

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Petitioner,

Case No.

TFB No. 2011-90,075(OSC)

v.

L. STEFAN MORONEY,

Respondent.

THE FLORIDA BAR'S PETITION FOR CONTEMPT
AND ORDER TO SHOW CAUSE

COMES NOW The Florida Bar, by and through its undersigned attorney, and petitions this Honorable Court to enter an order revoking L. Stefan Moroney's conditional admission for violating the provisions of this Court's order entered in Supreme Court Case Number SC10-1590. In support of its Petition, The Florida Bar states as follows:

1. By order of this Court dated August 17, 2010, in case number SC10-1590, (TFB File No. 2011-80,005(ACA)), respondent was conditionally admitted to The Florida Bar pursuant to Rule 1- 3.2(b) of the Rules Regulating The Florida Bar and placed on probation for a period of five years.

2. Respondent was conditionally admitted based on substance abuse issues.

During the period of probation, respondent was ordered to:

- (a) abstain from the consumption of alcoholic beverages;
- (b) abstain from the use of controlled substances except as prescribed by a duly licensed medical physician and approved by Florida

- Lawyers Assistance, Inc. (FLA, Inc.);
- (c) participate actively in the program offered by FLA, Inc. during the entire probationary period by complying with the rehabilitation contract with that organization executed on September 30, 2009, and by extending the contract to cover the entire probationary period if necessary;
 - (d) participate actively in Alcoholics/Narcotics Anonymous by attending, at least, weekly meetings or such greater frequency as required by FLA, Inc.; practice AA/NA principles in all of his affairs and carry the AA/NA message to other substance dependent individuals;
 - (e) undergo quarterly screening, or screening at such greater frequency as required by FLA, Inc. to assure screens are random, consisting of a multi-panel test for drugs plus EtG testing for alcohol, on randomly selected dates with notice of four (4) hours or less at the direction of The Florida Bar to verify his abstinence from the use of alcohol and controlled substances; and
 - (f) submit quarterly sworn statements to The Florida Bar by March 31, June 30, September 30, and December 31 during the probationary period attesting to his compliance with the conditions set forth in 2 (a), (b), (c), (d), and (e).

3. In addition, pursuant to this Court's Order, The Florida Bar was required to monitor respondent's compliance with the terms set forth above and respondent was responsible for paying for the costs associated with monitoring.

4. On August 30, 2010, respondent was notified of the terms and conditions associated with his conditional admission. *See*, copy of The Florida Bar's letter to respondent dated August 30, 2010, attached hereto as Exhibit "A."

5. On or about September 29, 2010, The Florida Bar received respondent's signed acknowledgment stating that he read and understood the terms and conditions associated with his conditional admission. *See*, copy of respondent's signed

acknowledgment attached hereto as Exhibit "B."

6. On October 1, 2010, The Florida Bar received a letter from respondent stating that on the afternoon of September 21, 2010, his supervising attorney, who was unaware of his contract with FLA, Inc., came into his office and told him he was doing a good job. To celebrate, the supervising attorney took him and several other attorneys out for dinner and a couple of drinks. Later that evening respondent was pulled over and ultimately arrested for suspicion of driving under the influence. *See*, copy of respondent's letter to The Florida Bar dated September 23, 2010, attached hereto as Exhibit "C."

7. On October 8, 2010, respondent submitted his quarterly sworn statement attesting to his compliance with the conditions of his conditional admission for the quarter ending September 30, 2010 stating that he did have a relapse with the consumption of alcoholic beverages. *See*, copy of respondent's affidavit dated October 4, 2010 for the quarter ending September 30, 2010, attached hereto as Exhibit "D."

8. On October 18, 2010, The Florida Bar received a letter from respondent dated October 12, 2010 transmitting a copy of the report from the Florida Highway Patrol regarding the arrest on September 21, 2010. *See*, copy of respondent's letter to The Florida Bar dated October 12, 2010 with attached Florida Highway Patrol report and a certified copy of the arrest citation as Composite Exhibit "E."

9. Respondent entered into a Consent Agreement on July 27, 2010 with the Florida Board of Bar Examiners (FBBE), specifically agreeing to abstain from the consumption of alcohol and to comply with his FLA, Inc. contract which also included

abstaining from alcohol. FBBE relied on respondent's promise when they recommended his conditional admission to this Court and this Court relied on respondent's promise when it granted respondent's conditional admission.

10. In respondent's letter of October 12, 2010, respondent admits that he did not take his alcohol problem seriously and that he "attempted to comply" with his FLA, Inc. contract but never fully allowed himself to engage in A.A. because he didn't consider himself an alcoholic. By not taking his alcohol problem seriously, he never took his promise to FBBE or this Court seriously. *See*, Composite Exhibit "E."

11. Respondent seeks leniency for his relapse and asserts he recognizes that he is now an alcoholic. However, respondent has previously had 5 incidences with law enforcement where alcohol was involved including a previous DUI in 2000.

12. Revocation is appropriate for respondent's noncompliance with this Court's Order granting him the privilege to practice law.

13. The conditional admission order provides in pertinent part:

A failure to observe the conditions of probation or a finding of probable cause as to conduct of the respondent committed during the period of probation may terminate the probation and subject the respondent to all available grievance procedures and disciplinary sanctions including disbarment under the Rules of Discipline. Upon receiving notice of a violation of the Court's order of conditional admission, The Florida Bar may immediately petition the Court for an order of suspension.

14. Due to respondent's non-compliance with this Court's order dated August 17, 2010, The Florida Bar was obligated to file this Petition for Contempt and Order to Show Cause for noncompliance related to the terms and conditions of his

conditional admission.

15. The other members of The Florida Bar should not have to pay for respondent's noncompliance with this Court's order and the instant proceeding. Therefore, pursuant to Rule 3-7.6, Rules Regulating The Florida Bar, the Bar is requesting administrative costs of \$1,250.00 against respondent.

