2) Any statement you make must be freely and voluntarily given.
(3) You have a right to the presence and representation 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 and representation of a court appointed lawyer before you make any statement 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 be and will be used against you in a court of law.
(8) Do you understand these rights as I have read them to you, and do you wish to speak to me?

Signed: _____ Date: 11/28/18 Time: 2:16 am

QUESTIONS AND ANSWERS

Were you operating a motor vehicle at the time of the accident/stop? _____

Where were you going? _____

What street or highway were you on? _____

Direction of travel? _____

Where did you start driving from? _____

What city (county) were you stopped in? _____

What time did you start? _____ AM/PM What time is it now? _____

What is today's date? _____ What day of the week is it? _____

When did you last eat? _____ What did you eat? _____

What have you been doing the past three hours prior to this stop/accident? _____

How much do you weigh? _____ Have you been drinking? _____ What were you drinking? _____
_____

How much? _____ Where? _____ With whom were you drinking? _____

When did you have your first drink? _____ AM/PM When did you stop drinking? _____ AM/PM

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How did you consume your last two drinks? _____

Are you under the influence of alcohol now? ☐ Yes ☐ No

Can you feel the effects of alcohol? ☐ Yes ☐ No

Have you consumed alcohol since the accident? ☐ Yes ☐ No

Can you feel the effects of alcohol? ☐ Yes ☐ No

Have you consumed alcohol since the accident? ☐ Yes ☐ No How much? _____

What? _____ Where? _____

What line of work are you in? _____

When did you last work? _____

Do you have any physical defects or injuries? ☐ Yes ☐ No If yes, explain:

_____

Are you sick or injured? ☐ Yes ☐ No If yes, explain:

_____

Do you limp? ☐ Yes ☐ No Did you get a bump on the head? ☐ Yes ☐ No

Were you in an accident today? _____

Have you taken any drugs or smoked marijuana today? _____

What? _____ When? _____

Have you seen a doctor or dentist today? ☐ Yes ☐ No Who? _____

Are you taking any prescription medications? ☐ Yes ☐ No What? _____ When? _____

Do you have: Epilepsy? ☐ Yes ☐ No Inner ear trouble? ☐ Yes ☐ No

Glass eye? ☐ Yes ☐ No Ear infection? ☐ Yes ☐ No

False teeth? ☐ Yes ☐ No Diabetes? ☐ Yes ☐ No

Any problems not correctable by glasses or contact lenses? _____

Do you take insulin? ☐ Yes ☐ No If yes, when was your last injection? _____

Have you ever had a driver's license in any other state? _____

I am now ending this video recording. The time is now approximately 0216 AM/PM.

The date is November (month), 30 (day), 2018 (year).

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STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES
AFFIDAVIT OF REFUSAL TO SUBMIT TO
BREATH AND/OR URINE TEST

I, Amanda Alvarez (Name of Officer reading Implied Consent Warning), a duly certified Law Enforcement Officer or Correctional Officer,

am a member of Boca Raton Police Services Department (Name of law enforcement agency), and I do swear

or affirm that on or about the 11 day of 30, 20 18, at 0131 ☐ P.M ☒ A.M.

DRIVER Timothy William Preman,
(Type or Print) FIRST NAME MIDDLE OR MAIDEN NAME LAST NAME

DL# P655819904420, state of Florida, was placed under lawful arrest for

the offense of DUI 316.193(1) by Amanda Alvarez (Name of Arresting Officer) and

issued Citation # A6LQ61E.

That on or about the 11 day of 30, 20 18, at 0214 ☐ P.M ☒ A.M.

in Palm Beach County,

I requested that the driver submit to a ☒ **breath and/or** ☐ **urine** test to determine his or her blood alcohol level and/or the presence of chemical or controlled substances. I informed the driver that the refusal to submit to such test(s) would result in the suspension of his or her driving privilege for a period of one (1) year for a first refusal, or for a period of eighteen (18) months if his or her driving privilege had been previously suspended for refusing to submit to a breath, urine or blood test. I also informed the driver that he or she commits a misdemeanor by refusing to submit to a lawful test as requested above if his or her driving privilege has been previously suspended for refusal to submit to a lawful test of his or her breath, urine, or blood. Additionally, I informed the driver that if he or she holds a CDL, or was operating a CMV, refusal will result in the disqualification of the Commercial Driver's License/driving privilege for a period of one (1) year in the case of a first refusal or permanently if he or she has previously been disqualified as a result of a refusal to submit to any such lawful test. Nonetheless, the driver refused to submit to the test(s) requested.

Signature of Law Enforcement Officer or Correctional Officer

THE AFFIDAVIT MUST BE NOTARIZED OR ATTESTED TO (F.S. 117.10)

The foregoing instrument was sworn and subscribed before me:

Keith Gruber
Signature of Attesting Officer

Title Sgt.

Date 1/30/18

(AFFIX SEAL)

The foregoing instrument was sworn and subscribed before me this ____ day of _____, 20____, by _____, who is personally known to me or who has produced _____ as identification

Notary Public _____

Note: Mail or hand deliver to the designated Bureau of Administrative Reviews office, Department of Highway Safety and Motor Vehicles, with the driver's license, the appropriate copy of the UTC, and the probable cause affidavit.

HSMV-BAR1001 (REV. 10/2016)

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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) [redacted])(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	☐		Other:	
	☐		Other:	

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REVIEW COMPLETED BY

Booking Number: 2018039760	**Date:** 12/01/2018
	Specialist Name/ID: AM/31562