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NH
ARREST NOTICE TO APPEAR

1809 92023 692

ADMINISTRATIVE	ORIS Number	Agency ORI Number 0500200		Agency Name Boca Raton Police Department		Agency Report Number (N.T.A.'s only) 3, 2 2018-007167		1 Arrest 2 N.T.A. 3 Request for Warrant 4 Request for Capias 1	JUVENILE		
	Charge Type Check as many as apply <input 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		If Weapon Seized Enter Type: None/not Applicable		Multiple Clearance Indicator			
	Location of Arrest (Including Name of Business) 800 MEADOWS ROAD				Location of Offense (Business Name, Address) 799 W YAMATO RD, BOCA RATON, FL 33431						
	Date of Arrest 05/24/2018	Time of Arrest 13:44	Booking Date 05/24/2018	Booking Time 16:22	Jail Date	Jail Time	Location of Vehicle EMERALD				
	Name (Last, First, Middle) GARRETT, WILTON				Alias (Name, DOB, Sex, etc. if any)						
	Race W - White B - Black O - Oriental/Asian W	Sex M	Date of Birth 08/03/1979	Height 5'09	Weight 160	Eye Color BROWN	Hair Color BLACK	Complexion MEDIUM	Build 164		
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)				Marital Status M	Religion NONE	Indication of Alcohol Influence Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unk. <input type="checkbox"/>				
	Local Address (Street, Apt. Number) 3259 CLINT MOORE RD 104, BOCA RATON, FL 33496				(City)	(State)	(Zip)	Phone			
	Permanent Address (Street, Apt. Number) 3259 CLINT MOORE RD 104, BOCA RATON, FL 33496				(City)	(State)	(Zip)	Phone			
	Business Address (Name, Street) NONE				(City)	(State)	(Zip)	Phone			
D/L Number, State NO FL DL/		Lic. Sec. Number		DNS Number		Place of Birth (City, State) OUT OF STATE, BR.		Citizenship BZ			
Co-Defendant Name (Last, First, Middle)				Race	Sex	Date of Birth		<input type="checkbox"/> 1 Arrested <input type="checkbox"/> 2 At Large <input type="checkbox"/> 3 Felony <input type="checkbox"/> 4 Misdemeanor <input type="checkbox"/> 5 Juvenile			
Co-Defendant Name (Last, First, Middle)				Race	Sex	Date of Birth		<input type="checkbox"/> 1 Arrested <input type="checkbox"/> 2 At Large <input type="checkbox"/> 3 Felony <input type="checkbox"/> 4 Misdemeanor <input type="checkbox"/> 5 Juvenile			
Name (Last, First, Middle)				Relationship				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 IAC 3 Incarcerated					
Released To (Name)				Date	Time						
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.				School Attended		Grade					
<input type="checkbox"/> Yes, by <input type="checkbox"/> No				Property Crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Description of Property		Value of Property			
Drug Activity N N/A P Possess		S Sell B Buy T Traffic	R Seizure 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/Opium Deriv	P Pharmaceutical/ Equipment S Synthetic	U Unknown Z Other
Charge Description DL - NO DRIVERS LICENSE						State Violation Number 322.03(1)		Violation of ORD #			
Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Warrant / Capias Number		Bond			
Charge Description DUI - PROPERTY DAMAGE/ INJURY TO PROPERTY OR PERSON ENHANCED						State Violation Number 316.193(3C1)		Violation of ORD #			
Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Warrant / Capias Number		Bond			
Charge Description						State Violation Number		Violation of ORD #			
Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Warrant / Capias Number		Bond			
Health / Apparent Physical Condition of Defendant FAIR						Any knowledge of the following Explain <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"/> Returned to Parent/Guardian <input type="checkbox"/> South County Mental Health <input checked="" type="checkbox"/> TOT County Jail				PROPERTY - Recovered By DEARMAS		Released By DEARMAS		Released To DEARMAS			
Transported By DEARMAS				Date Transported 05/24/2018	Time Transported 00:00	Other					
<input checked="" type="checkbox"/> INSTRUCTION NO. 1 - Mandatory appearance in court <input type="checkbox"/> 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				No Photo Available			
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				Court Date and Time 06/18/2018 08:30:00							
Signature of Defendant (or Juvenile and Parent/Custodian)				Date Signed				PAGE 1 OF 1			
HOLD for Other Agency		Signature of Arresting Officer		Name Verification (Printed by Arrestee)							
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suspect		<input type="checkbox"/> Released Arrest <input type="checkbox"/> Other		Name of Arresting Officer (Print) GENDEN, E. B.		ID # 680					
ID # 05 (Carmie 809)		Pouch #		Transporting Officer DEARMAS		ID # 790					
				Agency BRPD		Witness here if subject signed with an "X"					

2018 MAY 25 AM 11:00

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PROBABLE CAUSE AFFIDAVIT

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

1 JUVENILE

Agency ORI Number: **FL 0500200** Agency Name: **BOCA RATON POLICE DEPARTMENT** Agency Report Number: **3 | 2 | 2018-007167**

