

0508544

11/2/360

2718

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

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

ADMINISTRATIVE	OBTS Number		Agency ORI Number FLO 50000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number (N.T.A.'s only) 06-21-143104		
	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		Weapon Seized / Type 2 1. Yes 2. No		
	Location of Arrest (Including Name of Business) SR 7 EXTENSION AND OKEECHOBEE BV ROYAL PALM BCH FL		Location of Offense (Business Name, Address) SR 7 EXTENSION AND OKEECHOBEE BV, ROYAL PALM BEACH FL 33414						Multiple Clearance Indicator 1
DEFENDANT	Date of Arrest 12/29/2021	Time of Arrest 2328	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle PANTHER TOWING		
	Name (Last, First, Middle) JIMENEZ, MARK, ANTHONY		Alias (Name, DOB, Soc. Sec. #, Etc.)						
	Race W - White I - American Indian B - Black O - Oriental/Asian	Sex M	Date of Birth 4/29/1961	Height 509	Weight 190	Eye Color GREEN	Hair Color BRO	Complexion MED	Build MED
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) NONE		Marital Status		Religion		Indication of Alcohol Influence 1. City 2. County 3. Florida 4. Out of State <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Unk			
Local Address (Street, Apt. Number) 173 BERENGER WALK, ROYAL PALM BEACH FL 33414		(City)	(State)	(Zip)	Phone (561) 929 1500		Residence Type 1. City 2. County 3. Florida 4. Out of State 1		
Permanent Address (Street, Apt. Number)		(City)	(State)	(Zip)	Phone		Address Source DEFENDANT		
Business Address (Name, Street) 125 SOUTH SR 7 SUITE 104195 ROYAL PALM BEACH FL 33414		(City)	(State)	(Zip)	Phone (561) 929 1500		Occupation BUSINESSOWNER		
D/L Number, State J552541611490,		Soc. Sec. Number		INS Number		Place of Birth (City, State) SUSANVILLE CA		Citizenship US	
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		
<input type="checkbox"/> Parent Name (Last) (First) (Middle)		Residence Phone		<input type="checkbox"/> Legal Custodian		<input type="checkbox"/> Other			
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 <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 (Phone 355-2528) informed of any change of address. <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No: (Reason)				School Attended		Grade			
Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No		Description of Property		Value of Property					
Drug Activity N. N/A P. Possess		S. Sell 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/Dev.		P. Paraphernalia/ Equipment S. Synthetics		U. Unknown Z. Other			
Charge Description DUI		Counts 1	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number 316.193(1)A		Violation of ORD #			
Drug Activity N	Drug Type N	Amount / Unit N/A	Offense # 21-143104	Warrant / Capias Number		Bond			
Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number		Violation of ORD #			
Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number		Bond			
Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number		Violation of ORD #			
Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number		Bond			
Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Statute Violation Number		Violation of ORD #			
Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number		Bond			
Location (Court, Room Number, Address) 3228 GUN CLUB RD WEST PALM BEACH FL 33406									
Court Date and Time Month JANUARY Day 20 Year 2022 Time 0800 AM <input checked="" type="checkbox"/> 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.									
Signature of Defendant or Juvenile and Parent / Custodian						Date Signed 12/29/2021			
HOLD for other Agency Name:		Signature of Arresting Officer		Name Verification (Printed by Arrestee)					
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal		<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other		Name of Arresting Officer (Print) INV E. K. WHITE		I.D. # 7209		PAGE	
Transporting Officer INV E. K. WHITE		ID # 7209		Agency PBSO		Witness here if subject signed with an "X"			

