

7th. Judicial Circuit 707
 Charging Affidavit - Flagler Beach

Arrest # _____

Bk # 19-1776

Pg #1 of 5

ARREST <input checked="" type="checkbox"/> NOTICE TO APPEAR <input type="checkbox"/> AFFIDAVIT <input type="checkbox"/> C.C. <input type="checkbox"/>		ADULT <input checked="" type="checkbox"/> JUVENILE <input type="checkbox"/>		Court Case Number: 2019 CF 000699	
(ORI) FL: 0 1 8 0 2 0 0			Agency Name: Flagler Beach Police Department		Agency Case Number: 2019-00015933
FCIC/NCIC Check? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		OBTS# <u>1801055447</u>		UCR:	Date Arrested: 07/24/2019
ADDRESS OF ARREST: 1700, S, OCEAN SHORE, BLVD, Flagler Beach, Florida, 32136			Arrested By: Cozzone Gaetano		ID Number: 7068
DEFENDANT		Name (L.F.M.): MCMANUS, TERRENCE, MANCEL		A.K.A.:	
DOB: 07/14/1965	Age: 54	Driver's Lic ID No.: M255813652540	State: Florida	Year Expires: 2021	Sex: Male Race: WHITE
Height: 5.00.0	Weight: 205	Hair: WHITE	Eyes: BLUE	POB (City, St. Country):	Statement: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Scars, Marks, Tattoos:		Business & Occupation:		Citizenship: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Probation: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Sexual Predator: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		English: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Deaf Mute: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>					
Address-Mailing Permanent		(STREET, APT. NUMBER)		(CITY)	(STATE) ZIPCODE RESIDENCE PHONE
Address-Local		(STREET, APT. NUMBER)		(CITY)	(STATE) ZIPCODE RESIDENCE PHONE
2531 Sawyer		TER		Wellington	Florida 33414-
Address-Other (Employer School)		(STREET, APT. NUMBER)		(CITY)	(STATE) ZIPCODE BUS SCHOOL PHONE
CHARGES		DOMESTIC VIOLENCE? YES <input type="checkbox"/>		Attachments: Affidavit(s) <input type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/> DUI <input checked="" type="checkbox"/>	
		Total Charges: 4			
#1	Charge: DUI 4TH OR SUBSEQUENT OFFENSE	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS ORD: 316.193.2.B.3	Citation No.:	Bond: 2500
#2	Charge: REFUSE TO SUBMIT BAL AFTER SUSPENSION	FEL <input type="checkbox"/> MISD <input checked="" type="checkbox"/> ORD <input type="checkbox"/>	FS ORD: 316.1939	Citation No.:	Bond: 500
#3	Charge: DWLS W/KNOWLEDGE 3RD OR SUBSEQ OFFENSE	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS ORD: 322.34.2.C	Citation No.:	Bond: 2500
CO-DEFENDANT		Co-Def #1. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel <input type="checkbox"/> Misd. <input type="checkbox"/> Traf. <input type="checkbox"/> Ord. <input type="checkbox"/> NTA <input type="checkbox"/>		Co-Def #2. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel. <input type="checkbox"/> Misd. <input type="checkbox"/> Traf. <input type="checkbox"/> Ord. <input type="checkbox"/> NTA <input type="checkbox"/>	
#1 NAME (L.F.M.):		Race:	Sex:	DOB:	Age:
#2 NAME (L.F.M.):		Race:	Sex:	DOB:	Age:
NARRATIVE The undersigned certifies and swears that there is a probable cause to believe the above names defendant, on the 24th day of July, 2019, at approximately 01:32 X A.M. P.M. at 1700 S Oceanshore BLVD within Flagler County, violated the law and did then and there.					
On 7/24/19 at approximately 01:20 AM, while patrolling the 1700 block of South Oceanshore Boulevard, I observed tail-lights coming from a golf cart in the closed off construction zone. The construction area is in reference to the A1A project, to repair damage sustained to the road (South A1A) from Hurricane Matthew. The construction is taking place, over the next year and is costing more than 22 Million Dollars. The contractor for the construction is Superior Construction out of Jacksonville Florida. The construction zone is blocked off with barriers and large signs that the road is closed. The area in which the golf cart was located was blocked by a large sign that stated "Road Closed." Several pipes and concrete equipment could be observed, prior to entering the area. The area was not paved and was soft sand.					
Supervisor Approved:					
NOTICE TO APPEAR		MANDATORY APPEARANCE <input type="checkbox"/>		YOU NEED NOT APPEAR IN COURT BUT MUST COMPLY WITH INSTRUCTIONS ON THE REVERSE SIDE OF YOUR COPY <input type="checkbox"/>	
I AGREE TO APPEAR IN COURT HEREIN TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE INDICATED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED, OR PAY THE LISTED FINE, I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST WILL BE ISSUED.		FINE AND COSTS AMOUNT:			
SIGNATURE OF DEFENDANT		DATE		RELATIONSHIP TO JUVENILE	
Sworn to and subscribed before me, the undersigned		I swear affirm the above statements are correct and true.			Rt Thumb
This 24 day of July, 2019		Name: <i>[Signature]</i>			OFFICER'S COMPLAINT'S SIGNATURE
Notary Public <input type="checkbox"/> Law Enforcement <input checked="" type="checkbox"/> Corrections Officer <input checked="" type="checkbox"/>		NAME (PRINTED): G. Cozzone			
Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/>		ID NUMBER: 7068			
Type of Identification:		Inmate Number & Facility:			
OFFICIAL USE ONLY					

