

ARREST REPORT

A G E N C Y	Agency Name Morganton Department Public Safety		ORI 0120100 B0003		Date/Time Arrested 09/14/2014 01:00		OCA 201406160	
	<input type="checkbox"/> Taken <input type="checkbox"/> Prints <input type="checkbox"/> Photos	Fingerprint Card Check Digit # (CKN)		Arrest Tract 3200		Residence Tract 2400		Arrest Number 107223
A R R E S T E E	Name (Last, First, Middle) LOPEZ, HENRY ANIBAL			D.O.B. 04/29/1993		Age 21	Race H	Sex M
	Current Address 107 Evans St, MORGANTON, NC 28655			Phone		Occupation		<input type="checkbox"/> Resident <input type="checkbox"/> Non-Resident <input checked="" type="checkbox"/> Unknown
	Employer's Name			Address			Phone	
	Also Known As (Alias Names)			Hgt '	Wgt 0	Hair	Eyes	Skin Tone
	Scars, Marks, Tattoos			Social Security #		OLN and State		Consumed Drug/Alcohol <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unk
	Nearest Relative Name			Address			Phone	
A R R E S T	If Armed, Type of Weapon NOT APPLICABLE/NONE		<input checked="" type="checkbox"/> On-View <input type="checkbox"/> Criminal Summons <input type="checkbox"/> Order for Arrest <input type="checkbox"/> Citation <input type="checkbox"/> Warrant		Place of Arrest 499 HOGAN ST, MORGANTON			
	Charge #1 Dwi		<input type="checkbox"/> Fel <input checked="" type="checkbox"/> Misd	Counts 1	DCI Code 2100	Offense Jurisdiction (if not arresting agency)		Statute # 20-138.1
	Charge #2 Open Container After Consuming		<input type="checkbox"/> Fel <input checked="" type="checkbox"/> Misd	Counts 1	DCI Code 2100	Offense Jurisdiction (if not arresting agency)		Statute # 20-138.7(A)
	Charge #3 No Operators License		<input type="checkbox"/> Fel <input checked="" type="checkbox"/> Misd	Counts 1	DCI Code 4010	Offense Jurisdiction (if not arresting agency)		Statute # 20-7(A)
V E H I C L E	VYR 2005	Make HOND	Model CIVIC	Style 2D	Color SIL	Plate #/State VCA3504 VA 2015		VIN 1HGEM22985L002202
	Vehicle 1. <input type="checkbox"/> Left at Scene <input type="checkbox"/> Secured <input type="checkbox"/> Unsecured 2. <input type="checkbox"/> Released to other at owners request <input type="checkbox"/> Name of Other _____ 3. <input checked="" type="checkbox"/> Impounded <input type="checkbox"/> Place of storage _____ Inventory on File? _____							
C O N F I N E D	Date/Time Confined 09/14/2014 03:58:00		Place Confined BURKE CATAWBA			Committing Magistrate DAVID WHITESIDES		
	Type Bond <input type="checkbox"/> Written Promise <input type="checkbox"/> Unsecured <input checked="" type="checkbox"/> Secured <input type="checkbox"/> No Bond <input type="checkbox"/> Other		Bond Amount \$1,000.00	Trial Date 11/12/2014 09:00		Court Of District		
	Assisting Officer Name/ID # STORIE, C. D.		2		Released By (Name/Department/ID #)		Date/Time Released	
Status Codes	L - Lost S - Stolen R - Recovered D - Damaged Z - Seized B - Burned C - Counterfeit / Forged F - Found							
D R U G S	DCI	Status	Quantity	Type Measure	Suspected Type		Check up to 3 types of activity for each	
							Possess	Buy
							Sale	Mfg.
							Importing	Operating
C O M P	Name: Complainant <input type="checkbox"/> Victim <input type="checkbox"/>			Address			Phone:	
	On September 14, 2014 at 0100 hours, I was patrolling the area of E Fleming Dr when I observed a silver Honda Civic turning onto E Fleming Dr from Bethel St. I observed the silver Honda Civic travel straight, across 5 full lanes of travel, onto E Fleming Dr. The vehicle appeared not to be turning, but was vehicle made a sudden left turn before it struck the curb, barely missing the curb by about 3 feet. I was directly behind the vehicle when the vehicle traveled in the far							
S T A T U S	Arresting Officer Signature/ID # CONNOR, E. W. (C7903)			Date/Time Submitted 09/14/2014 18:05		Supervisor Signature BUCHANAN, J. B.		
	Case Status: <input type="checkbox"/> Further Inv. <input type="checkbox"/> Inactive <input checked="" type="checkbox"/> Closed		Case Disposition: <input checked="" type="checkbox"/> Cleared By Arrest / No Supplement Needed <input type="checkbox"/> Arrest / No Investigation		Arrestee Signature			

** Continued **

ARREST REPORT (Additional Narrative)