OBTS Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest	3. Request for Warrant	Juvenile
Agency ORI Number ELO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		2. N.T.A.	4. Request for [unclear]	
Charge Type: Check as many as apply		Agency Report Number 06-21-143104		Special Notes 21-143104		
<input type="checkbox"/> 1. Felony		<input type="checkbox"/> 3. Misdemeanor		<input type="checkbox"/> 5. Ordinance		
<input type="checkbox"/> 2. Traffic Felony		<input type="checkbox"/> 4. Traffic Misdemeanor		<input type="checkbox"/> 6. Other		
Name (Last, First, Middle) Jimenez Mark Anthony				Alias	Race w	Sex m
Date of Birth 04/29/1961						
Charge Description DUI		Charge Description 316.193				
Charge Description		Charge Description				
Victim's Name (Last, First, Middle) STATE OF FLORIDA				Race	Sex	Date of Birth
Local Address (Street, Apt. Number)		(City)	(State)	(zip)	Phone	Address Source
Business Address (Name, Street)		(City)	(State)	(zip)	Phone	Occupation
<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. The Person taken into custody</p> <p><input 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 29 day of DECEMBER, 2021 at _____ <input type="checkbox"/> A. M. <input checked="" type="checkbox"/> P. M. (Specifically include facts constituting cause for arrest.)</p> <p>On Wednesday December 29, 2021 I responded to a minor vehicle crash located on the State Road 7 Extension and Okeechobee Blvd. Upon arrival met with the parties involved in the crash. I spoke with the driver of vehicle one to get his account of the crash. As I was speaking with him, I noticed an odor of an unknown alcoholic beverage coming from his person and breath he was also unsteady on his feet when he exited the car and when he exited he had to hold onto the vehicle to steady himself. I also noticed that he had watery eyes. based on the facts and my training and experience, I believe the driver of vehicle one who was identified via his issued FLDL as Mark Jimenez.</p> <p>Based on all these facts presented, I called for a DUI Investigator to respond and conduct an investigation for Driving under the Influence. DUI Investigator White responded to conduct the investigation.</p>						
<p>NOT A CERTIFICATE</p>						
<p>STATE OF FLORIDA COUNTY OF PALM BEACH</p> <p><i>[Signature]</i> DS MCMAHON (ID#) 6149</p> <p>Signature of Arresting/Investigative Officer</p> <p>The foregoing instrument was sworn to or affirmed and subscribed before me this 29 day of DECEMBER, 2021 by DS MCMAHON 6149</p> <p>(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced KNOWN</p> <p>Notary Public, Clerk of Court, Officer (F.S.S. 117.10) <i>[Signature]</i> 7299</p>						
						PAGE OF

ADMIN Agency ORI Number **FLO 500000** Agency Name **PALM BEACH COUNTY SHERIFF'S OFFICE** Agency Report Number **06-21-143104**

Charge Type: Check as many as apply. 1. Felony 3. Misdemeanor 5. Ordinance 2. Traffic Felony 4. Traffic Misdemeanor 6. Other _____ Special Notes _____

DEF Name (Last, First, Middle) **JIMENEZ, MARK, ANTHONY** Alias _____ Race **W** Sex **M** Date of Birth **4/29/1961**

CHARGES Charge Description **DUI** Charge Description **316.193(1)A**

VICTIM Victim's Name (Last, First, Middle) _____ Race _____ Sex _____ Date of Birth _____

Local Address (Street, Apt. Number) _____ (City) _____ (State) _____ (zip) _____ Phone _____ Address Source _____

Business Address (Name, Street) _____ (City) _____ (State) _____ (zip) _____ Phone _____ 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.

confessed to _____ admitting to the below facts. was found to have committed the below acts, resulting from my (described) investigation.

On the **29** day of **DECEMBER** 20**21** at **2305** A.M. P.M. (Specifically include facts constituting cause for arrest.)

On Wednesday, December 29, 2021 at approximately 2315 hours, I responded to the intersection of State Road (SR) 7 Extension and Okeechobee Boulevard (Bv), Royal Palm Beach (Palm Beach County) Florida to assist Deputy George McMahon with a traffic crash that involved a possible impaired driver. Upon my arrival I noticed D/S McMahon patrol vehicle stopped in the inside left turn lane on the extension facing south. A white Ford pick up truck, bearing current Florida license plates "G8ATK", stopped ahead of his patrol car. A smaller blue vehicle was stopped ahead of the pick up truck. The driver of the small vehicle was standing next to his driver side door. A white male was sitting in the driver seat of the pickup. A close examination of both vehicles revealed minimal damage to the rear side of the small car and front side of the pick up. I made contact with the driver of the small car who identified the subject sitting in the driver seat of the pick up as the person who struck his vehicle in the rear. He wrote a sworn witness statement detailing the events of this case. D/S McMahon also wrote a sworn witness statement on a probable cause affidavit detailing the following: On Wednesday December 29, 2021 I responded to a minor vehicle crash located on the State Road 7 Extension and Okeechobee Blvd. Upon arrival met with the parties involved in the crash. I spoke with the driver of vehicle one to get his account of the crash. As I was speaking with him, I noticed an odor of an unknown alcoholic beverage coming from his person and breath he was also unsteady on his feet when he exited the car and when he exited he had to hold onto the vehicle to steady himself. I also noticed that he had watery eyes. based on the facts and my training and experience, I believe the driver of vehicle one who was identified via his issued FLDL as Mark Jimenez.

