

## ARREST REPORT

A G E N C Y	Agency Name <b>Morganton Department Public Safety</b>		ORI <b>0120100 B0003</b>		Date/Time Arrested <b>09/19/2014 22:53</b>		OCA <b>201406285</b>						
	<input type="checkbox"/> Taken <input type="checkbox"/> Prints <input type="checkbox"/> Photos	Fingerprint Card Check Digit # (CKN)		Arrest Tract <b>6100</b>		Residence Tract <b>9999</b>		Arrest Number <b>107392</b>					
A R R E S T E E	Name (Last, First, Middle) <b>MORALES, NAZARIO FELIX</b>			D.O.B. <b>09/04/1975</b>		Age <b>39</b>	Race <b>W</b>	Sex <b>M</b>	Place of Birth <b>MEXICO,</b>	Country of Citizenship <b>MM</b>			
	Current Address <b>2509 Nc 18 Us 64, 31, MORGANTON, NC 286559306</b>			Phone <b>828-443-7824</b>		Occupation <b>Laborer</b>		<input checked="" type="checkbox"/> Resident <input type="checkbox"/> Unknown <input type="checkbox"/> Non-Resident					
	Employer's Name <b>KINGS LANDSCAPING</b>			Address <b>MORGANTON, NC</b>			Phone						
	Also Known As (Alias Names)			Hgt <b>5'10</b>	Wgt <b>200</b>	Hair <b>BLK</b>	Eyes <b>BRO</b>	Skin Tone <b>MED</b>	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			Address				Phone					
A R R E S T	If Armed, Type of Weapon <b>NOT APPLICABLE/NONE</b>		<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 <b>SANFORD DR &amp; N GREEN ST, MORGANTON</b>							
	Charge #1 <b>Resist, Delay Or Obstruct</b>		<input type="checkbox"/> Fel <input checked="" type="checkbox"/> Misd	Counts <b>1</b>	DCI Code <b>0810</b>	Offense Jurisdiction (if not arresting agency)		Statute # <b>14-223</b>	Warr. Date <b>09/19/2014</b>				
	Charge #2 <b>Possession Or Manufactor Of Fraudulent Forms Of Identificati</b>		<input type="checkbox"/> Fel <input checked="" type="checkbox"/> Misd	Counts <b>1</b>	DCI Code <b>1120</b>	Offense Jurisdiction (if not arresting agency)		Statute # <b>14-100.1(A)</b>	Warr. Date <b>09/19/2014</b>				
	Charge #3 <b>Dwi</b>		<input type="checkbox"/> Fel <input checked="" type="checkbox"/> Misd	Counts <b>1</b>	DCI Code <b>2100</b>	Offense Jurisdiction (if not arresting agency)		Statute # <b>20-138.1</b>	Warr. Date				
V E H I C L E	VYR <b>2000</b>	Make <b>FORD</b>	Model <b>WINDSTAR</b>	Style <b>VN</b>	Color <b>GRY</b>	Plate #/State <b>CJC3348 NC 2015</b>		VIN <b>2FMDA5347YBA77139</b>					
	Vehicle 1. <input checked="" type="checkbox"/> Left at Scene <input checked="" type="checkbox"/> Secured <input type="checkbox"/> Unsecured Date/Time <b>09/19/2014 00:00</b> 2. <input type="checkbox"/> Released to other at owners request <input type="checkbox"/> Name of Other _____ 3. <input type="checkbox"/> Impounded <input type="checkbox"/> Place of storage _____ Inventory on File? _____												
C O N F I N E D	Date/Time Confined <b>09/20/2014 01:00:00</b>		Place Confined <b>BURKE CATAWBA</b>			Committing Magistrate <b>ERIC DUCKWORTH</b>							
	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 <b>\$2,000.00</b>		Trial Date <b>11/12/2014 09:00</b>		Court Of <b>District</b>		City <b>MORGANTON</b>				
	Assisting Officer Name/ID # <b>0</b>			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 responded to a call of a gray minivan displaying tag number CJC3348 driving on W Fleming Dr near Morganton Heights shopping center. The van had pulled into the PVA of El Portal and then pulled out again back onto W Fleming Dr. The caller stated that the van had crossed 5 lanes of travel to turn into Morganton Heights and the driver appeared to be intoxicated. The driver was described as wearing a blue tank top.												
S T A T U S	Arresting Officer Signature/ID # <b>GILLSTRAP, J. L. (G3628)</b>			Date/Time Submitted <b>09/19/2014 22:53</b>			Supervisor Signature <b>TRIPLETT, R. E.</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 <b>Morganton Department Public Safety</b>	ORI <b>0120100 B0003</b>	Date/Time Arrested <b>09/19/2014 22:53</b>	OCA <b>201406285</b>
Arrestee Name <b>MORALES, NAZARIO FELIX</b>			Arrest Number <b>107392</b>

I located the minivan at the stop light for the intersection of W Fleming Dr and W Union St. The van went straight across the intersection onto Sanford Dr. I fell in behind it and started observing the minivan. I saw the minivan drifting in its travel lane to the right. It actually struck and rode no the fog line at least 4 times. Both right side wheels actually crossed over the fog line at one point.

