

ARREST REPORT

A G E N C Y	Agency Name Morganton Department Public Safety		ORI 0120100 B0003		Date/Time Arrested 08/24/2014 00:14		OCA 201405572					
	<input type="checkbox"/> Taken <input type="checkbox"/> Prints <input type="checkbox"/> Photos	Fingerprint Card Check Digit # (CKN)		Arrest Tract 9999		Residence Tract 4101		Arrest Number 106672				
A R R E S T E E	Name (Last, First, Middle) EPLEY, JOSHUA KENNETH			D.O.B. 07/09/1987		Age 27	Race W	Sex M	Place of Birth BURKE CO., NC	Country of Citizenship US		
	Current Address 618 Golf Course Rd, MORGANTON, NC 28655			Phone 828-430-1894		Occupation Student		<input checked="" type="checkbox"/> Resident <input type="checkbox"/> Unknown <input type="checkbox"/> Non-Resident				
	Employer's Name UNC- CHARLOTTE			Address			Phone					
	Also Known As (Alias Names)			Hgt 6'01	Wgt 140	Hair BRO	Eyes BRO	Skin Tone MED	Consumed Drug/Alcohol <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unk			
	Scars, Marks, Tattoos			Social Security #		OLN and State		Misc. # and Type				
	Nearest Relative Name NO CLOSE RELATIVES			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 100 BLK REGINA DR, MORGANTON							
	Charge #1 Ccw		<input type="checkbox"/> Fel <input checked="" type="checkbox"/> Misd	Counts 1	DCI Code 1530	Offense Jurisdiction (if not arresting agency)		Statute # 14-269(A)	Warr. Date 08/24/2014			
	Charge #2 Poss. Of Schedule Vi Controlled Substance		<input type="checkbox"/> Fel <input checked="" type="checkbox"/> Misd	Counts 1	DCI Code 1810	Offense Jurisdiction (if not arresting agency)		Statute # 90-95(D)(4)	Warr. Date 08/24/2014			
	Charge #3 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	Warr. Date 08/24/2014			
V E H I C L E	VYR 1997	Make PONT	Model FIREBIRD	Style 2D	Color RED	Plate #/State CJC4745 NC 2015		VIN 2G2FV22P8V2224449				
	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 type="checkbox"/> Impounded <input checked="" type="checkbox"/> Place of storage WELLS AND SEALS Inventory on File? Y											
C O N F I N E D	Date/Time Confined 08/24/2014 00:00:00		Place Confined BURKE CATAWBA			Committing Magistrate DAVID WHITESIDES						
	Type Bond <input type="checkbox"/> Written Promise <input type="checkbox"/> Unsecured <input type="checkbox"/> Secured <input type="checkbox"/> No Bond <input checked="" type="checkbox"/> Other		Bond Amount \$0.00	Trial Date 11/04/2014 09:00		Court Of District		City MORGANTON				
	Assisting Officer Name/ID # CHRISTY, B. L. 3			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					
	E	Z	2.00	GM	MARIJUANA		Possess Y	Buy	Sale	Mfg.	Importing	Operating
C O M P	Name: Complainant <input checked="" type="checkbox"/> Victim <input type="checkbox"/>			Address				Phone:				
	On the above date and time, I traveled through the PVA of A Marathon gas station (1270 Burkemont Ave) and noticed a red passenger car parked near the front of the building. I ran the registration plate that was on the vehicle through CJLeads and was notified that the registration plate is registered to a chevrolet station wagon. The registered owner of the chevrolet was not the driver of the red pontiac.											
S T A T U S	Arresting Officer Signature/ID # GRAGG, J. M. (G7085)			Date/Time Submitted 08/24/2014 00:14			Supervisor Signature LACKEY, W. D.					
	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	08/24/2014 00:14	201405572
Arrestee Name	Arrest Number		
EPLEY, JOSHUA KENNETH	106672		

The red pontiac firebird pulled out of the PVA and turned right traveling out of the city. When I turned my emergency lights on at Salem Rd the red pontiac began to slow down but continued traveling in the same direction. The vehicle continued to travel south away from town for approximately 1/3 of a mile. The vehicle then pulled onto Regina Dr and then finally stopped.

While I was approaching the vehicle I detected an odor on alcohol emitting from the passenger area of the vehicle through the open drivers window. I asked the driver (Joshua Epley) for his license and registration. Epley handed me the registration belonging to the chevrolet with plate number being CJC-4745. Epley then handed me an ID card. I asked Epley if he had a license and he stated "is that not it" and I advised him that it was an ID card. Epley then handed me his license from the center console. I asked Epley if he had been drinking and he answered no. While I was speaking with Epley he would not look directly at me and I was unable to notice if his eyes were red or glassy.

I asked Epley to step out of the vehicle to determine if the smell of alcohol was coming from him or something in the vehicle. Once Epley was out of the vehicle I could still smell a strong odor of alcohol coming from Epley's person. While observing Epley I noticed he needed a cane to walk and had his left ankle wrapped in a brace.

I attempted to initiated a field sobriety test (horizontal gaze nystagmus) to form my opinion on Epley. The horizontal gaze nystagmus test has been scientifically proven to be the most reliable of any field sobriety test (Four of six clues present indicates a 88% likelihood that the offender has an alcohol concentration of 0.08 or greater). While beginning to instruct Epley on how to perform the HGN test he turn his head away and became very defensive. During the short time Epley was looking at the stimulus (tip of pen) I noticed his eye were red, glassy and dilated. I asked Epley if he would willingly perform the HGN test or the Alco-sensor test and he answered no. Capt Christy advised Epley he is about to be arrested for DWI and if he had not drank any alcohol the test would prove that there is no alcohol on his breath. If so Epley would be free to leave, however he refused to perform the Alco-sensor test.

I arrested Epley for driving while impaired and transported him to Burke Catawba for the Intox EC/IR II test to which he refused. While at Burke Catawba Capt Christy advised me (via phone) he located a pistol in the passenger seat of the vehicle and also located marijuana in the glove compartment of the vehicle I stopped Epley in. The marijuana was in a large medication bottle from a pharmacy with Epley's information on the bottle. Capt Christy seized the items along with the fictitious registration plate that was on the vehicle. The pistol was wrapped in a stripped polo shirt with the bullets in the passenger door pocket and the magazine wrapped separately in the same shirt.

I transported Epley to CMC Morganton for a blood draw after the search warrant was issued. His blood was taken by hospital staff and will be sent for testing. The blood kit will be sent to SBI for testing.

I then transported Epley back to the Magistrates Office were he received a custody release as a bond for driving while impaired, fictitious tag, carrying concealed weapon, and possession of marijuana less than a 1/2 oz. I then transported Epley to Burke Catawba where he would able to contact someone for his release.

The vehicle was towed by Wells and Seals.

All items were placed into evidence under tag # 21328.

All information verified at the time of this report.

ARREST REPORT (Additional Charges)

Agency Name	ORI	Date/Time Arrested	OCA
Morganton Department Public Safety	0120100 B0003	08/24/2014 00:14	201405572
Arrestee Name			Arrest Number
EPLEY, JOSHUA KENNETH			106672

Charge	Fel/Misd	Counts	DCI Code	(if not arresting agency) Offense Jurisdiction	Statute #	Warr. Date
4) Fict/alt Title/reg Card/tag	M	1	4010		20-111(2)..	08/24/2014