Agency Name	ORI	Date/Time Arrested	OCA
Morganton Department Public Safety	0120100 B0003	09/14/2014 01:00	201406160
Arrestee Name			Arrest Number
LOPEZ, HENRY ANIBAL			107223

right travel lane of E Fleming Dr. I then started to initiate the traffic stop when the vehicle made a sudden right turn onto Hogan St. The vehicle crossed over into the far left travel lane of Hogan St before making a sharp right turn to get back into the correct lane of travel. The vehicle nearly struck the right curb on Hogan St, only missing the curb by approximately 12 inches. For fear of the vehicle wrecking and causing injury to itself or others, I turned on my red and blue emergency lights before I could complete calling in the tag to dispatch. Upon turning my emergency lights on, the car did not come to a complete stop. The vehicle started to slow down, but continued to roll for approximately 5 full seconds before finally stopping completely. The license plate was a Virginia issued tag that read VCA3504. I approached the driver side of the vehicle and attempted to make contact with the driver of the silver Honda Civic, who had the window rolled up. I tapped on the window and asked the driver to roll down the window. The driver was delayed in responding, or even looking in my direction. The driver rolled down the window, and I immediately detected an extremely strong odor of an alcoholic beverage. I asked the driver if he had a drivers license, or another form of identification. The driver was a Spanish speaking male, but could understand a little English. The driver reported he did not have a driver's license in this state or any other. The driver had red glassy eyes, the driver's speech was slurred, and the driver's responses to questions were delayed. The driver then attempted to retrieve his wallet. The driver patted down all his pockets in the front and back of his person as if he did not remember if he had the wallet on him. The driver reported he did not have a form of identification. I asked the driver if he was sure, and the driver then got his wallet out of his back pocket and handed me a bank card and an id card. I identified the driver as Henry Annibal Mendez Lopez. I asked the driver if he had anything to drink tonight, and he reported he had consumed 4 beers. I asked the driver where he was coming from, and he reported La Rumba Club in Hickory, NC. There were 3 other passengers in the vehicle. I asked for the id's of the other occupants, and they would not acknowledge my request. I asked Lopez to turn off the vehicle, and place the keys on the dash. Lopez went for the key and grabbed just short of it before finally making contact with it on the second attempt. Lopez then placed the keys on the dash of the vehicle. I asked Lopez if he would submit to a battery of standardized field sobriety tests, to make sure he was safe to be driving. Lopez consented and I asked him to step to the front of my patrol vehicle. As Lopez was exiting the vehicle, Lopez seemed to have trouble unbuckling his seat belt and was unsteady while standing up out of the silver Honda Civic. I assisted Lopez out of the vehicle by grabbing his right arm to assist him out. Lopez started walking to the front of my patrol vehicle, Lopez stumbled on his feet, almost falling, before finally reaching my patrol vehicle. PSO Storie then arrived as my backup officer. PSO Storie administered a roadside PBT test which indicated a positive reading for the presence of alcohol. Lopez submitted to HGN, but when I asked Lopez to do the Walk and turn test, Lopez refused to perform any more tests. Based on Lopez's driving, red glassy eyes, delayed responses, delayed motor skills, admission to consuming alcohol, unsteady balance, and the sfst that Lopez performed, I formed the opinion that Henry Lopez had consumed a sufficient quantity of an impairing substance such that his mental and physical faculties were appreciably impaired. I placed Lopez under arrest for DWI. I had dispatch call an interpreter to meet at Burke Catawba Confinement Facility to translate for the breath test. PSO Storie and myself had all three passengers exit the vehicle. PSO Storie searched the vehicle and located an open container of Bud Light Lime under the front driver's side seat. I had dispatch have next rotation towing company to come get the vehicle. The other passengers of the silver Honda Civic indicated they would walk to their house from where the silver Honda Civic was stopped. PSO Storie stood by the vehicle until Ramsey's Towing company arrived while I transported Lopez to Burke Catawba for Breath Tests. When I arrived at Burke Catawba, PSO Stotts was the chemical analyst and Reggie Moore was the interpreter. PSO Stotts administered the Breath Tests. PSO Stotts advised me that Lopez's breath returned a reading of .18 BAC. I transported Lopez to the Burke County Magistrate's Office, where his bond was set for \$1000.00 secured bond for the DWI charge. I issued Lopez citations for No Operators License, driving left of center, possession of an open container, and careless and reckless driving. I transported Lopez back to Burke Catawba where he was released into their custody.

ARREST REPORT (Additional Charges)

Agency Name Morganton Department Public Safety	ORI 0120100 B0003	Date/Time Arrested 09/14/2014 01:00	OCA 201406160
Arrestee Name LOPEZ, HENRY ANIBAL			Arrest Number 107223

Charge	Fel/Misd	Counts	DCI Code	(if not arresting agency) Offense Jurisdiction	Statute #	Warr. Date
4) Reckless Driving Wanton Disregard	M	1	4010		20-140(A)	09/14/2014
5) Left Of Center	M	1	4010		20-150(D)	09/14/2014