WHEREFORE, petitioner, The Florida Bar, respectfully requests this court enter its order directing respondent L. Stefan Moroney, to show cause why he should not be held in contempt, his conditional admission be revoked from the practice of law for failure to comply with the terms and conditions of his admission and assessing costs in the amount of \$1,250.00 to The Florida Bar.



Kenneth Lawrence Marvin, Bar Counsel
The Florida Bar
651 E. Jefferson Street
Tallahassee, Florida 32399-2300
(850)561-5731
Florida Bar No. 200999

CERTIFICATE OF SERVICE


I HEREBY CERTIFY that a true and correct copy of the foregoing Petition for Contempt and Order to Show Cause has been forwarded by Certified Mail Return Receipt Number 7006 0100 0003 1079 0877 to Respondent's Counsel, Scott Kevork Tozian, at his record bar address of 109 North Brush Street, Suite 200, Tampa, Florida 33602-4157 on this 27th day of October, 2010.



Kenneth Lawrence Marvin

CERTIFICATE OF TYPE, SIZE AND STYLE

I HEREBY CERTIFY that the foregoing petition of The Florida Bar is submitted in 14 point proportionately spaced Times New Roman font in Microsoft Word format.



Kenneth Lawrence Marvin



THE FLORIDA BAR

651 EAST JEFFERSON STREET
TALLAHASSEE, FL 32399-2300

JOHN F. HARKNESS, JR.
EXECUTIVE DIRECTOR

850/561-5600
WWW.FLABAR.ORG

August 30, 2010

PERSONAL AND CONFIDENTIAL

Mr. L. Stefan Moroney
2785 Bayside Drive South
St. Petersburg, FL 33705

Re: The Florida Bar v. L. Stefan Moroney
TFB File No. 2011-80,005(ACA)

Dear Mr. Moroney:

Congratulations on your admission to The Florida Bar!

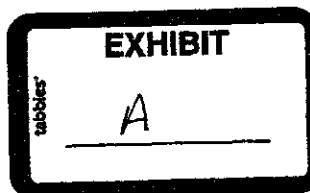
By order of the supreme court dated August 17, 2010 you were conditionally admitted to The Florida Bar and placed on probation for 5 years. I will be your contact person at The Florida Bar concerning the terms of the court order and reporting requirements. All reports and payments should be sent to my attention and should include the referenced file number for proper identification.

Florida Lawyers Assistance, Inc. (FLA, Inc.)

As a condition of admission, you are required to participate actively in the program offered by FLA, Inc. by complying with the rehabilitation contract with that organization executed on September 30, 2009. I understand that the contract you executed with FLA, Inc. contains language that the term of your contract is for a specified period "or until successful completion of any term of probation..." Should this not be correct, please extend your current contract to match the length of your probationary period.

The court order requires that you:

- a) abstain from the consumption of alcoholic beverages;
- b) abstain from the use of controlled substances except as prescribed by a duly licensed medical physician and approved by FLA, Inc.;
- c) comply with the terms and conditions under contract as established by FLA, Inc.;
- d) participate actively in Alcoholics/Narcotics Anonymous, at least, weekly meetings or such greater frequency as required by FLA, Inc.;
- e) practice AA/NA principles in all of your affairs and carry the AA/NA message to other substance dependent individuals;



- f) undergo quarterly screening, or screening at such greater frequency as required by FLA, Inc. consisting of a multi-panel test for drugs plus EtG testing for alcohol; and
- g) submit quarterly sworn reports concerning compliance with these requirements.

To assure screens are random, screens are on randomly selected dates with notice of (4) four hours or less to verify your abstinence from the use of alcohol and controlled substances.

Fees

The Florida Bar will pay FLA, Inc. to monitor the terms of your conditional admission and expects reimbursement on a monthly basis. The Florida Bar will pay a monthly fee of \$75.00 per month to FLA, Inc., and each month thereafter, until the contract is completed. Accordingly, the monthly monitoring fee (\$75.00) for September should be received by September 30, 2010. Future monitoring fees must be submitted no later than the end of each respective month in which the fee is due. You will not be sent a bill; it is your responsibility to pay these fees on a timely basis.

Reports

Your sworn statement is required to be filed quarterly. The first report for the quarter ending September 30, 2010 needs to be submitted by October 5, 2010. Subsequent reports end on December 31, March 31, and June 30 and are due by the 5th day of the following month. Please find enclosed a sample sworn statement.

Relocation or Travel Outside of Florida

To effectively monitor the provisions of your probation, you shall reside within the State of Florida during the entire period of probation.

If you decide to reside or relocate outside the State of Florida during the term of probation for any reason, you shall surrender your license to practice of law in the State of Florida and if you fail to do so, your license will be terminated by order of the Supreme Court of Florida. If your license is surrendered or terminated for reasons stated, you shall be entitled to resume the practice of law in the State of Florida only upon full compliance with the rules and regulations governing admissions to The Florida Bar.

Any business or pleasure trips outside the state of residence that exceed ten (10) days require the advance approval of The Florida Bar.

Extension or Termination of Probation

Failure to observe the conditions of the probation or a finding of probable cause as to your conduct during the period of probation may terminate the probation and subject you to all available grievance procedures and disciplinary sanctions including disbarment under the Rules of Discipline. Upon receiving notice of a violation of the Court's order of conditional admission, The Florida Bar may immediately petition the Court for an order of suspension. You will have ten (10) days to file a response. If no response is timely filed by the applicant, then the Court shall issue an order of suspension. If a response is filed, the matter shall be disposed of as the Court directs. Unless terminated by the Court, an order of suspension shall remain in effect until final disposition of the grievance procedures commenced by The Florida Bar.

If circumstances so warrant it, The Florida Bar may stipulate to a joint extension of the period of probation or The Florida Bar may petition the Court for such an extension with a final decision to be made by the Court. You have acknowledged that an uninterrupted period of documented sobriety for a minimum period of time must be established prior to admission to The Florida Bar on an unconditional basis. Should the period of probation be extended, you agree that such extension shall be for a minimum of 3 up to 5 years.