Charge Type: 1 Felony 2 Traffic Felony 3 Misdemeanor 4 Traffic Misdemeanor 5 Ordinance 6 Other

Name (Last, First, Middle): **GARRETT, WILTON M** Race: **W** Sex: **M** Date of Birth: **08/03/1979**

Charge Description: **316.193(3C1) DUI- PROPERTY DAMAGE/ INJURY TO PROPERTY** Charge Description: **322.03(1) DL - NO DRIVERS LICENSE**

Victim's Name (Last, First, Middle): **STATE OF FLORIDA,** Race: Address Source: **(561) -**

Local Address (Street, Apt Number): **100 NW 2ND AVE, BOCA RATON, FL 33432** Phone: **(56) -** Address Source: Occupation:

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. was observed by _____ who told _____ that he/she saw the arrested person commit the below acts admitting to the below facts was found to have committed the below acts, resulting from my (described) investigation

On the **24** day of **May**, **2018** at **12:18** (Specifically include facts constituting cause for arrest)

On 05/24/2018 at 1218 hours, I responded to 799 W Yamato Road, Boca Raton, FL in reference to a DUI investigation. Upon arrival, I met with CSO Ganthier and he advised W/M Wilton Garrett was involved in a three car accident and he was in actual physical control of his 2007 Jeep Liberty bearing FL Tag #JRFB55. B/M Fred Jean Juste, B/F Gale Scott and Medic 7 observed Wilton in actual physical control of his vehicle. Gale advised in a sworn written witness statement that she observed the Jeep cut her off and nearly hit another car. Next, she observed the Jeep crash into two vehicles and a pole. Fred advised in a sworn written witness statement that the Jeep hit his vehicle, a dump truck and a pole. Fred advised he went to check on Wilton to see if was okay and he threw a bottle away. The wine bottle was later found in the grass near the Jeep and photos were submitted into evidence. CSO Ganthier advised Wilton's speech was slurred and he was not paying attention. Lastly, CSO Ganthier advised Wilton was sleepy and had difficulties concentrating. At this point Wilton was transported to Boca Raton Regional Hospital and I followed Medic 7 in a marked Boca Raton Police vehicle (#177). It should be noted I observed numerous bottles of Livingston wine that were open and on the passenger floorboard. There was wine that appeared to spill on the passenger seat and I could smell it emanating from the vehicle.

CSO Ganthier advised his accident investigation was completed and Officer Ruiz read Wilton his constitutional rights in English and Spanish. I could smell a strong alcoholic beverage smell emanating from Wilton's breath. He displayed a drunk like behavior and his eyes were glassy/ bloodshot. Wilton was lethargic and his teeth were dark red. Wilton advised he understood his rights and he was willing to conduct roadside exercises. Wilton told Officer Ruiz he was involved in a crash today and he drank one alcoholic beverage. Wilton advised he has no medical conditions. Due to Wilton's level of impairment and after speaking with the medical staff it was decided that it would be best for Wilton's safety if he remained in his hospital bed during the exercises.

SWORN AND SUBSCRIBED BEFORE ME

GRAHAM, KEITH #179
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F S S 117.10)
DATE: **05/24/2018**

GENDEN, ERIC BRADLEY (680)
SIGNATURE OF ARRESTING / INVESTIGATING OFFICER
NAME OF OFFICER (PLEASE PRINT)
DATE: **05/24/2018**

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PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

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

1 JUVENILE

Agency ORI Number FL 0500200	Agency Name BOCA RATON POLICE DEPARTMENT	Agency Report Number 3 2 2018-007167
Charge Type Check as many as apply <input 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	
Name (Last, First, Middle) GARRETT, WILTON M	Race W	Sex M
		Date of Birth 08/03/1979

First, Wilton conducted the Horizontal Gaze Nystagmus Exercise and he advised he understood Officer Ruiz's instructions. Wilton remained in the bed with his back raised. Wilton did not keep his head still as instructed. He displayed a lack of smooth pursuit in the right and left eye. He also displayed a distinct nystagmus at maximum deviation and an onset of nystagmus prior to forty five degrees in the right and left eyes. Wilton's right eye failed to converge in a normal manner.

Lastly, Officer Ruiz asked Wilton to conduct the finger to nose exercise and he advised he understood his instructions. Wilton performed the exercise with the following results:

Left- He used two fingers to touch the pad of his nose.
 Right- He used two fingers to touch the pad of his nose.
 Left- He used two fingers to touch the pad of his nose.
 Right- He used two fingers to touch the pad of his nose.
 Right- He used two fingers to touch the pad of his nose.
 Left- He used two fingers to touch the pad of his nose.