Based on all these facts presented, I called for a DUI Investigator to respond and conduct an investigation for Driving under the Influence. DUI Investigator White responded to conduct the investigation:

I made contact with the driver who was currently sitting in the driver seat of the white pick up truck. He was later identified as Mark Anthony Jimenez by his Florida driver license. I noticed his eyes were red, watery and glossy. His cheeks were flushed, mouth dry and he slurred his speech while speaking. His movements were slow, calculated and lethargic. I could smell a strong odor of an unknown alcoholic beverage emanating from the inside of his vehicle. He was wearing brown shorts, a white shirt and brown flip flops. I told the driver he was identified as the driver of his vehicle during a minor traffic crash. I explained that I had completed my assistance with the traffic crash and would now be conducting a criminal investigation for DUI. My suspicion of his alcoholic beverage consumption was prompted by the previously mentioned indicators that he was exhibiting. I told him I am required to read his Miranda Warnings prior to speaking with him further. During this process he often spoke over me by answering before I completed talking with him.

STATE OF FLORIDA
COUNTY OF PALM BEACH

INV E. K. WHITE

(Signature of Arresting Investigative Officer)

The foregoing instrument was sworn to, affirmed and subscribed before me this **29** day of **DECEMBER** 20**21** by **INV E. K. WHITE**

(Print name of Arresting Investigative Officer, who is personally known to me and/or produced identification. Type of identification produced **KNOWN**)

ADMINISTRATIVE Notary Public, Clerk of Court, Officer (F.S.S. 117.10)

NOTARY PUBLIC Notary Public State of Florida
Renee Ragin
My Commission GG 900416 Expires 03/05/2024

Agency ORI Number: **FLO 50000** Agency Name: **PALM BEACH COUNTY SHERIFF'S OFFICE** Agency Report Number: **06- 21-143104**

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

Name (Last, First, Middle): **JIMENEZ, MARK, ANTHONY** Alias: _____ Race: **W** Sex: **M** Date of Birth: **4/29/1961**

Charge Description: **DUI** 316.193(1)A Charge Description: _____
 Charge Description: _____ Charge Description: _____

Victim's Name (Last, First, Middle): _____ Race: _____ Sex: _____ Date of Birth: _____
 Local Address (Street, Apt. Number) (City) (State) (zip) Phone () Address Source _____
 Business Address (Name, Street) (City) (State) (zip) Phone () 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.
 confessed to _____ admitting to the below facts. was found to have committed the below acts, resulting from my (described) investigation.

On the 29 day of DECEMBER 2021 at 2305 A.M. P.M. (Specifically include facts constituting cause for arrest.)

After reading him his "rights" he told me he understood them. I asked if he would consent to an interview and he obliged. During the interview the defendant admitted to driving his pick up truck when the crash occurred. He explained the vehicle ahead of him stopped for the green light and he hit the vehicle on its rear side. He later recanted his story and said the light changed from green to yellow and the car reversed back into his truck. The defendant said he attended a bachelor party and drank two (2) jack and cokes. He recanted and told me he drank on "jack and coke". Based on my suspicion I asked if he would consent to performing Standardized Field Sobriety Evaluations (SFSTs) for the purpose of determining if he was impaired while operating his vehicle. He explained he has heart issues and takes various medication. He told me he was not going to perform the tasks because the medication compromises his equilibrium. He told me he is fine otherwise. The defendant is a business owner where he installs custom audio, video and custom homes. I explained Taylor Warning informing the defendant that the SFSTs were voluntary and he did not have to perform them, however in the absence of his performance I would be only left with the physical evidence of impairment before me which could be strong basis for him being placed under arrest for DUI. His refusal could also be used against him in court. I asked if he understood the warnings and he told me he did. I asked again if he would perform the tasks and he told me no. I asked him to exit his vehicle. In doing so I noticed he had difficulty in keeping his balance. Moreover I could now smell a strong odor of an unknown alcoholic beverage emanating from his breath that intensified when he spoke. With the evidence of the defendant being identified as the driver of his pick up during the crash, coupled with my observation of personal indicators of impairment exhibited by the him, probable cause was established for DUI. I told the defendant he was being placed under lawful arrest for DUI. He was searched and handcuffed (double locked and checked for tightness) prior to being seated into the rear of my patrol car. Back up deputies arranged for the defendant's vehicle to be towed by a tow service from PBSO's rotation list. Panther Towing responded and impounded his vehicle to their lot. Meanwhile I began transport to the main jail breath analysis facility for further processing. Upon our arrival I escorted the defendant into the facility and began a 20 minute observation period. During this time the defendant did not ingest anything into his body orally or otherwise. Neither did he regurgitate. I escorted him into the testing room and asked him to provide breath samples for the purpose of determining his alcohol content. He refused. I read implied consent and he told me understood the consent. He told me he did. I asked if he would reconsider and provide breath samples. He refused again and was deemed a "refusal". I asked if he remembered his "rights" being read on scene. He told me he did not remember. I advised him of his "rights" again to his acknowledgment. I asked if he would consent to a continued interview and he told me "no" cause he is not drunk. The defendant was booked into the main jail for DUI.