Notice of Arrest and Grievance Complaint

You must immediately inform The Florida Bar of any criminal arrest or prosecution and the filing of any grievance or complaint related to your practice of law.

Current Bar Address

Please note that pursuant to rule 1-3.3 you are required to designate an official bar mailing address and business telephone number and required to notify the bar of any changes in the information required by this rule. Please designate, in writing, an address for all correspondence regarding probation. This address may be different from the official bar mailing address because of confidentiality issues.

Inventory Attorney Designation

Please note that pursuant to rule 1-3.8(e), each member of the bar who practices law in Florida shall designate another member of The Florida Bar who has agreed to serve as inventory attorney under this rule; provided, however, that no designation is required with respect to any portion of the member's practice as an employee of a governmental entity. When the services of an inventory attorney become necessary, an authorized representative of The Florida Bar shall contact the designated member and determine the member's current willingness to serve. The designated member shall not be under any obligation to serve as inventory attorney.

Mr. L. Stefan Moroney
August 30, 2010
Page 4

Thank you for your cooperation in this matter and please do not hesitate to contact me at (850) 561-5796 if you have any questions.

Sincerely,

Sheryl Remien Walker

Sheryl Remien Walker, CP FCP, FRP
Certified Paralegal
Lawyer Regulation Headquarters

Insert - Sample Sworn Statement

cc: Florida Lawyers Assistance, Inc. (w/ enclosures)

Acknowledgment

I hereby acknowledge that I have received, read and understand the letter from The Florida Bar dated _____ which explains the terms and conditions of my conditional admission to the Bar.

Dated on _____, 2010

Print Name

Signature

SWORN STATEMENT

STATE OF FLORIDA
COUNTY OF _____

I _____, after being duly sworn, depose and say:

For the quarterly period ending _____:

1. I am in compliance with each term and condition of my probation.
2. I am abstaining from the consumption of alcoholic beverages.
3. I am abstaining from the use of controlled substances.
4. I am participating actively in the program offered by Florida Lawyers Assistance, Inc.
5. I am undergoing random drug screenings, at least quarterly at such greater frequency as required by FLA, Inc..
6. I am attending FLA attorney support meetings at least monthly, or at such greater frequency as required by FLA.

FURTHER AFFIANT SAYETH NOT.

Affiant

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 20____
who is personally known to me or produced identification _____.

NOTARY PUBLIC

My commission expires:

(Print, type or stamp Commission Name of
Notary Public)

FORM (fill in and mail to)
The Florida Bar
Department of Lawyer Regulation
651 East Jefferson Street
Tallahassee, Florida 32399-2300

DESIGNATION OF INVENTORY ATTORNEY

I hereby designate:

(print record Bar name of designated inventory attorney)
(print The Florida Bar number)

who has indicated a current willingness to serve as my inventory attorney should the need for protection of my clients' legal rights arise.

Dated this ____ day of _____, 20 ____.

(signature)

(typed or printed name as recorded in Bar records)

_____ Florida Bar Number

FREQUENTLY ASKED QUESTIONS

What is the history of this requirement?

The Supreme Court has agreed with a Florida Bar proposal to require certain members of the bar to designate another member to serve as an inventory attorney in the event there is a need. The rule amendment is effective January 1, 2006. The purpose of the amendment is to provide for a means to protect the interests of clients if their originally retained counsel cannot or will not do so.

Inventory attorneys take possession of the files of a member who dies, disappears, is disbarred or suspended, becomes delinquent, or suffers involuntary leave of absence due to military service and no other responsible party capable of conducting the member's affairs is known. The inventory attorney has the responsibility of identifying clients in need of services and getting notice to the clients of such needs. The inventory attorney may give the file to a client for finding substitute counsel; may make referrals to substitute counsel with the agreement of the client; or may accept representation of the client, but is not required to do so.

Designated inventory attorneys will be contacted when the need arises and will be asked to serve. Because circumstances change, the designated inventory attorney is not obligated to serve.

Who must designate an inventory attorney?

Only those members who practice in Florida (regardless of where they live) must make a designation. Members who are eligible to practice in Florida, but who do not do so are not required to designate an inventory attorney.

Lawyers who practice in Florida (regardless of whether they reside in the state) even if they have only one client (such as in-house counsel or if they represent governmental entities) are required to designate an inventory attorney.

Who is not required to designate an inventory attorney?

A Florida Bar member who lives in another state and does not practice at all in Florida is not required to designate an inventory attorney, even if the non-resident member is eligible to practice law in Florida.

Florida judges and other members who are precluded from practicing law by statute or rule are not required to designate.

Florida resident members engaged in other occupations, even if eligible to practice law in Florida, are not required to designate.

While members of The Florida Bar who are working as in-house counsel must designate an inventory attorney, individuals certified as Authorized House Counsel do not have to designate an inventory attorney.

Members of The Florida Bar who have chosen inactive status do not have to designate an inventory attorney.

Who may be designated as an inventory attorney?

Only other members of The Florida Bar may be designated as an inventory attorney.

Designated inventory attorneys must be eligible to practice law in Florida. They are not required to be practicing, only that they be eligible to do so.

Resident and non-resident members of the bar may be designated as inventory attorneys.

How are inventory attorneys appointed?

When the need for an inventory attorney arises bar counsel will verify that the designated inventory attorney is eligible to practice law in Florida and shall contact the designated inventory attorney. If the designee agrees to serve bar counsel will file a petition with the local circuit court for appointment of the inventory attorney and secure an order of appointment.

How often must I make a designation?

Once a designation is made another designation is not required unless the originally designated inventory attorney is no longer willing to serve. In such event designation of another inventory attorney may be made.

(e) Designation of Inventory Attorney. Each member of the bar who practices law in Florida shall designate another member of The Florida Bar who has agreed to serve as inventory attorney under this rule. When the services of an inventory attorney become necessary, an authorized representative of The Florida Bar shall contact the designated member and determine the member's current willingness to serve. The designated member shall not be under any obligation to serve as inventory attorney.

