

ARREST REPORT

A G E N C Y	Agency Name Morganton Department Public Safety		ORI 0120100 B0003		Date/Time Arrested 07/01/2014 20:32		OCA 201404180					
	<input type="checkbox"/> Taken <input type="checkbox"/> Prints <input type="checkbox"/> Photos	Fingerprint Card Check Digit # (CKN)		Arrest Tract 2700		Residence Tract 2700		Arrest Number 105329				
A R R E S T E E	Name (Last, First, Middle) BARILLAS, GILBERTO			D.O.B. 03/18/1948	Age 66	Race W	Sex M	Place of Birth GUATEMALA,	Country of Citizenship MM			
	Current Address 101 Vine Arden Rd, MORGANTON, NC 28655			Phone 828-439-9915		Occupation Laborer		<input checked="" type="checkbox"/> Resident <input type="checkbox"/> Unknown <input type="checkbox"/> Non-Resident				
	Employer's Name CARSWELL LANDSCAPING			Address MORGANTON NC 28655			Phone 828-433-1342					
	Also Known As (Alias Names)			Hgt 5'03	Wgt 145	Hair BLK	Eyes BRO	Skin Tone DARK	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 ELAINE CLARK			Address 103 VINEARDEN RD, MORGANTON, NC				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 KIRK ST & TAYLOR 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	<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 2000	Make OTHR	Model PEACE	Style MP	Color SILV	Plate #/State NC 0	VIN 5RYCK10448S053941					
	Vehicle 1. <input checked="" type="checkbox"/> Left at Scene <input checked="" type="checkbox"/> Secured <input type="checkbox"/> Unsecured Date/Time 07/01/2014 00:00 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 07/01/2014 22:20:00		Place Confined BURKE CATAWBA			Committing Magistrate R.A. CLARK						
	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 \$1,500.00	Trial Date 09/16/2014 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 running stationary RADAR on Vinearden Rd near Center St. I saw the defendant in the PVA of the Jet Express riding a moped. He pulled forward and nearly struck a car that was backing into a parking space. He pulled onto Center St and I pulled out from my position to follow him. He turned right onto Taylor St and came to a stop at the stop sign located at Taylor St and Kirk <div style="text-align: right;">** Continued **</div>											
S T A T U S	Arresting Officer Signature/ID # GILLSTRAP, J. L. (G3628)			Date/Time Submitted 07/01/2014 20:32		Supervisor Signature MCNEELY, M. A.						
	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	07/01/2014 20:32	201404180
Arrestee Name			Arrest Number
BARILLAS, GILBERTO			105329

St. He had trouble maintaining his balance while he was stopped (swaying side to side). Once he turned onto Kirk St I turned on my red/blue lights and the defendant pulled to the side of the street.

I approached the defendant as he got off his moped. I detected the odor of alcoholic beverages about him. I asked for his ID and he gave it to me. He admitted to drinking when I asked and stated he would probably go over the limit. I retrieved my alcosensor from the car and administered 2 tests at least 5 minutes apart on the defendant. He registered positive for the presence of alcohol each time. The defendant also had blood shot eyes, was swaying as he stood and walked and had difficulty in following directions.

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 placed him under arrest and had Burke contact a spanish translator to meet us at BCDF.

I brought the defendant to BCDF and he provided breath samples for the intoximeter test. We went before the magistrate. He was returned to BCDF and left in their custody under a secured bond.