STATE OF FLORIDA
 COUNTY OF PALM BEACH

(Signature)
 INV E. K. WHITE
 (Signature of Arresting Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 29 day of DECEMBER 2021 by INV E. K. WHITE
 (Print name of Arresting Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced KNOWN

Notary Public, Clerk of Court, Officer (F.S.S. 117.10)

(Signature)
 Notary Public State of Florida
 Renee Ragin
 My Commission GG 966418
 Expires 02/06/2024

D.U.I. PROBABLE CAUSE AFFIDAVIT

ON THE 29 DAY OF DECEMBER 20 21, AT 2305 AM PM

SUBJECT: JIMENEZ, MARK, ANTHONY CASE NUMBER: 21-143104

AGENCY: PALM BEACH COUNTY SHERIFF'S OFFICE ARRESTING OFFICER: INV E. K. WHITE

PERSONAL CONTACT

DRIVING PATTERN: Actual physical control (physical evidence or statements putting def. behind wheel of vehicle)

SEE PC AFFIDAVIT

OBSERVATION OF DRIVER:

SEE PC AFFIDAVIT

DRIVER'S STATEMENTS:

I DRANK TWO JACK AND COKE. ADMITTED TO DRIVING HIS VEHICLE WHEN THE CRASH OCCURRED

ODORS:

STRONG ODOR OF AN UNKNOWN ALCOHOLIC BEVERAGE EMANATING FROM SUBJECT'S BREATH

GENERAL OBSERVATIONS

SPEECH: **SLURRED**

ATTITUDE: **INATTENTIVE, NON-COOPERATIVE AND ARGUMENTATIVE**

CLOTHING: **LOOSE AND DISHEVELED**

MEDICAL/OTHER: **HEART ISSUES**

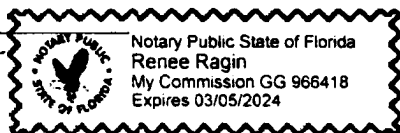
STATE OF FLORIDA
COUNTY OF PALM BEACH

INV E. K. WHITE
(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 29 day of DECEMBER 2021 by INV E. K. WHITE

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced KNOWN

Notary Public, Clerk of Court, Officer (F.S.S. 117.10)



NOT A CERTIFIED COPY

SUBJECT: JIMENEZ, MARK, ANTHONY

CASE NUMBER 21-143104

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:

REFUSED

WALK & TURN:

N/A

ONE LEG STAND:

N/A

FINGER TO NOSE:

N/A

ROMBERG ALPHABET:

N/A

BREATH TEST RESULTS:

STATE OF FLORIDA
COUNTY OF PALM BEACH

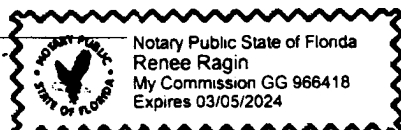
INV E. K. WHITE

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 29 day of DECEMBER, 2021 by INV E. K. WHITE

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced KNOWN

Notary Public, Clerk of Court, Officer (F.S.S. 117.10)



TESTING FACILITY TASK REPORT

AGENCY: PBSO

SUBJECT: Jimenez, Mark A. CASE NUMBER: 21-143104

DATE: Dec 30, 2021 VIDEO DVD NUMBER: N/A

BEGINNING TIME: 00:35 ENDING TIME: 00:38

BREATH TESTS RESULTS: 1) Refusal TIME 00:37 A.M. P.M. 2) N/A TIME _____ A.M. P.M.

3) N/A TIME _____ A.M. P.M. 4) N/A TIME _____ A.M. P.M.