I am a member of The Florida Bar practicing in Florida, but am employed by a federal agency and the only person authorized by federal rule or law to see my files is a lawyer who is not a member of The Florida Bar. What do I do?

Do not designate an inventory attorney. You should follow the applicable federal rule or law. However, you should contact the Bar and relay your circumstances so that we may acknowledge this advice.

I am a member of The Florida Bar practicing in Florida. I have tried to obtain someone willing to serve as my designated inventory attorney, but I am not able to do so. What do I do?

You cannot compel someone to do something that they are not required to do. If, after reasonable efforts, you are unable to obtain a volunteer, contact the Bar and relate those facts. You will receive a response acknowledging your efforts, requesting you to make periodic new attempts to designate, and advising you that no enforcement action will be undertaken, based on your representations.

Mr. L. Stefan Moroney
August 30, 2010
Page 4

Thank you for your cooperation in this matter and please do not hesitate to contact me at (850) 561-5796 if you have any questions.

Sincerely,

Sheryl Remien Walker

Sheryl Remien Walker, CP FCP, FRP
Certified Paralegal
Lawyer Regulation Headquarters

Insert - Sample Sworn Statement

cc: Florida Lawyers Assistance, Inc. (w/ enclosures)

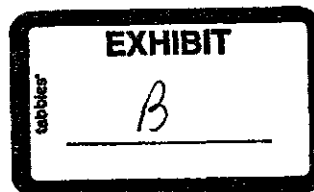
Acknowledgment

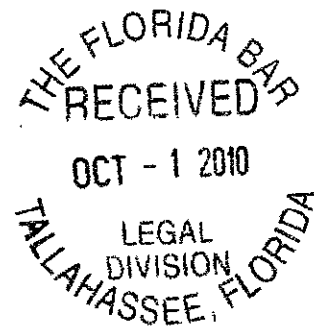
I hereby acknowledge that I have received, read and understand the letter from The Florida Bar dated 8/30/2010 which explains the terms and conditions of my conditional admission to the Bar.

Dated on 9/7/, 2010

L. Stefan Moroney
Print Name

L. Stefan Moroney
Signature





9/23/2010

L. Stefan Moroney
2785 Bayside Dr. S.
St. Petersburg, FL 33705

John Harkness
The Florida Bar
651 E. Jefferson St.
Tallahassee, FL32399

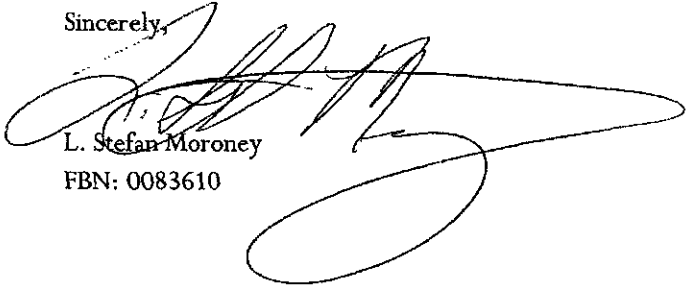
Dear Sir:

Pursuant to my contract for conditional admittance to the Florida Bar, I regret to inform you that I violated the contract. On September 21, 2010, at approximately 9 p.m., I was pulled over for traveling at 83 mph in a 65 mph zone on Interstate 275. After the officer approached the vehicle and asked for my license and registration, he returned and asked me to step out of the car and complete a field sobriety test. Ultimately, I was arrested for suspicion of driving under the influence. Paragraph 7 of my Consent Agreement requires that I immediately notify the Florida Bar of any criminal arrest.

Earlier in the afternoon, at approximately 5 p.m., my supervising attorney, who was unaware of my contract, came into my office and told me I was doing a good job and wanted to take me out with the other attorneys for dinner and a couple of drinks. I understand the severity of this situation and potential consequences given my circumstances. Currently, I am in the process of scheduling a mental health/alcohol dependency evaluation. Prior to my conditional admittance, such an evaluation was not completed.

As more information becomes available, I will promptly update the Bar.

Sincerely,



L. Stefan Moroney
FBN: 0083610



SWORN STATEMENT

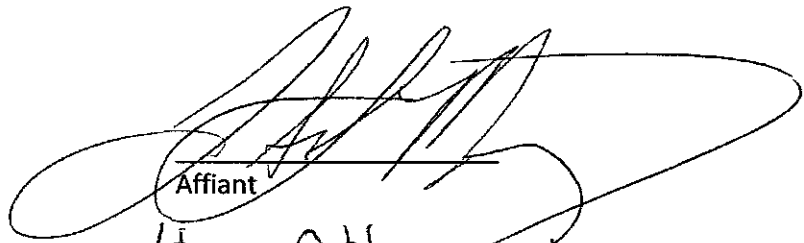
STATE OF FLORIDA
COUNTY OF Pineellas

I L. Stefan Moroney after being duly sworn, depose and say:

For the quarterly period ending Sept 30, 2013

1. I was not in compliance with each term and condition of my probation.
2. I had a relapse with consumption of alcoholic beverages.
3. I am abstaining from controlled substances.
4. I am participating actively in the program offered by Florida Lawyer's Assistance, Inc.
5. I am undergoing random drug screenings, at least quarterly at such greater frequency as required by FLA, Inc..
6. I am attending FLA attorney support meetings at least monthly, or at such greater frequency as required by FLA.

FURTHER AFFIANT SAYETH NOT.

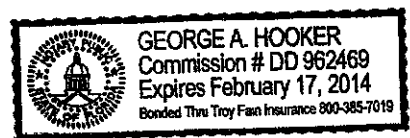
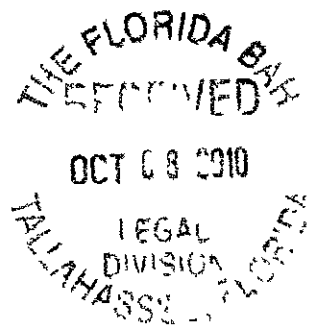

 Affiant

SWORN TO AND SUBSCRIBED before me this 4 day of October, 2010
who is personally known to me or produced identification.


