USO3292

NH

194

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

OBTS Number

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

Juvenile: N

ADMINISTRATIVE

Agency ORI Number: FLO 502600

Agency Name: PALM BEACH GARDENS POLICE DEPARTMENT

Agency Report Number (N.T.A.'s only): 78- 18007152

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): 3111 PGA Boulevard, Palm Beach Gardens, FL 33410

Location of Offense (Business Name, Address): 3111 PGA Boulevard, Palm Beach Gardens, FL 33410

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
11/23/2018	20:12					KAUFF'S TOWING & RECOVERY 4301 East Avenue, West Palm Beach, FL 33405

DEFENDANT

Name (Last, First, Middle): Fazzina, Yadwiga,

Alias (Name, DOB, Soc. Sec. #, Etc.): N/A

Race (W - White I - American Indian B - Black 0- Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	F	02/15/1951	503	120	GRN	WHITE	LGT	SMALL

Scars, Marks, Tatoos, Unique Physcal Features (Location, Type, Description): NONE

Marital Status: Divorced

Religion: CHRISTIAN

Indication of: Alcohol Influence (Y ☑ N ☐ Unk. ☐) Drug Influence (Y ☐ N ☐ Unk. ☑)

Local Address (Street, Apt. Number) (City) (State) (Zip): 1200 Town Center Drive #207, Jupiter, FL 33458

Phone: (425) 466-0299

Residence Type: 1. City 2. County 3. Florida 4. Out of State: 2

Permanent Address (Street, Apt. Number) (City) (State) (Zip): 1200 Town Center Drive #207, Jupiter, FL 33458

Phone: ( )

Address Source: FL Driver's License

Business Address (Name, Street) (City) (State) (Zip):

Phone: ( )

Occupation: Retired

D/L Number, State: F250960515550 FL

Soc. Sec. Number: [redacted]

INS Number:

Place of Birth (City, State): Nadlolu, Poland

Citizenship: USA

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 D. Deliver E. Use R. Smuggle 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. Synthetics U. Unknown Z. Other

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
DUI - Property Damage	6	☐Y ☒N	316.193(3)(c)(1)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
N	N	N/A	1		

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
Leaving Scene of Crash w/Out Giving Information	6	☐Y ☒N	316.061(1)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
N	N	N/A	2		

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
DUI - Enhancement Above .15	1	☐Y ☒N	316.193(4)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
N	N	N/A	3		

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 DECEMBER Day 26 Year 2018 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

Yadwiga Fazzina — 11/23/2018

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

ADMIN

HOLD for other Agency Name.

☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other:

Intake Deputy I.D. # Pouch #: SMNN 8101

Signature of Arresting Officer: #471

Name of Arresting Officer (Print) I.D. #: Ofc. Cameron Carver #471

Transporting Officer ID # Agency: Ofc. C. Carver #471 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 (N.T.A.'s ONLY)

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2018 NOV 27 PM 2:20 PALM BEACH COUNTY FL CLERK & COMPTROLLER CRIMINAL DIVISION

SCANNED NOV 26 2018

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 23 DAY OF November 20 2018, AT 18:55 AM ✓ PM

SUBJECT: Fazzina, Yadwiga, CASE NUMBER: 18007152

AGENCY: PALM BEACH GARDENS POLICE DEPT. ARRESTING OFFICER: Ofc. Cameron Carver #471

PERSONAL CONTACT

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

I made contact with the Gardens Mall Security Officer Aaron James who provided a sworn-oral statement advising the following: James was on bike patrol and heard a "crash" and rode over to the area of the crash. While enroute, James saw the red Lexus driving and heard another "crash." James got behind the Lexus and saw it driving away from another vehicle and saw damage to that vehicle consistent with being hit by the Lexus. James followed the vehicle until it was stopped by other Security units. James stated Fazzina was the driver of the Lexus he was following. Security advised they captured Fazzina's driving and collisions on surveillance footage and will be uploaded to Evidence.com when it is available.

