



AUSTIN POLICE DEPARTMENT
GENERAL OCCURRENCE HARDCOPY

GO# 2012-2552046 CLEARED BY ARREST
(IBRS)

2100-0 DWI

STATE OF TEXAS
COUNTY OF TRAVIS

§
§

IN THE MUNICIPAL COURT
CITY OF AUSTIN, TEXAS

AFFIDAVIT FOR SEARCH WARRANT

Before me, the undersigned authority, on this day personally appeared Officer GILBERT 5346
who after being duly sworn upon oath deposes and says:

I.

I am a peace officer of the State of Texas, to wit: a Police Officer for the City of Austin in Travis County, Texas, and I have good reason to believe that heretofore, on SEP 11, 2012 at approximately 10 : 44 P in the County of Travis and State of Texas, Jonathan Stick (White / Male born 02/27/1966, height 506, weight 145, DL [REDACTED]), did then and there commit an offense relating to the operation of a motor vehicle while intoxicated namely:

DRIVING WHILE INTOXICATED - (OFFENSE LEVEL Class B)

Affiant has probable cause for said belief by reason of the following facts:

My belief of the foregoing statement is based upon personal knowledge information provided to me by Officer _____, an officer working for _____ who personally observed such offense such offense.

Officer GILBERT 5346, observed Jonathan Stick (White / Male born 02/27/1966, height 506, weight 145, DL [REDACTED]) driving operating 2009 Black GMC Yukon LP [REDACTED] upon 500 Block Campbell, a public place in Austin, Travis County, TX

On SEP 11, 2012 at approximately 10 : 44 P, Officer GILBERT 5346, stopped contacted Jonathan Stick (White / Male born 02/27/1966, height 506, weight 145, DL [REDACTED]) for the following reasons:

Subject was driving westbound in the 1000 block of W 6th St at a high rate of speed. I checked the vehicle at 45 mph using stationary radar. The posted speed limit in the 1000 block is 30 mph. The vehicle then moved from the left lane to the center lane without signaling any intent. The vehicle followed a slower moving car at an unsafe distance (less than 1 car length). In about the 1300-1400 block of W 6th St the vehicle drifted back and forth the left, crossing the lane line into the left lane as well as straddling the lane line as the vehicle continued westbound. In about the 1500 block the vehicle failed to signal intent again when it moved from the center lane to the left lane. When the vehicle stopped at the red light at the intersection of W 6th and West Lynn it failed to stop at the designated point, stopped well past the clearly marked stop line, past the first crosswalk line and into the intersection.

Jonathan Stick Driving While Intoxicated

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Officer **GILBERT, ROBERT - AP5346**, observed Jonathan Stiek (White / Male born 02/27/1966, height 506, weight 145, DL [REDACTED]) at the scene of said offense/collision and formed the opinion the said accused was intoxicated based upon the following conditions exhibited by the said accused;

- | | | | | | |
|--------------------------|--|--|--|---|--|
| Clothing: | <input type="checkbox"/> Disorderly | <input type="checkbox"/> Soiled | <input checked="" type="checkbox"/> Mussed | <input type="checkbox"/> Disarranged | <input type="checkbox"/> Orderly |
| Alcoholic Beverage Odor: | <input checked="" type="checkbox"/> Strong | <input type="checkbox"/> Moderate | <input type="checkbox"/> Faint | <input type="checkbox"/> None | |
| Eyes: | <input checked="" type="checkbox"/> Bloodshot | <input checked="" type="checkbox"/> Watery | <input checked="" type="checkbox"/> Glassy | <input type="checkbox"/> Dilated | |
| Speech: | <input type="checkbox"/> Mumbled | <input checked="" type="checkbox"/> Slurred | <input type="checkbox"/> Confused | <input type="checkbox"/> Not understandable | <input type="checkbox"/> Mush-mouthed |
| | <input type="checkbox"/> Stuttered | <input checked="" type="checkbox"/> Fair | <input type="checkbox"/> Good | <input type="checkbox"/> Thick Tongued | <input type="checkbox"/> Accent |
| Balance: | <input checked="" type="checkbox"/> Wobbling | <input type="checkbox"/> Falling | <input checked="" type="checkbox"/> Swaying | <input type="checkbox"/> Needed Support | <input checked="" type="checkbox"/> Unsure <input type="checkbox"/> Sure |
| Attitude: | <input type="checkbox"/> Excited | <input type="checkbox"/> Hilarious | <input type="checkbox"/> Talkative | <input checked="" type="checkbox"/> Uncooperative | <input type="checkbox"/> Profanity <input type="checkbox"/> Polite |
| | <input type="checkbox"/> Sleepy | <input type="checkbox"/> Combative | <input type="checkbox"/> Indifferent | <input type="checkbox"/> Cooperative | <input type="checkbox"/> Insulting <input type="checkbox"/> Cocky |
| Unusual Actions: | <input checked="" type="checkbox"/> Hiccupping | <input checked="" type="checkbox"/> Belching | <input type="checkbox"/> Hallucinating | <input type="checkbox"/> Vomiting | <input checked="" type="checkbox"/> Lying |
| | <input type="checkbox"/> Fighting | <input type="checkbox"/> Restless | <input type="checkbox"/> Laughing | <input type="checkbox"/> Body Tremors | <input type="checkbox"/> Unconscious <input type="checkbox"/> Crying |
| | <input type="checkbox"/> Disoriented | <input type="checkbox"/> Paint on face | | | |
| Walking: | <input type="checkbox"/> Falling | <input checked="" type="checkbox"/> Swaying | <input type="checkbox"/> Staggering | <input type="checkbox"/> Stumbling | <input checked="" type="checkbox"/> Unsure <input type="checkbox"/> Sure |
| Turning: | <input type="checkbox"/> Falling | <input type="checkbox"/> Swaying | <input checked="" type="checkbox"/> Hesitant | <input type="checkbox"/> Staggering | <input checked="" type="checkbox"/> Unsure <input type="checkbox"/> Sure |

The following field sobriety tests were administered on Jonathan Stiek (White / Male born 02/27/1966, height 506, weight 145, DL [REDACTED]) in order to determine impairment of physical and mental faculties: Officer **GILBERT, ROBERT - AP5346**, is certified to administer the HGN and prior to beginning this test checked the eyes for equal pupil size and equal tracking.