 Notary Public

My commission expires: 2/17/14

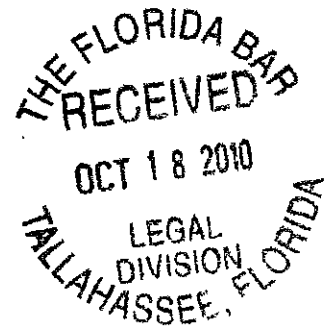
George Hooker
 (Print, type or stamp Commission Name of Notary Public)



10/12/2010

L. Stefan Moroney
2785 Bayside Dr. S.
St. Petersburg, FL 33705

John Harkness
The Florida Bar
651 E. Jefferson St.
Tallahassee, FL32399



Dear Sir:

Please find enclosed the Florida Highway Patrol report from my arrest on September 21, 2010. I recognize the seriousness of this event, and the now irrefutable proof that I have an alcohol problem as the violation of my Florida Lawyer's Assistance ("FLA") contract clearly demonstrates. Unfortunately, I believed my academic and professional accomplishments provided me with immunity for the substance related problems of my teenage years, and that I would be able to stay sober by willpower alone. I further rationalized the incident with the bouncer that initiated my FLA contract with a onetime bad luck situation that would not be repeated. Unfortunately, here I am humbled and recognizing that I have a problem and that abstinence is my only real option.

I have no excuse for the violation of my contract on September 21, nor do I have an excuse for driving while having had *anything* to drink. This incident clearly demonstrates that if I take a drink, I cannot predict with any certainty what the outcome of the evening will be. So where I may not need to drink on a daily or regular basis as I thought was characteristic for alcoholics, alcohol makes my life unmanageable, no matter how small the quantity or how far apart the intake.

On the evening in question, the Trooper was sitting in a standstill car with the headlights turned off when he clocked me traveling at 83.1 mph on the interstate. The moment I saw his lights, I pulled over into the median on the left-hand side of Interstate 275. While there are questions related to other assertions made by the Trooper, there is no doubt that I made a mistake in choosing to drink at the work function, and that this was clearly a violation of my FLA contract.

Ultimately, there are three separate issues with respect to this situation: 1) the arrest, 2) my life in general, and 3) the violation of my FLA contract.

- 1) Based on what happened on September 21 and the inconsistencies between the tickets and the report, my attorney believes we have a credible defense. However, I will accept whatever the court determines.
- 2) I am completely defeated with respect to this issue, admit that I am powerless over alcohol and I cannot take so much as one drink. If I cannot fix this aspect of my life, it does not really matter how well I do in other areas of my life, I will always screw it up. The day following my arrest, I went back to A.A. and picked up a white chip, and I have attended between one and two meetings a day every day since. Despite the fact that I



am pleading not guilty, I attended a 24 hour Suncoast Safety Council Driving under the Influence course, and I have signed up for an alcohol evaluation scheduled for November 9, 2010.

The Sunday following my arrest I asked a man to be my temporary A.A. sponsor until I could find a permanent one and on Tuesday, the instructor of my Suncoast Safety Council course, a recovering alcoholic and addictions specialist, introduced me to an individual who I have made my permanent sponsor. Additionally, the instructor intends to arrange for me to see a counselor that specializes in alcoholism.

When I signed my FLA contract, I thought that I would be able to stay sober by willpower alone. However, I continued to carry the resentment and chip on my shoulder concerning the incident with the bouncer that initiated my FLA contract. As a result, I attempted to comply with the FLA contract to the letter always being extra cautious to make sure I called in and complied with the rules, but I never allowed myself to fully engage in A.A. because I felt I wasn't one of them. I can no longer hide from the simple truth that I am one of them.

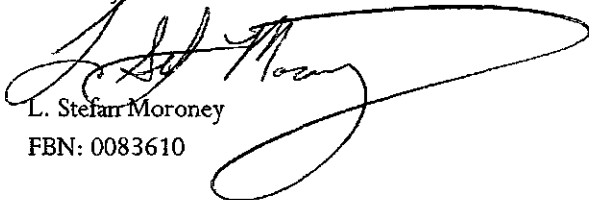
Not fully engaging in A.A. was obviously a mistake and led to my weakened defense mechanisms when my supervising attorney asked me to go out to dinner and have a couple drinks. Had I been fully engaged with A.A., then I likely would have made my supervisor aware of my contract and the situation would not have happened. Consequently, I have no one to blame but myself.

The day after my arrest I informed my supervising attorney of my FLA contract. At first he did not understand the contract, so I had to explain it to him. He has said that he will support me in any way possible.

- 3) There is no excuse for a violation of my FLA contract, no matter what the circumstances. Initially, I had no idea what type of action the Bar might take in this situation. However, my attorney mentioned the case of Lydia Wardell (SC09-846), who entered into a Consent Agreement for a public reprimand and reinstatement of her contract after first failing a urinalysis, then failing to attend FLA meetings and communicate with FLA, and finally being adjudicated guilty for a second DUI and leaving the scene of an accident with property damage.

I know that my situation is different because of the conditional admittance. However, my hope is that the Bar will take into account the work circumstances under which my relapse occurred, my extensive volunteer work and service to the community, the ultimate disposition of the case, the remedial efforts I have undertaken since that evening, and an evaluation performed by an addictions specialist before choosing a course of action.