OBSERVATION OF DRIVER:

The Lexus was parked along the curb next to Nordstrom. Upon approach to the Lexus, I observed a white female, later identified via Florida driver's license as Yadwiga Fazzina sitting in the driver's seat and the sole occupant of the Lexus. I observed the Lexus interior to be clean and well kept. I requested Fazzina to hand me her car keys, which she had difficulty locating. The keys were eventually found in the front passenger seat. Fazina stated she was unaware and denied her vehicle was involved in a motor vehicle crash. Fazzina stumbled around as she walked around her vehicle and needed to be escorted for her safety. Fazzina reacted in a hysterical state as she saw the damage to her left front fender and bumper, right front fender and rear bumper. Fazzina began to cry and wail.

DRIVER'S STATEMENTS:

During my interaction with Fazzina, she spoke with an accent, however slurred her speech and had a strong odor of the impurities of an alcoholic beverage emitting from her breath. Admitted to drinking at a restaurant, however does not know which one.

ODORS:

Strong odor of the impurities of an alcoholic beverage emitting from her breath.

GENERAL OBSERVATIONS

SPEECH: **Slurred, soft, annoyed.**

ATTITUDE: **Calm, Angered, Annoyed, Delirious, Belligerent, Resistant**

CLOTHING: **Red Blouse, White Shorts, Blue Shoes**

MEDICAL/OTHER: **Medication (unknown type) for Thyroid.**

STATE OF FLORIDA
COUNTY OF PALM BEACH

#471
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 24 day of November 20 2018 by Ofc. Cameron Carver

(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)

JAMES G. BIGGS
Commission # GG 165618
Expires December 5, 2021
Bonded Thru Troy Fain Insurance 800-385-701

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SUBJECT: Fazzina, Yadwiga, CASE NUMBER 18007152

ROADSIDE TASKS

HORIZONTAL GAZE NYSTAGMUS:

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

Other Observations:

I attempted to conduct the "lighted pen exercise," however while trying to get her into the proper stance she continued to fidget and move, making it impossible to perform the task. After numerous attempts to get her to comply the task was abandoned.

WALK & TURN:

I attempted to perform the task, however Fazzina struggled greatly in getting her left foot on the line and putting her right foot in front of her left. Fazzina constantly moved and had to widen her stance to maintain balance. Officer Slaughter repeatedly extended a hand to prevent Fazzina from falling onto the ground. After attempting to explain to Fazzina on how to stand to begin the instructions multiple times, due to her level of impairment and out of concern she would not be able to perform the task without injury, the task was abandoned.

ONE LEG STAND:

Due to Fazzina's inability to conduct the previous two tasks and out of concern she would not be able to perform the task without injury, the task was abandoned.

ROMBERG ALPHABET:

Task not performed.

FINGER TO NOSE:

Task not performed.

BREATH TEST RESULTS: .177 VNM .204 .191

STATE OF FLORIDA
COUNTY OF PALM BEACH

#471
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 24 day of November 20 2018 by Ofc. Cameron Carver

(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)

JAMES G. BIGGS
Commission # GG 165618
Expires December 5, 2021
Bonded Thru Troy Fain Insurance 800-385-7019

NOT A CERTIFIED COPY

WITNESS LIST

CASE NUMBER: 18007152

ARRESTING OFFICER: Ofc. Cameron Carver

ADDRESS: 10500 N. Military Trail, Palm Beach Gardens, FL 33410

PHONE NUMBERS (HOME): N/A (WORK) (561) 799-4445

CAN TESTIFY TO: Facts of Case

NAME: Officer Kristin Slaughter #500

ADDRESS: 10500 N. Military Trail, Palm Beach Gardens, FL 33410

PHONE NUMBERS (HOME) N/A (WORK) (561) 799-4445

CAN TESTIFY TO: Traffic Crash Investigation / Scene Safety

NAME: Officer Tim Lawrence #284

ADDRESS 10500 N. Military Trail, Palm Beach Gardens, FL 33410

PHONE NUMBERS (HOME) N/A (WORK) (561) 799-4445

CAN TESTIFY TO: Scene Safety

NAME: Aaron Mark James

ADDRESS 3101 PGA Boulevard, Palm Beach Gardens, FL 33410

PHONE NUMBERS (HOME) 561-339-1898 (WORK)