707 - COURT COPY

Narrative 707-B Supplement

Arrest
 Affidavit
 Notice to Appear
 Adult
 Juvenile

Court Case Number:

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Defendant Name: MCMANUS, TERRENCE, MANCEL				Agency Case Number: 2019-00015933			
CHARGES		DOMESTIC VIOLENCE? YES <input type="checkbox"/>	Attachments: Affidavit(s) <input type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/>			Total Charges: 4	
#	Charge:		FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: 810.09.2.D	Citation No:	Bond: 2500	
#	Charge:		FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No:	Bond:	
#	Charge:		FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No:	Bond:	

X

Sworn to and subscribed before me, the undersigned this <u>7</u> day of <u>07</u> , 19 <u>19</u> . Name: <u>[Signature]</u>	I swear/affirm the above statements are correct and true. OFFICER'S/COMPLAINANT'S SIGNATURE <u>[Signature]</u>	Right thumb
Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/> Type of Identification:	NAME(PRINTED) <u>7066</u>	ID NUMBER <u>7066</u>

707-B - COURT COPY

Witness/Victim/Evidence Form 707-A

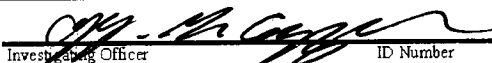
Arrest Adult
 Affidavit Juvenile
 Notice to Appear Court Case Number:

Defendant Name: MCMANUS, TERENCE, MANCEL		Agency Case Number: 2019-00015933	
Name (L,F,M):	Vic <input type="checkbox"/> Wit <input type="checkbox"/>	Race:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>
Address (# Street, City, State):	Zip:	Home Phone:	DOB:
Bus/School Address:	Zip:	Bus Phone:	SSN:
Relative/Contact Name:	Relative/Contact Address:	Phone:	

EVIDENCE COLLECTED

Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
CD w/ photos of scene.	07/24/2019		
Owner(Name) (Address)	(Phone)	Value	
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Owner(Name) (Address)	(Phone)	Value	
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount

I certify that the foregoing is a complete list of witnesses/victims & evidence known to me

 7069 FBPD
 Investigating Officer ID Number Agency

707-A - COURT COPY

Narrative 707-B Supplement

Arrest
 Affidavit
 Notice to Appear
 Adult
 Juvenile

Court Case Number:

Page # 4 of 5

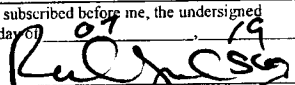
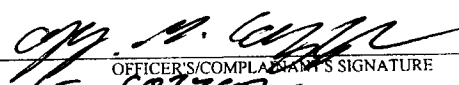
Defendant Name: MCMANUS, TERRENCE, MANCEL		Agency Case Number: 2019-00015933	
CHARGES		Attachments: Affidavit(s) <input type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/>	
DOMESTIC VIOLENCE? YES <input type="checkbox"/>		Total Charges:	
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: Citation No: Bond:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: Citation No: Bond:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: Citation No: Bond:

I stopped and walked approximately 100 feet into the construction area, and observed a golf cart with its tires buried in the sand. The golf cart was black in color and had a Florida tag of DOBBF that was expired on 7/14/17, and was not registered to any vehicle. I observed a white male driver, hunched over the steering wheel. The golf cart was on and the driver was in control of the vehicle. I asked the driver if he was ok and he stated he was "sorry." He spoke with a thick tongue and was very hard to understand, his words were slurred when he stated sorry. His movements were very slow and he appeared to be in a daze. I then asked what happened, and he stated again he was sorry.