Sincerely,



L. Stefan Moroney
FBN: 0083610

OCT 0 5 2010

DATE OF OFFENSE: 9/21/2010
DATE OF ARREST: 9/21/2010
CASE NUMBER: FHPC10OFF084733

RII³

FLORIDA HIGHWAY PATROL



RECEIVED

OCT 0 5 2010

FLORIDA HIGHWAY PATROL
TROOP C
PINELLAS PARK

DISTRIBUTED

OCT 0 5 2010

D.U.I. Investigation Report

Defendant's Name: MORONEY LUIS STEFAN
Last First Middle

Race: White Gender: Male DOB: 12/3/1980 Age: 29 Height: 508 Weight: 140

Driver's License #: [REDACTED] State: Florida (FL) Expires: 12/10 Suspended: No

Investigator: DANIEL F. VILLANO ID #: 2786 / 1470 Troop: C District: Pinellas Park

Case #: FHPC10OFF084733 D.U.I Citation #: 2365-XBP Companion Citation (s): Yes

Video Taken: No Location: _____

Breath Test: Yes Location: PINELLAS COUNTY CENTRAL BREATH TEST FACILITY

Urine Test: No Location: _____

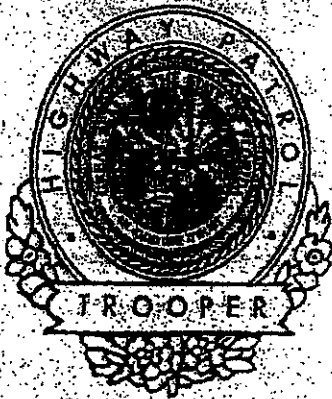
Blood Drawn: No Location: _____

State Attorney's Copy _____

District's Copy
Original _____

Administrative Review's Copy _____

Investigator's Copy _____



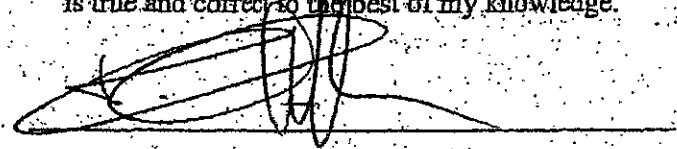
Case Number: FHPC 180FF 084733

AFFIDAVIT OF TRUE COPY

Before me personally appeared: Daniel Villano, who, being duly sworn, says I am a duly certified Law Enforcement Officer and a member of the:

FLORIDA HIGHWAY PATROL

States the following: The attached offense report is true and correct to the best of my knowledge.



Sworn to and subscribed before me
this 1st day of October, 2010

[Signature]
(Signature of attesting officer - FSS 117.10)

RAYMOND O AOA IV
(Print name)

Title: TROOPER

Department: FLORIDA HIGHWAY PATROL



Florida Highway Patrol

D.U.I. Investigation Report

DATE OF OFFENSE: 9/21/2010
DATE OF ARREST: 9/21/2010
CASE NUMBER: FHPC10OFF084733

Defendant's Name: MORONEY LUIS STEFAN
Last First Middle
Race: White Gender: Male DOB: 12/3/1980 Age: 29 BAC Results: / /
Investigator: DANIEL F. VILLANO ID #: 2786 / 1470 Troop: C District: Pinellas Park

- DRIVER LICENSE
- REFUSAL SUBMIT AFFIDAVIT
- BREATH ALCOHOL ANALYSIS REPORT (20 Minute Observation)
- BREATH ALCOHOL TEST AFFIDAVIT
- (CRA) CRIMINAL REPORT AFFIDAVIT (separate at perforation)
(Complete Judgment request - Misdemeanor: \$50.00 /Felony \$ 100.00)
- COPY OF DUI CITATION and COMPANION CITATION (s)
- DUI INVESTIGATIVE REPORT
- COPY OF TRAFFIC CRASH REPORT (single sided)
- VEHICLE INVENTORY STORAGE RECEIPT

- LEGAL SPECIMEN COLLECTION (IF APPLICABLE)
- BLOOD COLLECTION PROCEDURE FOR DUI TRAFFIC CRASH
- CERTIFICATION OF BLOOD WITHDRAWAL (FDLE PAPERS)
- (BAC) BLOOD ALCOHOL RESULTS
- EVIDENCE PROPERTY RECEIPT FOR
- COPY OF CRASH REPORT (single sided)

ALL ITEMS SHOULD BE SINGLE SIDED

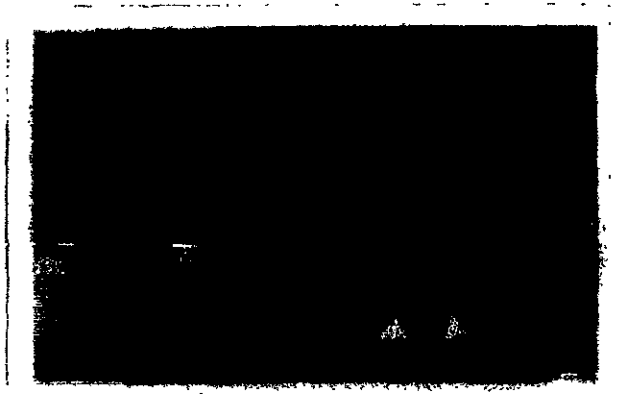
DATE OF OFFENSE: 9/21/2010

DATE OF ARREST: 9/21/2010

CASE NUMBER: FHPC10OFF084733



DRIVER'S LICENSE





Florida Highway Patrol

D.U.I. Investigation Report Summary

DATE OF OFFENSE: 9/21/2010

DATE OF ARREST: 9/21/2010

CASE NUMBER: FHPC10OFF084733

Defendant's Name: MORONEY LUIS STEFAN
Last First Middle

Case #: FHPC10OFF084733 DUI Citation #: 2365-XBP Companion Citation: Yes

Investigator: DANIEL F. VILLANO ID #: 2786 / 1470 Troop: C District: Pinellas Park

TIME OF:

