

ARREST REPORT

A G E N C Y	Agency Name Morganton Department Public Safety		ORI 0120100 B0003		Date/Time Arrested 08/08/2014 22:58		OCA 201405260					
	<input type="checkbox"/> Taken <input type="checkbox"/> Prints <input type="checkbox"/> Photos	Fingerprint Card Check Digit # (CKN)		Arrest Tract 2700		Residence Tract 6700		Arrest Number 106277				
A R R E S T E E	Name (Last, First, Middle) MAZARIEGOS, ANIBAL ISMAEL			D.O.B. 04/09/1985	Age 29	Race W	Sex M	Place of Birth GUATEMALA,	Country of Citizenship			
	Current Address 205 Falls St, B, MORGANTON, NC 28655			Phone 828-205-0778		Occupation Laborer		<input checked="" type="checkbox"/> Resident <input type="checkbox"/> Unknown <input type="checkbox"/> Non-Resident				
	Employer's Name AGRICULTURE			Address				Phone				
	Also Known As (Alias Names)			Hgt 5'04	Wgt 130	Hair BLK	Eyes BRO	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 MAZARIEGOS, GLORIA			Address 205 FALL ST. APT B, MORGANTON, NC				Phone 828-205-0778				
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 410 VINE ARDEN RD, 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 08/08/2014				
	Charge #2	<input type="checkbox"/> Fel <input type="checkbox"/> Misd	Counts	DCI Code	Offense Jurisdiction (if not arresting agency)		Statute #	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 2002	Make MIT	Model LANCER	Style 4D	Color GRY/GR	Plate #/State CCY4633 NC 2014	VIN JA3AJ26E42U069218					
	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 Inventory on File? Y											
C O N F I N E D	Date/Time Confined		Place Confined			Committing Magistrate ERIC DUCKWORTH						
	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 \$500.00		Trial Date 08/18/2014 09:00		Court Of District City MORGANTON					
	Assisting Officer Name/ID # CUNNINGHAM, B. A. 3		Released By (Name/Department/ID #) JOHNSON, T. L.				Date/Time Released 08/09/2014 01:53:40					
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:				
	While doing stationary radar near the intersection of Center Street and Brookside Street I noticed a van and a passenger car traveling up the road toward Taylor Street. The grey passenger car was following the van too closely and I noticed that it did not have its headlights on. I pulled out of the PVA I was parked in and followed the passenger car. While <div style="text-align: right;">** Continued **</div>											
S T A T U S	Arresting Officer Signature/ID # JOHNSON, T. L. (J5177)			Date/Time Submitted //			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						

ARREST REPORT (Additional Narrative)

Agency Name	ORI	Date/Time Arrested	OCA
Morganton Department Public Safety	0120100 B0003	08/08/2014 22:58	201405260
Arrestee Name	Arrest Number		
MAZARIEGOS, ANIBAL ISMAEL	106277		

behind it, it started driving on the complete opposite side of the road, and should there have been any oncoming traffic it would have collided with them. The passenger car continued on the left hand side of the road going the wrong way for a couple hundred feet and when it neared the intersection of Center Street and Vinearden Road, it returned erratically to the right side of the road and put its left hand turn signal on.

I turned on my lights and the driver pulled into the PVA of the Jett Express Convenience Store. As I approached the driver side I noticed that the vehicle was still in drive. I asked the driver approximately nine different times to put the car in park. I noticed that his eyes were very bloodshot and I could smell alcohol coming from his breath. I asked him if he had a drivers license or a consular card and he stated that he did not. A couple minutes later he then pulled out his wallet and handed me his consular card. The driver, Mazariegos, continued to not follow directions so I asked him to step out of the car. While doing so he attempted to walk away from the scene so he was detained and handcuffed. I made sure he did not have any weapons on his person and told him to stand in front of my vehicle with PSO Cunningham.

I asked him what his name was and what his birthday was numerous times to which he replied "It's on the card." I told him that he should know his name and birthday without looking at a card and he continually repeated "It is on the card." Mazariegos tried several more times to leave the scene at which time we placed him in the back seat of my patrol car.

During this time I learned that his license was no longer active. PSO B Thompson asked if Mazariegos wanted to submit to an alcosensor test and he said "No." At that time Mazariegos was placed under arrest for suspicion of Driving While Impaired. I requested for his vehicle to be towed. Hamby's towing responded. I completed an inventory of the vehicle and PSO Cunningham stood by until Hamby's was on scene.

I transported Mazariegos to Burke Catawba to complete the testing. An interpreter met me at the jail to translate. Mazariegos was read his Miranda Rights and Chemical Test Rights. He then refused to do SFST's. He attempted to make several phone calls during his observation time but no one showed up. He waived his Miranda Rights and answered questions pertaining to the incident at hand which were documented on the DWI-R. After thirty minutes we proceeded with the Intoximeter EC/IR 2 Test. Mazariegos consented to a breath test and blew a .22 and then a .21.

He was then transported to the Magistrates Office where he received a \$500.00 Secured Bond. He made bond at the Magistrate's Office and was then taken to Burke Catawba HTS until he called a ride to pick him up.

Mazariegos was also written a citation for No Operators License and Driving Left of Center with the same court date.