

ARREST / NOTICE TO APPEAR

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

1

JUVENILE

OBTS Number	Agency ORI Number 0500200		Agency Name Boca Raton Police Department		Agency Report Number (N.T.A.'s only) 3 2 2017-017373	
Charge Type: Check as many as apply	<input checked="" type="checkbox"/> 1. Felony	<input type="checkbox"/> 3. Misdemeanor	<input type="checkbox"/> 5. Ordinance	If Weapon Seized Enter Type None/not Applicable		Multiple Clearance Indicator
Location of Arrest (Including Name of Business) 1400 NW 13TH ST			Location of Offense (Business Name, Address) 1400 NW 13TH ST, BOCA RATON, FL 33486			
Date of Arrest 12/18/2017	Time of Arrest 21:34	Booking Date 12/18/2017	Booking Time 22:14	Jail Date	Jail Time	Location of Vehicle EMERALD TOWING

Name (Last, First, Middle) FUCHSBERG, WENDY BETH						Alias (Name, DOB, Soc. Sec. #, Etc.)					
Race W - White B - Black	I - American Indian O - Oriental/Asian	Sex W	Date of Birth 07/18/1977	Height 5'07	Weight 150	Eye Color BROWN	Hair Color BLONDE	Complexion LIGHT	Build Medium	Indication of Alcohol Influence Drug Influence Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unk. <input type="checkbox"/>	
Local Address (Street, Apt. Number) (City) (State) (Zip) 14095 ROYAL VISTA DR 406, DELRAY BEACH, FL 33484						Phone (561) 963-0312		Residence Type: 1. City 3. Florida 2. County 4. Out of State		Address Source FLDL	
Permanent Address (Street, Apt. Number) (City) (State) (Zip) 14095 ROYAL VISTA DR 406, DELRAY BEACH, FL 33484						Phone (561) 963-0312		Occupation N/a			
Business Address (Name, Street) (City) (State) (Zip) UNEMPLOYED, N/A						Phone		Occupation			
D/L Number, State F216882777580 /		Soc. Sec. Number		INS Number		Place of Birth (City, State) NEW YORK CITY, NY,		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)		Business Phone
Notified by: (Name)	Date	Time
Released To: (Name)	Relationship	Date
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.		Grade
<input type="checkbox"/> Yes: <input type="checkbox"/> No:	Property Crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Description 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
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Charge Description DUI	Statute Violation Number 316.193(1)	Violation of ORD #
Drug Activity N	Drug Type /	Amount / Unit /
Offense # 2017-017373	Counts I	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
Charge Description POSSESSION OF SCHEDULE II SUBSTANCE, PEROCET, CONTROLLED SUB	Statute Violation Number 893.13(6A),,,	Violation of ORD #
Drug Activity N	Drug Type /	Amount / Unit /
Offense # 2017-017373	Counts I	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
Charge Description	Statute Violation Number	Violation of ORD #
Drug Activity	Drug Type	Amount / Unit
Offense #	Counts	Domestic Violence
		Bond DEC 19 AM 7:24

Health / Apparent Physical Condition of Defendant FAIR	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"/> Posted Bond	<input type="checkbox"/> Released to Parent/Guardian	<input checked="" type="checkbox"/> T.O.T. County Jail	PROPERTY - Received By GENDEN
<input type="checkbox"/> South County Mental Health	Released By GENDEN	Released To TOT COUNTY	
Transported By	Date Transported	Time Transported	Other

<input type="checkbox"/> INSTRUCTION NO. 1 - Mandatory appearance in court	Location (Court, Room) South County 200 W Atlantic Ave Delray Beach, FL 33444	No Photo Available
<input checked="" type="checkbox"/> INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.	Court Date and Time	
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 COMTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.		2017 DEC 19 AM 5:05 SCANNED
Signature of Defendant (or Juvenile and Parent/Custodian)		

HOLD for Other Agency	Signature of Arresting Officer	Name Verification (Printed by Arrestee)
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal	Name of Arresting Officer (Print) GENDEN, ERIC B.	(PRINT)
<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other	I.D. # 680	
Intake Dept Spann 8/01	Transporting Officer CHLUSWICK	Agency 78T 1009
I.D. #	Pouch #	Witness here if subject signed with me