I requested his driver license and he stared at me and stated yet again he was "sorry." It was at this time, I requested a back-up Officer to respond. While waiting for the unit, I attempted to identify the subject, and requested his driver license. He dug into his pocket and provided me with a credit card. I told him it was a credit card and he tried to hand it to me again. I then told him he was sitting on his wallet, and he stated he was sorry. It was at this time, I could smell a strong odor of what appeared to be an alcoholic beverage emitting from his breath. I asked him to hand me his wallet, as he was not cooperating with my request. When he did, I was able to locate a Florida ID card, and the male was identified as Terrence Mcmanus (S1). I asked S1 where he was trying to go and he stated "sorry."

Upon the arrival of a back-up unit, I requested S1 to participate in field sobriety exercises and S1 immediately declined. I informed S1, that if he did not participate in the exercises, I would only be able to use my observations to determine whether or not he was driving under the influence. He again declined, and I then informed him that using only my observations, through my training and experience, I determined he was driving under the influence and he would be placed under arrest, and he again stated no. It was at this time, S1 was asked to exit the golf cart. S1 had trouble exiting the cart, and needed to hold on to it, in order to stand up. S1 appeared to stumble to the front of the cart, where he was secured in hand restraints and placed under arrest. He was escorted back to my patrol vehicle, which was approximately 100 feet away. S1 needed to be held up to walk back to the vehicle to keep him from falling over. He was placed in the rear of my patrol vehicle, and asked if he needed medical attention, he stated he did not and refused. I stated we would be going to Advent Health to obtain medical clearance, and informed him he had the right to refuse. He stated he did not need medical attention, and asked if "I was mad at him." S1 was transported to Advent Health where he refused medical clearance. He also refused to sign the refusal, at which time hospital staff requested I sign and did.

S1 was then transported to the Flagler County Inmate Facility where contact was made with Deputy Martin, who is a certified breath test operator. Deputy Martin started his 20-minute observation period of S1 at 2:20 AM and at 2:30 AM, Deputy Martin read S1 implied consent. Deputy Martin, requested S1 provide a breath sample. S1 refused to provide the sample, when the 20-minute observation period concluded. The Intoxilyzer 8000 (S/N 80-001138) provided a printed out copy of the Breath Alcohol Test Affidavit.

Sworn to and subscribed before me, the undersigned this <u>29</u> day of <u>01</u> 19 <u>19</u>	I swear/affirm the above statements are correct and true.	Right thumb
Name: 		
Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/>	OFFICER'S/COMPLAINANT'S SIGNATURE <u>7068</u>	
Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/>	NAME(PRINTED)	ID NUMBER
Type of Identification:		

707-B - COURT COPY

Narrative 707-B Supplement

Arrest
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Court Case Number:

Defendant Name: MCMANUS , TERENCE, MANCEL	Agency Case Number: 2019-00015933
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#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No:	Bond:

S1 was turned over to FCSD custody and booked on the following charges:

DUI 4th or Subsequent Offense: the following dates and citation numbers

- 10/04/2015 A0ZRZOP
- 09/26/2007 0524XCE
- 01/29/2003 016850W
- 07/19/1985 0000

DWLS with Knowledge 3rd Offense:

- 08/19/2016 A4P4MAE
- 07/25/2011 5246GHG
- 06/18/2008 8634EYX

Prior Refusal to Provide BAL:


- 10/04/2015 A4OUERE

Trespass in a Construction Site.

S1 was issued UTC A2DX77P ref. DWLS w/ Knowledge; A2DX78P ref. refusal to submit; and DUI UTC 4977-XFH.

The golf cart was able to be dragged out of the sand by John's towing, and will be kept at their tow yard.

No other information or action.

Sworn to and subscribed before me, the undersigned this <u>24</u> day of <u>July</u> , 20 <u>19</u> . Name: <u>Rudger</u> Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/> Type of Identification:	I swear/affirm the above statements are correct and true.  OFFICER'S/COMPLAINANT'S SIGNATURE NAME(PRINTED) <u>C. Cotton</u> ID NUMBER <u>7068</u>	Right thumb
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