

CRIMINAL COMPLAINT
Commonwealth of Virginia

RULES 3A:3 AND 7C:3

Print ALL information clearly:

Fairfax ☒ General District Court
CITY OR COUNTY
☐ Juvenile and Domestic Relations District Court

Under penalty of perjury, I, the undersigned Complainant swear or affirm that I have reason to believe that the Accused committed a criminal offense, on or about

9/28/13 in the ☐ City ☐ County ☒ Town

DATE OFFENSE OCCURRED
of Herndon, VA

I base my belief on the following facts:

On this date, at 2:31AM, I was on patrol at the 300 Blk of Elden Street. While driving past I observed a red Hyundai SUV (VA WSK8264) driving on Herndon Parkway and turning right onto Elden St. without stopping a the red light. I then observed the vehicle swerving to the right driving over the white broken line twice. The statements above are true and accurate to the best of my knowledge and belief. See back

In making this complaint, I have read and fully understand the following:

- By swearing to these facts, I agree to appear in court and testify if a warrant or summons is issued.
- The charge in this warrant cannot be dismissed except by the court, even at my request.

Ofc. E.A. Calo #5129
NAME OF COMPLAINANT (LAST, FIRST, MIDDLE)
(PRINT CLEARLY)

SIGNATURE OF COMPLAINANT

Subscribed and sworn to before me this day.

9/28/13 5:24AM
DATE AND TIME

DATE AND TIME

☐ CLERK ☒ MAGISTRATE ☐ JUDGE

CRIMINAL COMPLAINT

ACCUSED: Name, Description, Address/Location

Lemoine, Michelle Lisabet
LAST NAME, FIRST NAME, MIDDLE NAME
10941 Wild Ginger Cir apt
Manassas, VA 20109

COMPLETE DATA BELOW IF KNOWN

RACE	SEX	BORN	MO.	DAY	YR.	FT.	IN.	WGT.	EYES	HAIR
W	F	2	24	80	5	8	110	142	Baz	Baz
SSN <u>434-91-3003</u>										

Vehicle then put the left turn signal on and drove over the white solid line that divides the Left Turn Only Lane and the Straight Through Lane. The vehicle also had expired registration of August/2013. I initiated a traffic stop and identified the driver as Michelle Lisabet Lemoine. Michelle had bloodshot/glassy eyes, slurred speech, and an odor of alcoholic beverages coming from her person. Michelle stated, when asked, that she was drinking Crown Royal and ginger ale. Michelle also said that she was under medication for allergies. When asked, Michelle refused to step out of the vehicle for Field Sobriety Tests. Michelle then agreed on performing FST's. First Test was Horizontal Gaze Nystagmus. I observed an onset nystagmus at maximum deviation on both eyes. Second Test was Walk-and-Turn. Michelle failed to walk on a heel-to-toe manner on step 3 of first set of steps and step 5 of second set of steps. She also used hands for balance and stopped counting. Third test was One-Leg-Stand. Michelle stated that she was not going to be able to perform this test because the medication that she was taking did not help her with balance. Michelle tried to do this test twice, failing on the first try. Fourth test attempted was Finger-to-Nose, but Michelle refused to perform this test and she also refused to provide a ^{preliminary} sample of her breath. Due to driving behavior, contact, and

FST's Michelle was placed under arrest for DWI.