Based on my training (DRE #028046), experience and the totality of circumstances, Wilton was placed under arrest for driving under the influence. Officer Ruiz requested Wilton to submit to lawful blood test and he said yes. Lab Phlebotomist Deandra Clarke retrieved two blood samples which were sealed and submitted into evidence for testing on 05/24/2018. Wilton was later medically cleared and transported to the Boca Raton Police Department by Officer Rute. Next, Wilton was turned over to the Palm Beach County Jail and the vehicle he was driving was towed to Emerald Towing. The video of the incident was downloaded into evidence on 05/24/2018.

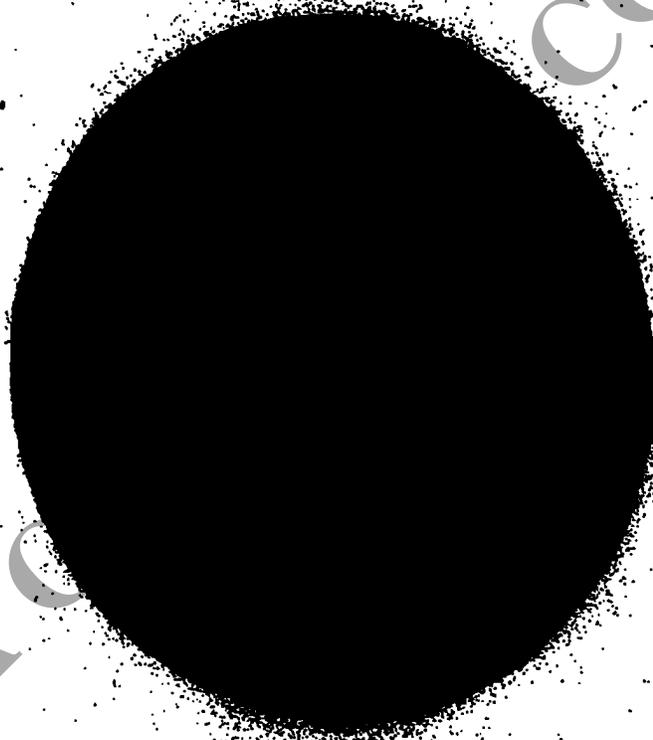
Per Florida State Statute 316.193(3C1), Wilton did drive or was in actual physical control of a vehicle, while under the influence of alcoholic beverages/ chemical substances and was affected to the extent that her normal faculties were impaired causing property damage/ minor injury.

Per Florida State Statute 322.03(1), a person may not drive any motor vehicle upon a highway in this state unless such person has a valid driver license issued.

SWORN AND SUBSCRIBED BEFORE ME	SIGNATURE OF ARRESTING / INVESTIGATING OFFICER
GRAHAM, KEITH T NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)	GENDEN, ERIC BRADLEY (680) NAME OF OFFICER (PLEASE PRINT)
05/24/2018 DATE	05/24/2018 DATE
	PAGE 2 of 2

2018-7167

D. U. I. INFLUENCE REPORT



NOT A COPY

**Boca Raton Police Services Department
100 Northwest Second Avenue
Boca Raton, Florida 33432**

WITNESS LIST

ARRESTING OFFICER: Garden

Name: CSO Gauthier Phone # Home _____ Work 3381234

Address: 100 NW 2nd Ave

Can testify to: See PC

Name: OKL Ruiz Phone # Home _____ Work _____

Address: _____

Can testify to: see PC

Name: _____ Phone # Home _____ Work _____

Address: _____

Can testify to: _____

Name: _____ Phone # Home _____ Work _____

Address: _____

Can testify to: _____

Name: _____ Phone # Home _____ Work _____

Address: _____

Can testify to: _____

Name: _____ Phone # Home _____ Work _____

Address: _____

Can testify to: _____

Name: _____ Phone # Home _____ Work _____

Address: _____

Can testify to: _____

NOT A CERTIFIED COPY

BOCA RATON POLICE DEPARTMENT

Agency Case# 18-7167

PART II D.U.I. REPORT
To be filled out at testing facility

I. INTRODUCTION (Instrument Operator faces video camera)

A. The day is: Thursday, May, 24, 2018
(day) (month) (date) (year)

B. The time is now approximately 1:31 AM/PM

C. The following is in reference to case number 18-7167

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

E. Officer Genden Have you arrested Wilson Garrett
(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?

G. Mr. Garrett, I am required to
inform you these proceedings are being video taped.

Operator Note: Video tape breath request, breath sample, and interview.

BOCA RATON POLICE DEPARTMENT

Agency Case # 18-7167

H. 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.

2. 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: _____

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.

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 _____ (Month) _____ (Day) _____ (Year) and the time _____ AM/PM

A refusal form will be completed by the arresting officer.

BOCA RATON POLICE DEPARTMENT
TESTING FACILITY TASK REPORT

SUBJECT: _____

CASE #: _____ DATE: _____

BREATH TESTS RESULTS

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

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

BREATH OPERATOR: _____

MAINTENANCE TECHNICIAN: _____

TESTING OFFICER'S OBSERVATIONS

SPEECH: _____

ATTITUDE: _____

CLOTHING: _____

MEDICAL CONDITION: _____

OTHER: _____

COMMENTS: _____

Blood withdraw