

ARREST REPORT

A G E N C Y	Agency Name Morganton Department Public Safety		ORI 0120100 B0003		Date/Time Arrested 07/12/2014 22:58		OCA 201404527					
	<input type="checkbox"/> Taken <input type="checkbox"/> Prints <input type="checkbox"/> Photos	Fingerprint Card Check Digit # (CKN)		Arrest Tract 2700		Residence Tract 2500		Arrest Number 105545				
A R R E S T E E	Name (Last, First, Middle) PUENTES, ROBERTO GAMES			D.O.B. 03/08/1976	Age 38	Race W	Sex M	Place of Birth	Country of Citizenship			
	Current Address 304 Patterson St, MORGANTON, NC 28655			Phone		Occupation		<input checked="" type="checkbox"/> Resident <input type="checkbox"/> Unknown <input type="checkbox"/> Non-Resident				
	Employer's Name			Address			Phone					
	Also Known As (Alias Names)			Hgt '	Wgt 0	Hair	Eyes	Skin Tone	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 MENDOZA, FRANCISCO AILON			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 VALDESE AVE & 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	Warr. Date			
	Charge #2 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)	Warr. Date			
	Charge #3		<input type="checkbox"/> Fel <input type="checkbox"/> Misd	Counts	DCI Code	Offense Jurisdiction (if not arresting agency)		Statute #	Warr. Date			
V E H I C L E	VYR 2001	Make HOND	Model ODYSSEY	Style VN	Color WHI	Plate #/State BDZ6113 NC 2014	VIN 2HKRL18621H580319					
	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 checked="" type="checkbox"/> Place of storage HAMBYS TOWING SERVICE Inventory on File? Y											
C O N F I N E D	Date/Time Confined		Place Confined			Committing Magistrate DEBBIE CARSWELL						
	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 09/09/2014 09:00		Court Of District City MORGANTON						
	Assisting Officer Name/ID # 0			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 checked="" type="checkbox"/> Victim <input type="checkbox"/>			Address				Phone:				
	I was behind a group of 3 vehicles turning from E Union St onto Valdese Ave. The defendant was in the middle vehicle, a white passenger van. Once we got onto Valdese Ave he drifted to the left almost completely to the left curb (across the opposite travel lane). This was in a straight portion of the road. We crossed the intersection of Valdese Ave and Huffman / Hogan St. The defendant once again drifted to the left across the opposite travel lane coming very close to the											
S T A T U S	Arresting Officer Signature/ID # GILLSTRAP, J. L. (G3628)			Date/Time Submitted 07/12/2014 22:58			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	07/12/2014 22:58	201404527
Arrestee Name			Arrest Number
PUENTES, ROBERTO GAMES			105545

left side curb. I turned on my red/blue lights and passed the car in front of me. I pulled behind the defendant as he made a right hand turn onto McGalliard St. The defendant pulled partially off the street onto a gravel drive of a residence.

I approached the drivers side of the vehicle and explained to the defendant why I had stopped him. I asked him for his license and he told me he had none. I asked for his ID card and he gave me a Guatemalan ID card. I noticed his eyes were bloodshot in appearance and there was an odor of alcoholic beverages about him. He denied drinking when I asked him.

I retrieved my alcosensor and administered an alcosensor test. He would not blow at first, but just hold the mouthpiece in his mouth. The defendant finally gave just a millisecond breath sample and I got a "snap shot" of it. He tested positive for the presence of alcoholic beverages. I had him exit the vehicle and administered another alcosensor test after 5 minutes had elapsed. Once again he tried to trick the instrument by not blowing and actually spit into the mouthpiece at one point. I got a new mouthpiece and collected another "snap shot" sample. It too was positive for the presence of an alcoholic beverage.

I formed the opinion that the defendant had consumed a sufficient amount of an impairing substance to appreciably impair his mental and physical abilities. I believe that he was impaired by alcoholic beverages. I placed him under arrest for DWI and NOL at that time. I had found he had an inactive NC license/ID number.

I had a translator meet us at BCDF where I administered an intoximeter test. He requested to call someone and was given access to a phone. After about 15 minutes he did place a call. The defendant would not follow directions when I administered the test. He would hold the mouthpiece in his mouth without blowing or stop blowing before a sample was collected. The bars on the intoximeter screen would not go even an inch before he would stop blowing. I warned him several times and explained to him how to perform the test over and over. The instrument timed out 2 times. The third time I set the instrument up I told the defendant that this was his last chance before I took his blood. He provided an insufficient sample. The second attempt his breath was dropping (I watched the bar start dropping) and the instrument collected a sample. On the attempt to get a second sample he gave an insufficient sample as he had been doing earlier. I marked it as a refusal since he would not follow directions and also got the .17 result from the sample that had been collected.

I brought the defendant to the magistrates office where 2 of his friends arrived and paid his bond so he could go home. I also issued him an ecitation for reckless driving. This was due to him crossing over the opposite travel lane twice, there being a car in front of him and 2 cars including myself behind him and it being in a residential area.