0494236

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PROBABLE CAUSE AFFIDAVIT

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

1

JUVENILE

A D M I N	OBTS Number		Agency ORI Number FL 0500200		Agency Name BOCA RATON POLICE DEPARTMENT		Agency Report Number 3 2 2017-017373		
	Charge Type: Check as many as apply <input checked="" 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		Special Notes:		
D E F	Name (Last, First, Middle) FUCHSBERG, WENDY BETH						Race W	Sex F	Date of Birth 07/18/1977
	Charge Description 893.13(6A) POSSESSION OF SCHEDULE II SUBSTANCE				Charge Description 316.193(1) DUI				
C H A R G E S	Victim's Name (Last, First, Middle) STATE OF FLORIDA,						Race	Sex	Date of Birth
	Local Address (Street, Apt. Number) 100 NW 2ND AVE, BOCA RATON, FL 33432		(City)	(State)	(Zip)	Phone (561) -	Address Source		
	Business Address (Name, Street)		(City)	(State)	(Zip)	Phone (56) -	Occupation		
V I C T I M	<p>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.</p> <p>The Person taken into custody...</p> <p><input checked="" type="checkbox"/> committed the below acts in my presence. <input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.</p> <p><input type="checkbox"/> confessed to _____ admitting to the below facts. <input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.</p> <p>On the 18 day of December, 2017 at 20:58 (Specifically include facts constituting cause for arrest.)</p>								
	<p>On 12/18/2017 at 2058 hours, I responded to 1400 NW 13th St., Boca Raton, FL in reference to a DUI investigation. Upon arrival, I met with Lt. Flynn and he advised W/F Wendy Fuchsberg was driving her 2013 Toyota bearing FL tag #HBGS60 on the wrong side of the roadway. See Lt. Flynn's probable cause supplement for further information. Once I made contact with Wendy she appeared lethargic and she was slurring her speech. Wendy's eyes were glassy and bloodshot. She appeared to be sweating and her makeup was running down her face. Wendy displayed a drunk like behavior and her eyes were droopy (ptosis). Wendy's eyes were dilated and she was "on the nod." Lastly, her reflexes were depressed and her speech was low, raspy and slow.</p> <p>Wendy advised she has some medical issues with her back and she takes prescription medications. She also told me she recently took a Xanax and she took dilaudid three days ago. It should be noted Wendy had numerous prescription pill bottles in her possession. These prescriptions include Soma 350mg, Olanzapine 10mg, Lexapro 20mg, Alprazolam 2mg, Diazepam 2mg and Gabapentin 400mg.</p> <p>I asked Wendy if she would perform some roadside exercises and she said yes. First, I asked Wendy to conduct the Walk and Turn exercise and she advised she understood my instructions. Wendy did not remain in the starting position and she started too soon. Wendy had difficulties balancing on the straight white line. Wendy took eight steps forward and ten steps back. Lastly, she made an improper turn.</p> <p>Next, Wendy conducted the Rhomberg alphabet and she advised she understood my instructions. Wendy was swaying during this exercise.</p> <p>Next, Wendy conducted the Horizontal Gaze Nystagmus Exercise. She displayed a lack of smooth pursuit in the right and left eye. She also displayed a distinct nystagmus at maximum deviation and an onset of nystagmus prior to forty five degrees in the right and</p>								
P R O B A B L E	SWORN AND SUBSCRIBED BEFORE ME								
	VAZQUEZ-BELLO, YVETTE D NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 17.10) 12/18/2017 DATE				SIGNATURE OF ARRESTING / INVESTIGATING OFFICER  GENDEN, ERIC BRADLEY (680) NAME OF OFFICER (PLEASE PRINT) 12/18/2017 DATE				
C A U S E	PAGE 1 OF 2								
	SCANNED DEC 19 2017 P. I. O.								

PROBABLE-CAUSE AFFIDAVIT
SUPPLEMENT

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

1 JUVENILE

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Name (Last, First, Middle) FUCHSBERG, WENDY BETH			Alias	Race W
			Sex F	Date of Birth 07/18/1977

left eyes. Wendy also displayed a lack of convergence in her right eye. It should be noted that Wendy's eyes were dilated which in my opinion were a result of anti depressants and Soma