STOP: 9:05 PM Location: SB SR 93 S OF SR 694

CRASH: _____ Location: _____

VEHICLE DESCRIPTORS

Year: 2003 Make: Saab Style: 2 Door Color: Red

Tag #: N028WP State: Florida (FL) Expires: 12/11

TRAFFIC CRASH DESCRIPTORS

	YES	NO
Property Damage:	<input type="checkbox"/>	<input type="checkbox"/>
Personal Injury:	<input type="checkbox"/>	<input type="checkbox"/>
Injury to Another:	<input type="checkbox"/>	<input type="checkbox"/>

Estimated Value: _____

Serious Bodily Injury to:

Another:	<input type="checkbox"/>	<input type="checkbox"/>
Fatality:		
Self:	<input type="checkbox"/>	<input type="checkbox"/>
Another:	<input type="checkbox"/>	<input type="checkbox"/>

Subject advised crash investigation ended and a criminal investigation started: _____

Arrest Time: _____ 9:28 PM

Implied Consent: _____ 10:20 PM

Specimen: None Unable Refused Breath Urine Blood

BAC Results: _____ / _____ / _____

Miranda Rights: _____ 10:25 PM

CHARGES:

1. DRIVING UNDER THE INFLUENCE
2. UNLAWFUL SPEED
3. _____
4. _____

Citation/Capias Numbers

- | |
|-----------------|
| <u>2365-XBP</u> |
| <u>8498-SRR</u> |
| _____ |
| _____ |



DATE OF OFFENSE: 9/21/2010

DATE OF ARREST: 9/21/2010

CASE NUMBER: FHPC10OFF084733

Florida Highway Patrol

D.U.I. Detection and Evaluation

Defendant's Name: MORONEY LUIS STEFAN
Last First Middle
Race: White Gender: Male DOB: 12/3/1980 Age: 29 Height: 508 Weight: 140
Driver's License #: [REDACTED] State: Florida (FL) Expires: 12/10 Suspended: No
Year: 2003 Make: Saab Style: 2 Door Color: Red
Tag #: N028WP State: Florida (FL) Expires: 12/03/2011

INITIAL OBSERVATIONS:

Vehicle in Motion: None Following too close Driving wrong way
 Weaving Stopping in lane: no reason Driving without headlights
 Improper passing Improper stop or start Failing to stop at stop sign or red light
 Speeding Driving off roadway Almost striking object, property, or Vehicle
 Wide turn Drifting across lane of travel Striking object, property, or Vehicle
 Impeding traffic Failing use designated lane Driving on other than roadway
 Improper turn Improper lane change Straddling solid or dotted line

Personal Contact: Passed out/ unconscious Overlooks requested documents Dazed/ confused/ disorientated
 Fumbles with paperwork Repeats question or response Response unrelated to question
 No or avoids eye contact Documents: other than requested Movement slow/ lethargic
 Tries to conceal item Puts gum or mint in mouth Open alcohol beverage container
 Lights a cigarette Bar stamp on hand / band on wrist Drops documents or items

Exiting vehicle: Normal Unsteady Staggering Falling Needs help Other: _____

Walk to roadside: Normal Unsteady Staggering Falling Needs help Other: _____

Standing: Normal Unsteady Staggering Falling Needs help Swaying Other: _____

HEALTH QUESTIONS:

Are you sick or injured? No If yes, what is wrong: _____

Are you diabetic? No Do you take insulin? No Last dose: _____

Are you epileptic? No Do you take seizure medication? No Last dose: _____

Are you taking any other medications? No What? _____ Last dose: _____

Are you under the care of a doctor or dentist? No Who? _____

Do you have a glass eye: No Are you wearing contacts: Yes Do you limp? No

Remarks: _____



Florida Highway Patrol

D.U.I. Detection and Evaluation

DATE OF OFFENSE: 9/21/2010

DATE OF ARREST: 9/21/2010

CASE NUMBER: FHPC10OFF084733

INITIAL EVALUATION:

Clothing:	YES	NO	Style	Color
Cover:	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Shirt:	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Pants:	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Jacket:	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Footwear:	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

Clothing Condition: Orderly Clean Torn Disarranged
 Bloody Soiled Other: _____

Breath (odor of alcoholic beverage) Strong Moderate Faint None
 Other: _____

Attitude: Polite Cooperative Carefree Talkative
 Sullen Sarcastic Cocky Insulting Profane

Complexion: Normal Flushed Pale Perspiring

Eyes: Normal Bloodshot Watery Color: Brown

Pupils: Normal Dilated Constricted Unequal
 Poor reaction to light: Yes No

Speech: Good Slurred Mumbled Confused

Unusual actions: Hiccoughing Belching Crying Laughing
 None Vomiting Other: _____

CONDITIONS AT SCENE:

Location of Evaluation: ROADSIDE

Weather: Sunny Clear Overcast Cloudy Drizzle Rain Fog

Lighting: Dawn Day Light Dusk Street Lights Dark

Roadway: Dry Wet Slippery Grade: _____ Curve: _____

Traffic: None Light Moderate Heavy

Area: Rural Suburban Urban Other: INTERSTATE

TIMES:

Subject advised Criminal investigation has started (Crash only): _____



Florida Highway Patrol

D.U.I. Detection and Evaluation

DATE OF OFFENSE: 9/21/2010

DATE OF ARREST: 9/21/2010

CASE NUMBER: FHPC10OFF084733

HORIZONTAL GAZE NYSTAGMUS:

Instructions: I am going to check your eyes. (If subject is wearing glasses, 'Please remove your glasses'). Are you wearing contact lenses? No Do you have any problems with your eyes? No Please look at this (indicate what to look at). Now, keep your head still and follow the STIMULUS with your eyes only. Do not move your head. Do you understand? (**Do not proceed until the subject understands, repeat if needed**). Now watch the STIMULUS


Results:	<u>LEFT EYE</u>	<u>RIGHT EYE</u>
	<input checked="" type="checkbox"/> Lack of Smooth Pursuit	<input checked="" type="checkbox"/> Lack of Smooth Pursuit
	<input checked="" type="checkbox"/> Distinct/Sustained at Maximum Deviation	<input checked="" type="checkbox"/> Distinct/Sustained at Maximum Deviation
	<input checked="" type="checkbox"/> Onset occurs before 45 degrees	<input checked="" type="checkbox"/> Onset occurs before 45 degrees