CAN TESTIFY TO: Wheel-Witness

NAME: Refer to Crash Report

ADDRESS

PHONE NUMBERS (HOME) (WORK)

CAN TESTIFY TO:

NAME:

ADDRESS

PHONE NUMBERS (HOME) (WORK)

CAN TESTIFY TO:

NAME:

ADDRESS

PHONE NUMBERS (HOME) (WORK)

CAN TESTIFY TO:

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PHONE NUMBERS (HOME) (WORK)

CAN TESTIFY TO:

NAME:

ADDRESS

PHONE NUMBERS (HOME) (WORK)

CAN TESTIFY TO:

NOT A CERTIFIED COPY

SUBJECT: FACCIA, YADWIGA 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 _____ 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'S SIGNATURE: (X) Refused to Comply

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.

SUSPECT'S SIGNATURE: (X) Refused to Comply

NOT A CERTIFIED COPY

SUBJECT: FAZZIM, YAHWIGA 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? Witness of it

WHERE WERE YOU GOING? Going Home to Jupiter from the Palm Beach Gardens Mall

WHAT STREET OR HIGHWAY WERE YOU ON? Parking lot onto the main Road towards Jupiter

DIRECTION OF TRAVEL? No WHERE DID YOU START? Gardens Mall

WHAT TIME DID YOU START? 5:00pm WHAT TIME IS IT NOW? Unknown

WHAT IS TODAY'S DATE? Nov 23 16 WHAT DAY OF THE WEEK IS IT? Friday

WHAT COUNTY AND CITY ARE YOU IN NOW? Palm Beach Gardens, We're Palm Beach County

WHEN DID YOU LAST EAT? 12:00-12:30 11/16 WHAT DID YOU EAT? Steak Mc[illegible], Veg.

WHAT HAVE YOU BEEN DOING FOR THE LAST THREE HOURS? Driving, [illegible]

HOW MUCH DO YOU WEIGH? _____ HAVE YOU BEEN DRINKING? Yes WHAT? Redbull

HOW MUCH? 3 WHERE? Unknown Rd. WITH WHOM? Univision Guy

WHEN DID YOU HAVE YOUR FIRST DRINK? _____ AND YOUR LAST DRINK? _____

HOW DID YOU CONSUME YOUR LAST TWO DRINKS? Sipped.

CAN YOU FEEL THE EFFECTS OF THE ALCOHOL? No ARE YOU UNDER THE INFLUENCE? NO

HAVE YOU CONSUMED ANY ALCOHOL SINCE THE ACCIDENT? No HOW MUCH? /

WHAT? / WHERE? / WHEN? /

WHAT LINE OF WORK ARE YOU IN? Retired WHEN DID YOU LAST WORK? /

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? No

WERE YOU IN AN ACCIDENT TODAY? Yes

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? Yes WHAT? Unknown Name Tylenol WHEN? Morning

DO YOU HAVE:
- EPILEPSY? _____
- GLASS EYE? _____
- FALSE TEETH? _____
- EAR INFECTION? _____
- INNER EAR TROUBLE? NO /
- DIABETES? _____

DO YOU HAVE ANY PROBLEMS WITH YOUR EYES THAT ARE NOT CORRECTED BY GLASSES? NO

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

HAVE YOU EVER HAD A DRIVER'S LICENSE IN ANY OTHER STATE? Yes WHERE? Washington State

INTERVIEWER: Ofc. Cameron Carver

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