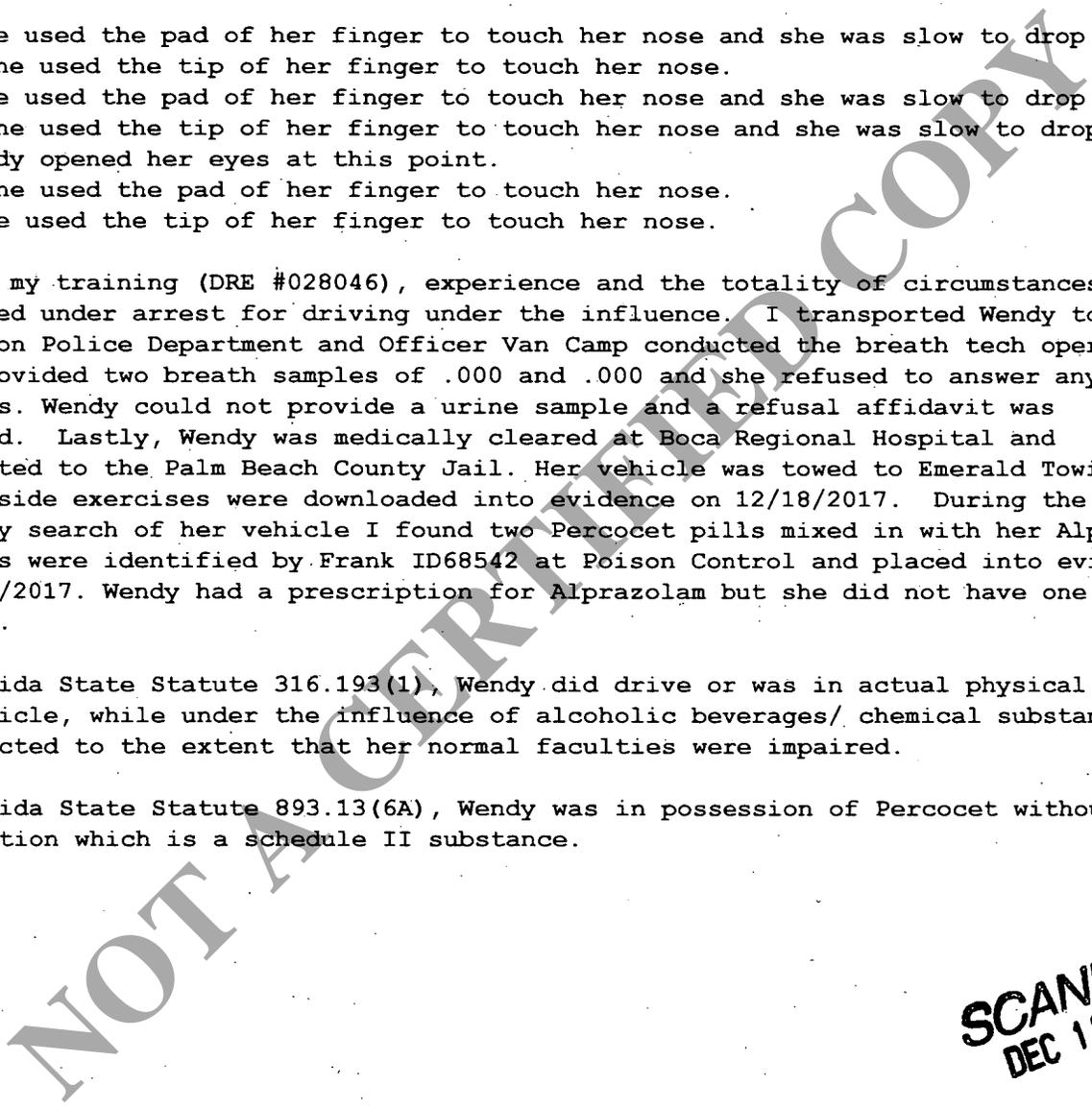
Next, I asked Wendy to conduct the finger to nose exercise and she advised she understood my instructions. Wendy performed the exercise with the following results:

Left- She used the pad of her finger to touch her nose and she was slow to drop her arm.
 Right- She used the tip of her finger to touch her nose.
 Left- She used the pad of her finger to touch her nose and she was slow to drop her arm.
 Right- She used the tip of her finger to touch her nose and she was slow to drop her arm. Wendy opened her eyes at this point.
 Right- She used the pad of her finger to touch her nose.
 Left- She used the tip of her finger to touch her nose.

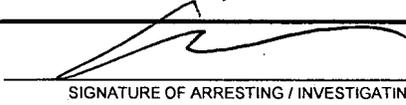
Based on my training (DRE #028046), experience and the totality of circumstances, Wendy was placed under arrest for driving under the influence. I transported Wendy to the Boca Raton Police Department and Officer Van Camp conducted the breath tech operation. Wendy provided two breath samples of .000 and .000 and she refused to answer any further questions. Wendy could not provide a urine sample and a refusal affidavit was completed. Lastly, Wendy was medically cleared at Boca Regional Hospital and transported to the Palm Beach County Jail. Her vehicle was towed to Emerald Towing and the roadside exercises were downloaded into evidence on 12/18/2017. During the inventory search of her vehicle I found two Percocet pills mixed in with her Alprazolam. The pills were identified by Frank ID68542 at Poison Control and placed into evidence on 12/18/2017. Wendy had a prescription for Alprazolam but she did not have one for the Percocet.

Per Florida State Statute 316.193(1), Wendy did drive or was in actual physical control of a vehicle, while under the influence of alcoholic beverages/ chemical substances and was affected to the extent that her normal faculties were impaired.

Per Florida State Statute 893.13(6A), Wendy was in possession of Percocet without a prescription which is a schedule II substance.



SCANNED
DEC 19 2017

SWORN AND SUBSCRIBED BEFORE ME VAZQUEZ-BELLO, YVETTE D NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) 12/18/2017 DATE	 SIGNATURE OF ARRESTING / INVESTIGATING OFFICER GENDEN, ERIC BRADLEY (680) NAME OF OFFICER (PLEASE PRINT) 12/18/2017 DATE	PAGE 2 OF 2
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