*** Horizontal Gaze Nystagmus ***

- | | |
|---|---------|
| <input type="checkbox"/> L <input type="checkbox"/> R - Lack of smooth pursuit | |
| <input type="checkbox"/> L <input type="checkbox"/> R - Distinct & Sustained Nystagmus at maximum deviation | REFUSED |
| <input type="checkbox"/> L <input type="checkbox"/> R - Onset of Nystagmus prior to 45 degrees | |
| <input type="checkbox"/> Yes <input type="checkbox"/> No - Vertical Nystagmus | |

*** Walk & Turn ***

- | | |
|---|--|
| <input type="checkbox"/> Lost balance during instructions | <input type="checkbox"/> Started before instructed |
| <input type="checkbox"/> Failed to touch heel to toe | <input type="checkbox"/> Used arms for balance |
| <input type="checkbox"/> Turned improperly | <input type="checkbox"/> Stepped off line |
| <input type="checkbox"/> Stopped while walking | <input type="checkbox"/> Incorrect number of steps |
- REFUSED

*** One Leg Stand ***

- | | |
|--|--|
| <input type="checkbox"/> Put foot down | <input type="checkbox"/> Used arms for balance |
| <input type="checkbox"/> Swayed | <input type="checkbox"/> Hopped |
- REFUSED

*** Romberg Balance ***

- | | |
|--|--|
| <input type="checkbox"/> Exhibited _____ inch sway front to back | <input type="checkbox"/> Estimated 30 seconds as _____ seconds |
| <input type="checkbox"/> Exhibited _____ inch sway side to side | <input type="checkbox"/> Exhibited _____ inch circular sway |

Other Field Sobriety Tests Administered/Signs of Intoxication (other than those stated above, if any): SHORT UNBUTTONED MIDWAY DOWN, STATED TO JUST TAKE HIM TO JAIL

Field Sobriety Tests were not administered because: Subject refused all SFST's

Jonathan Stiek Driving While Intoxicated

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Collision [] Yes [x] No Serious Injury? [] Yes [] No If Yes, Victim is
Accused in Possession of Alcohol/Drugs [] Yes [x] No Describe:

Pre-Arrest Admissions by Accused: Stated he had 2 drinks then stated that he had 4 drinks

Previous Driving While Intoxicated Convictions? [] Yes [x] No Counties/Dates:

Officer GILBERT, ROBERT - AP5346 has been a police officer for APPROXIMATELY 7 years and has had training and experience in recognizing intoxicated individuals and specifically, Intoxicated drivers.

Officer GILBERT, ROBERT - AP5346 determined that the suspect was intoxicated, by not having the normal use of mental or physical faculties by reason of the introduction of alcohol, a controlled substance, a drug, a dangerous drug, a combination of two or more of those substances, or any other substance into the body and placed the suspect under arrest for Driving While Intoxicated. Officer GILBERT, ROBERT - AP5346 requested a sample of the suspect's breath and/or blood, which the suspect refused to provide.

II.

That I have good reason to believe that under the laws of the State of Texas, the following described property and items are subject to seizure, to wit: blood from the person of the said Jonathan Stick (White / Male born 02/27/1966, height 506, weight 145, DL # [redacted]), who is currently being held at [x] TCSO Jail [] Other

III.

That I have good reason to believe and do believe that the blood from the person of the said Jonathan Stick (White / Male born 02/27/1966, height 506, weight 145, TX DL #14621611) listed and described in paragraph II above are now in the possession and control of the said Jonathan Stick (White / Male born 02/27/1966, height 506, weight 145, DL # [redacted]) on and within the body of said Jonathan Stick (White / Male born 02/27/1966, height 506, weight 145, DL # [redacted]).

IV.

That the evidence will constitute evidence of the commission of an offense relative to the operating of a motor vehicle while intoxicated, namely Driving While Intoxicated, or will show that Jonathan Stick (White / Male born 02/27/1966, height 506, weight 145, DL # [redacted]) committed an offense relative to the operating of a motor vehicle while intoxicated, namely, Driving While Intoxicated 18.01 (c)(2).

WHEREFORE, PREMISES CONSIDERED, your affiant requests that a warrant to search for and seize blood from the person of the said Jonathan Stick (White / Male born 02/27/1966, height 506, weight 145, DL # [redacted]) be issued in accordance with the law in such cases provided.

Furthermore, Affiant asks for issuance of an order to appropriate third parties directing them to assist Affiant in the execution of said warrant.

[Signature] 5346
(Affiant)

09/11/12 2:41 P
(Date) (Time)

SUBSCRIBED AND SWORN to before me by said affiant on this the 11 day of Sept. 2012, I hereby acknowledge I have examined the foregoing affidavit and have determined that probable cause does exist for the issuance of a search warrant for the individual accused therein.

[Signature]
Municipal Court
Austin, Travis County, Texas

Jonathan Stick Driving While Intoxicated

End

*** CONFIDENTIAL ***

