## ARREST REPORT

A	Agency Name					ORI													
A G I E N N F	Morganton Department Public Safety									2014 01:00				201406160					
CO	Taken					Arrest Tract Residence							rest Number						
Υ	☐ Pho		t Middle)				320	<u> </u>	D.O.B.	24	VO Age	Race	Sex	<i>,</i>	1	0722	of Birth		Country of
	Name (Last, First, Middle)  LOPEZ, HENRY ANIBAL												`		1 1000	or Birar		Citizenship	
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Α	Current Address						Ph	none			(	Occupa	tion				esident	☑ Unknown	
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TO	Also Known As (Alias Names)						-		Hgt		/gt	Ha	air	E	yes	SI	kin Tone		d Drug/Alcohol
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ΠО			Released to ot			☐ Name	of Other										Inventor	on File?	
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DCI-608F Rev. 3/92

## ARREST REPORT (Additional Narrative)

Agency Name	ORI		Date/Time Arrested		OCA
Morganton Department Public Safety	0120100	B0003	09/14/2014 01:00		201406160
Arrestee Name	•			Arı	rest Number
LOPEZ, HENRY ANIBAL				1	07223

right travel lane of E Fleming Dr. I then started to initiate the traffic stop when the vehicle made a sudden right turn onto Hogan St. The vehicle crossed over into the far left travel lane of Hogan St before making a sharp right turn to get back into the correct lane of travel. The vehicle nearly struck the right curb on Hogan St, only missing the curb by approximately 12 inches. For fear of the vehicle wrecking and causing injury to itself or others, I turned on my red and blue emergency lights before I could complete calling in the tag to dispatch. Upon turning my emergency lights on, the car did not come to a complete stop. The vehicle started to slow down, but continued to roll for approximately 5 full seconds before finally stopping completely. The license plate was a Virginia issued tag that read VCA3504. I approached the driver side of the vehicle and attempted to make contact with the driver of the silver Honda Civic, who had the window rolled up. I tapped on the window and asked the driver to roll down the window. The driver was delayed in responding, or even looking in my direction. The driver rolled down the window, and I immediately detected an extremely strong odor of an alcoholic beverage. I asked the driver if he had a drivers license, or another form of identification. driver was a Spanish speaking male, but could understand a little English. The driver reported he did not have a driver's license in this state or any other. The driver had red glassy eyes, the driver's speech was slurred, and the driver's responses to questions were delayed. The driver then attempted to retrieve his wallet. The driver patted down all his pockets in the front and back of his person as if he did not remember if he had the wallet on him. The driver reported he did not have a form of identification. I asked the driver if he was sure, and the driver then got his wallet out of his back pocket and handed me a bank card and an id card. I identified the driver as Henry Annibal Mendez Lopez. I asked the driver if he had anything to drink tonight, and he reported he had consumed 4 beers. I asked the driver where he was coming from, and he reported La Rumba Club in Hickory, NC. There were 3 other passengers in the vehicle. I asked for the id's of the other occupants, and they would not acknowledge my request. I asked Lopez to turn off the vehicle, and place the keys on the dash. Lopez went for the key and grabbed just short of it before finally making contact with it on the second attempt. Lopez then placed the keys on the dash of the vehicle. I asked Lopez if he would submit to a battery of standardized field sobriety tests, to make sure he was safe to be driving. Lopez consented and I asked him to step to the front of my patrol vehicle. As Lopez was exiting the vehicle, Lopez seemed to have trouble unbuckling his seat belt and was unsteady while standing up out of the silver Honda Civic. I assisted Lopez out of the vehicle by grabbing his right arm to assist him out. Lopez started walking to the front of my patrol vehicle, Lopez stumbled on his feet, almost falling, before finally reaching my patrol vehicle. PSO Storie then arrived as my backup officer. PSO Storie administered a roadside PBT test which indicated a positive reading for the presence of alcohol. Lopez submitted to HGN, but when I asked Lopez to do the Walk and turn test, Lopez refused to perform any more tests. Based on Lopez's driving, red glassy eyes, delayed responses, delayed motor skills, admission to consuming alcohol, unsteady balance, and the sfst that Lopez performed, I formed the opinion that Henry Lopez had consumed a sufficient quantity of an impairing substance such that his mental and physical faculties were appreciably impaired. I placed Lopez under arrest for DWI. I had dispatch call an interpreter to meet at Burke Catawba Confinement Facility to translate for the breath test. PSO Storie and myself had all three passengers exit the vehicle. PSO Storie searched the vehicle and located an open container of Bud Light Lime under the front driver's side seat. I had dispatch have next rotation towing company to come get the vehicle. The other passengers of the silver Honda Civic indicated they would walk to their house from where the silver Honda Civic was stopped. PSO Storie stood by the vehicle until Ramsey's Towing company arrived while I transported Lopez to Burke Catawba for Breath Tests. I arrived at Burke Catawba, PSO Stotts was the chemical analyst and Reggie Moore was the interpreter. PSO Stotts administered the Breath Tests. PSO Stotts advised me that Lopez's breath returned a reading of .18 BAC. I transported Lopez to the Burke County Magistrate's Office, where his bond was set for \$1000.00 secured bond for the DWI charge. I issued Lopez citations for No Operators License, driving left of center, possession of an open container, and careless and reckless driving. I transported Lopez back to Burke Catawba where he was released into their custody.

## **ARREST REPORT (Additional Charges)**

Γ	Agency Name	ORI		Date/Time Arrested		OCA
l	Morganton Department Public Safety	0120100	B0003	09/14/2014 01:00		201406160
ı	Arrestee Name	•			Ar	rest Number
ı	LOPEZ, HENRY ANIBAL				1	07223

	Charge	Fel/Misd	Counts	DCI Code	(if not arresting agency) Offense Jurisdiction	Statute #	Warr. Date
	4) Reckless Driving Wanton Disregard	М	1	4010		20-140(A)	09/14/2014
_	5) Left Of Center	М	1	4010		20-150(D)	09/14/2014

Arrest Report (Additional Charges)