BREATH OPERATOR: R. Ragin #16877

MAINTENANCE TECHNICAN: Jason Karlecke #6467

TESTING OFFICER'S OBSERVATIONS

SPEECH: Slurred

ATTITUDE: Talkative, agitated, repetitive

CLOTHING: Tan shorts, white LS shirt, brown flip-flops

MEDICAL CONDITIONS: Blood problems

MEDICATIONS: Yes alot

OTHER:

Eyes are glassy & red
odor of unknown alcoholic beverage on breath

REFUSED

COMMENTS:

Arrived at center A/O started 20 minute observation period at 00:12 hrs.

Subject refused to perform breath test.

A/O read I/C and subject stated he understood I/C.

Subject refused to take test.

A/O read rights.
Subject stated he understood rights.

No Q&A conducted.

REFUSED

SUBJECT: Jimenez, Mark H. CASE NUMBER: 21-142107

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) _____

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) Mark H. Jimenez

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

I, Investigator LE EDWARD WHITE, a duly certified Law Enforcement Officer or Correctional Officer,
(Person reading Implied Consent Warning)
am a member of Palm Beach County Sheriffs Office, and I do swear
(Name of enforcement agency)

or affirm that on or about the THIRTIETH day of December, 2021, at 11:38 PM

DRIVER MARK ANTHONY JIMENEZ
(Type or Print) FIRST MIDDLE OR MAIDEN LAST

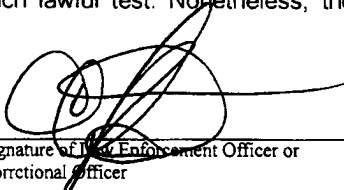
DL # J552541611490, state of FL, was placed under lawful arrest for

the offense of DUI by Investigator LE EDWARD WHITE and
(Name of Arresting Officer)

issued Citation # AEA7YSE.

That on or about the THIRTIETH day of December, 2021, at 12:37 AM
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 (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.

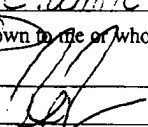


Signature of Law Enforcement Officer or
Correctional Officer

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



The foregoing instrument was sworn and subscribed before
me this 30 day of Dec., 2021
by E. White
who is personally known to me or who has produced

as identification.
Notary Public 

The foregoing instrument was sworn and subscribed before me:

Signature of Attesting Officer
Title _____
Date _____

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.

WITNESS LIST

CASE NUMBER: 21-143104

ARRESTING OFFICER: INV E. K. WHITE

ADDRESS: HQ

PHONE NUMBERS (HOME): _____ (WORK) 561 688 3000

CAN TESTIFY TO: FACTS

NAME: D/S GEORGE MCMAHON

ADDRESS: DIST 9

PHONE NUMBERS (HOME) _____ (WORK) 561 688 3000

CAN TESTIFY TO: CRASH INVESTIGATOR

NAME: Henry L Bonilla Barahona

ADDRESS: 813 Cherry Rd WDB, FL 33489

PHONE NUMBERS (HOME) (561) 907 3970 (WORK) _____

CAN TESTIFY TO: Placing defendant behind the wheel of the vett that hit his

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) 0

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

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NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____

NAME: _____

ADDRESS _____

PHONE NUMBERS (HOME) _____ (WORK) _____

CAN TESTIFY TO: _____



Palm Beach County Sheriff's Office – Arrests Only

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	<input type="checkbox"/>	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	<input type="checkbox"/>	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	<input type="checkbox"/>	119.071(4)(c)	Undercover personnel.	
	<input type="checkbox"/>	119.071(2)(f)	Confidential informants (CIs).	
	<input type="checkbox"/>	119.071(2)(e)	Confession.	
Public Info. Exemptions	<input type="checkbox"/>	985.04(1)	Juvenile offender records.	
	<input type="checkbox"/>	119.071(h)(i)	Assets of a crime victim.	
	<input type="checkbox"/>	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	<input type="checkbox"/>	394.4615(7)	Mental health information.	
	<input type="checkbox"/>	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)	<input checked="" type="checkbox"/>	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	<input type="checkbox"/>	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	<input type="checkbox"/>	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	<input type="checkbox"/>	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
Other	<input type="checkbox"/>		Other:	
	<input type="checkbox"/>		Other:	

REVIEW COMPLETED BY

Booking Number: 2021032813	Date: 12/30/2021
	Specialist Name/ID: J. Beck/9007