I turned on my red/blue lights as we came to the first entrance to the post office. The mini van continued past the entrance. It did turn into the second entrance and continued on to the middle of the parking lot and parked at the edge of the parking spaces.

I started approaching the driver side of the vehicle and saw the defendant leaning down to his right. He had his right hand near the front base of his seat. I explained to the defendant why I had stopped him when I got to his window. I noticed he had blood shot eyes and the was an odor of alcoholic beverages coming from inside the vehicle. I asked him for his license and he told me it was in the glove compartment. However he did not make any move to get it for me or have the passenger get it. I asked him if he had a valid drivers license and he told me it was expired.

I had the defendant exit his vehicle and go to the front of my patrol car. The defendant was unsteady on his feet and was leaning against my car for support. I asked him to perform an alcosensor test. I explained what to do (make a tight seal on the mouth piece and blow nice and steady until I say stop). He instead blew through the mouthpiece very hard. I explained to him again what I wanted him to do and to not blow so hard. He did the same thing again. There was saliva coming from out of his mouth onto my hand as he did this. I explained for a third time what to do. He started arguing saying he had done what I wanted. I told him that if he did not follow directions I would go based on what I had observed so far and arrest him. He turned his side to me, placed his hands behind his back and said go ahead.

I formed the opinion that he 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 based this on my training and experience, the report of his driving, what I had observed of his driving, the delay in stopping, the odor of alcoholic beverages, blood shot eyes, being unsteady on his feet and refusing to do any field sobriety tests. I placed the defendant under arrest for DWI at that time.

The caller had came to the scene of the traffic stop on their own. I collected their name, information and what they had observed.

I asked the defendant what his name was. He told me to find out for myself. I asked him a couple more times for his name and got no response or was told "Everyone knows who I am.". This was delaying me in running his name to check his driving history. I check the driving history to see if there are any suspensions that may support seizing the vehicle. I also need the name and drivers information to process a defendant for DWI and the related paperwork.

I searched his vehicle for any impairing substances. I did not locate any beers or alcoholic beverages in the vehicle. At the front of the drivers seat where the defendant had put his hand while I was approaching I did find a black wallet. In the wallet was a NC Drivers license for Angel Miguel Mercado license number 26464332. It had a picture of the defendant on it. However the license was a fake ID. It did not have the same feel as a NC drivers license, no holograms, no micro print, the name when ran through DMV did not exist, the license number when ran through DMV came back to a male subject from Denton, NC, the front said there was no restrictions, but on the back it listed a restriction 1 and the word "expires" on the front was in a larger and different font than the other print on the license.

I brought the defendant to BCDF for an intoximeter test. I had a translator meet us there to assist in any communication if needed. I asked the defendant repeatedly what his name was on the way there and once we got there. He continued to be non responsive or say everyone knew him. Once the translator arrived the defendant did give me the name Nazario Morales. He did this as I searched the wallet further and found a Progressive Insurance card with that name on it and a NC drivers license that was so worn it was unreadable except for the date of birth. I ran the name the defendant gave and found the defendant did not have a valid license. It was eligible for

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reinstatement. I confirmed his identity by getting a picture of his license and comparing it to him. He had delayed me by about 20-25 minutes in getting his information for processing. He did request to contact his attorney or a witness. He was given access to a phone and his cell phone. He made several calls while we were waiting. One subject did call back to the intoximeter room and asked me about bonding the defendant out. The caller did not ask to speak with the defendant at all. I gave him what information I could and he hung up. The defendant did provide samples of breath for the test when requested.

We went before the magistrate and the defendant was placed i jail under a total secured bond of \$2000.00.

**ARREST REPORT (Additional Charges)**

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Charge	Fel/Misd	Counts	DCI Code	(if not arresting agency) Offense Jurisdiction	Statute #	Warr. Date
4) No Operators License	M	1	4010		20-7(A)	