

ARREST REPORT

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|--------------------------------------|---|--------------------------------------|---|--|---|---|---|--|---|--|------|---|-----------|
| A G E N C Y | Agency Name Morganton Department Public Safety | | ORI 0120100 B0003 | | Date/Time Arrested 08/02/2014 03:52 | | OCA 201405070 | | | | | | |
| | <input type="checkbox"/> Taken <input type="checkbox"/> Prints <input type="checkbox"/> Photos | Fingerprint Card Check Digit # (CKN) | | Arrest Tract 2500 | | Residence Tract 9999 | | Arrest Number 106215 | | | | | |
| A R R E S T E E | Name (Last, First, Middle) HIGGINS, ANDREW LEE | | | D.O.B. 01/20/1991 | | Age 23 | | Race W | Sex M | Place of Birth | | Country of Citizenship | |
| | Current Address 390 Frye Heights Ln Ln, TAYLORSVILLE, NC 28681 | | | Phone 828-409-7295 | | | Occupation | | | <input type="checkbox"/> Resident <input type="checkbox"/> Non-Resident | | <input checked="" type="checkbox"/> Unknown | |
| | Employer's Name UNEMPLOYED | | | Address | | | | | | Phone 828- - | | | |
| | Also Known As (Alias Names) | | | Hgt 6'00 | Wgt 180 | Hair BRO | Eyes HAZ | Skin Tone FAIR | 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 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 E CATAWBA ST, MORGANTON | | | | | | | |
| | Charge #1 Poss Drug Paraphernalia | | <input type="checkbox"/> Fel <input checked="" type="checkbox"/> Misd | Counts 1 | DCI Code 1834 | Offense Jurisdiction (if not arresting agency) | | Statute # 90-113.22 | | Warr. Date 08/03/2014 | | | |
| | Charge #2 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 08/03/2014 | | | |
| | 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 2005 | Make JEEP | Model GRAND | Style MP | Color | Plate #/State CEC9462 NC 2015 | VIN 1J4GR48K55C572862 | | | | | | |
| | Vehicle 1. <input checked="" type="checkbox"/> Left at Scene <input checked="" type="checkbox"/> Secured <input type="checkbox"/> Unsecured Date/Time 08/03/2014 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 08/02/2014 05:20:00 | | Place Confined BURKE CATAWBA | | | | Committing Magistrate DEBBIE CARSWELL | | | | | | |
| | 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 09/08/2014 09:00 | | Court Of District | | City MORGANTON | | | | |
| | Assisting Officer Name/ID # HUFFMAN, S. J. 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 | | | | | |
| | | | | | | | | Possess | Buy | Sale | Mfg. | Importing | Operating |
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| C O M P | Name: Complainant <input checked="" type="checkbox"/> Victim <input type="checkbox"/> | | | Address | | | | | Phone: | | | | |
| | Capt. Whisnant observed a silver/gray Jeep Grand Cherokee traveling North on North Green Street, when he observed the vehicle weaving in the travel lane. Also noticed was a varying of speed of between the posted limit of 20mph and up to approximately 30mph-all on North Green Street. At the red light of East Union and North Green street, the vehicle quickly accelrated when the light changed green. The vehicle was traveling approximately 30 mph in a 20 mph zone approaching | | | | | | | | | | | | |
| S T A T U S | Arresting Officer Signature/ID # CONNOR, E. W. (C7903) | | | Date/Time Submitted 08/07/2014 20:07 | | | Supervisor Signature WHISNANT, J. R. | | | | | | |
| | Case Status: <input type="checkbox"/> Further Inv. <input type="checkbox"/> Inactive <input 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)

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|---|----------------------|-------------------------|------------------|
| Agency Name | ORI | Date/Time Arrested | OCA |
| Morganton Department Public Safety | 0120100 B0003 | 08/02/2014 03:52 | 201405070 |
| Arrestee Name | | | Arrest Number |
| HIGGINS, ANDREW LEE | | | 106215 |

Collette @Suntrust. Captain Whisnant observed the Jeep strike the curb to the right on North Green Street and continue to weave in the travel lane. Captain Whisnant conducted a traffic stop on Catawba Street and identified the driver as Andrew Higgins by asking for license. Whisnant immediately noticed Higgins's red, glassy eyes and an odor of an alcoholic beverage emitting from the vehicle. Capt. Whisnant noticed difficulty when engaging Higgins's divided attention by asking a question after a directive was issued-ie, presenting license and asking where he lives. I returned to my patrol vehicle and asked that back-up officer continue to my location. PSO Connor arrived and I briefed him on the stop and my initial findings. PSO Connor asked Higgins to perform a battery of SFST, which I observed and formed an independent opinion that Higgins physical and mental abilities were impaired from alcohol. PSO Connor arrested Higgins and transported him for an intoximeter.

On August 2, 2014 at approximately 0305, I responded to 100 E Catawba St to provide backup for Capt Whisnant's vehicle stop. When I arrived Capt Whisnant advised he had got behind the vehicle and witnessed it hit the curb and almost strike the curb in several places before he conducted a traffic stop. Capt Whisnant advised he smelled the odor of alcoholic beverage. I approached the driver side of the vehicle and as I got closer to the driver side window, I smelled the odor of alcoholic beverage. I made contact with the driver, Andrew Lee Higgins. Higgins advised me he had a couple of beers approximately 0130. Higgins speech was slurred and had a delayed response when I asked him questions. I asked Higgins if he would submit to Field Sobriety Test in which he consented. I had Higgins step to the front of Capt Whisnant's vehicle. I patted Higgins down for weapons at which point I came to a small round object. I asked Higgins if I could take it out of his pocket and lay it on the hood. Higgins paused for a brief second and consented to me removing the small round object out of his front pocket. I pulled the round metal object with a black cap out of his pocket and asked him what it was. Higgins reported it was a bowl used for smoking marijuana. PSO Huffman and her K9 Shrek arrived on scene. During the time PSO Huffman and K9 Shrek were sniffing the vehicle I had Higgins doing Field Sobriety Tests in which he performed poorly. Capt Whisnant administered a roadside PBT test which returned a positive reading for alcohol. PSO Huffman advised me her K9 had alerted to the vehicle. A search of the vehicle yield 7 items of drug paraphernalia. Of the items located were pipes and bowls used for smoking marijuana along with a pair of small pliers used for holding a marijuana roach while smoking. All these items were located in a wooden cigar box. When Higgins saw us with the box, Higgins reported he did not know those were still in there. I asked Higgins if he had smoked Marijuana lately and he reported he had not. Higgins reported he had taken his prescription Latuda at 2030 on August 1, 2014. I formed the opinion the defendant had consumed a sufficient quantity of an impairing substance such that his mental and physical faculties were appreciably impaired. I placed Higgins under arrest for DWI and possession of drug paraphernalia. I transported Higgins to Burke Catawba for a breath sample. PSO Stotts was the chemical analyst who administered the test. I transported Higgins to the Burke County Magistrate's Office where he was issued a custody release for DWI. I issued a citation to Higgins for possession of drug paraphernalia. I transported Higgins to Burke Catawba where I placed him into their custody.

I placed the evidence in the evidence room slot at MDPS under tag # 21248.