Evaluation: Not performed Other location: _____

Comments: _____

WALK AND TURN:

Instructions: I am going to check your balance. Please put your left foot on the line. Place your right foot in front of the left, with heel of right foot against the toe of left foot. Place your arms down at your sides (**Demonstrate to subject**). Maintain this position and **DO NOT** start until told to begin. **Do you understand?** When I tell you to begin, take nine heel-to-toe steps down the line, turn around, and take nine heel-to-toe steps back. When turning around, keep the front foot on the line. Use your other foot to turn yourself by taking several small steps (**Demonstrate the turn**). **DO NOT** turn your back to the subject while demonstrating the test). Remember, keep your arms at your sides and do not use them for balance, watch your feet at all times, count your steps out loud, and do not stop once you begin. **Do you understand the instructions?** (**Do not continue until the subject indicates that he or she understands**) Begin.

2nd Nine: Steps off line on numbers: 9 8 7 6 5 4 3 2 1 

1st Nine: Steps off line on numbers: 1 2 3 4 5 6 7 8 9 

Results:

- Loses balance during instructions
- Starts before the instructions are finished
- Stops or pauses while walking
- Does not touch heel-to-toe
- Steps off of the line once or more
- Raises an arm more than 6 inches for balance
- Incorrect turn or loses balance during turn
- Incorrect number of steps in either direction: _____ forward _____ coming back.
- Cannot perform (Steps off line 3 or more times or is in danger of falling)

Evaluation: Not performed Other location: _____

Comments: _____



Florida Highway Patrol

D.U.I. Detection and Evaluation

DATE OF OFFENSE: 9/21/2010
 DATE OF ARREST: 9/21/2010
 CASE NUMBER: FHPC10OFF084733

ONE LEG STAND:

Instructions: I am going to check your balance. Please stand with your feet together and your arms down at your sides, like this (*Demonstrate to subject*). When I tell you to begin, I want you to raise one leg so that the heel is about 6 inches off of the ground and hold that position. Keep your arms at your sides and do not use them for balance. Watch the toe of your raised foot and count from 1001 to 1030 like this (*Demonstrate to subject*). Do you understand the instructions? (**Do not continue until the subject indicates he or she understands**) Begin.

Puts foot down on numbers indicated by circled numbers:

1 2 3 4 5 6 7 8 9 **10** 11 12 13 14 15
 16 17 18 19 20 21 **22** 23 24 25 26 27 28 29 30

- Results:
- Sways while balancing on one leg
 - Raises an arm more than 6 inches for balance
 - Hops for balance while on one leg
 - Puts foot down one or more times during the 30 seconds
 - Can not perform (Puts foot down 3 times or more or loses balance)

Evaluation: Not performed Other location: _____

Comments: _____

FINGER TO NOSE:

Instructions: Tilt your head back and close your eyes. Hold your arms down by your sides while you are pointing the index fingers on each hand like this (*Demonstrate to subject*). When I tell you which hand, raise your arm straight out in front of you. Bend at the elbow and touch the tip of your index finger to the tip of your nose like this. Once you touch the tip of your nose, straighten your arm out and bring your arm back down to your side (*Demonstrate to subject*). Do you understand? (**Do not continue until the subject indicates that he or she understands**) Begin.

- Results:
- | | | |
|--|--------------------------|---------------------------|
| <input type="checkbox"/> Open eyes | Left Index Finger | Right Index Finger |
| <input type="checkbox"/> Wrong hand | 1. _____ | 2. _____ |
| <input type="checkbox"/> Head not tilted | 4. _____ | 3. _____ |
| <input type="checkbox"/> Cannot perform | 6. _____ | 5. _____ |

Evaluation: Not performed Other location: _____

Comments: _____

IMPLIED CONSENT WARNINGS

I am Donal Walker of the Florida Highway Patrol

NOTE: ONLY read the paragraph applicable to the type of test you are requesting.

BREATH I am now requesting that you submit to a lawful test of your BREATH for the purpose of determining its alcohol content. U.S. will not

URINE I am now requesting that you submit to a lawful test of your URINE for the purpose of determining the presence of chemical or controlled substances

BLOOD I am now requesting that you submit to a lawful test of your BLOOD for the purposes of determining its alcohol content or the presence of chemical and/or controlled substances.

2

DUI ARREST - SUBJECT DOES NOT COMPLY
If you FAIL TO SUBMIT TO THE TEST I have requested of you, your privilege to operate a motor vehicle will be suspended for a period of one (1) year for a FIRST REFUSAL, OR eighteen (18) months if your privilege has been PREVIOUSLY SUSPENDED as a result of a refusal to submit to a lawful test of your breath, urine or blood. Additionally, if you refuse to submit to the test I have requested of you and if your driving privilege has been previously suspended for a prior refusal to submit to a lawful test of your breath, urine or blood, you will be committing a misdemeanor. Refusing to submit to testing is admissible as evidence in court. **Also read section 3**

Do you still refuse? Yes Sir

3

ALSO READ FOR CDL HOLDERS
IN ADDITION, your refusal to submit will result in the loss of your commercial driving privileges for one year from today. If this is your SECOND REFUSAL, you will be permanently disqualified from operating a commercial motor vehicle

4

CMV IMPLIED CONSENT READ sections 1 & 3

MIRANDA WARNING

- 1 YOU HAVE THE RIGHT TO REMAIN SILENT
2. ANYTHING YOU SAY CAN AND WILL BE USED AGAINST YOU IN COURT.
- 3 YOU HAVE THE RIGHT TO TALK TO A LAWYER AND HAVE HIM OR HER PRESENT WITH YOU WHILE YOU ARE BEING QUESTIONED
4. IF YOU CANNOT AFFORD TO HIRE A LAWYER, ONE WILL BE APPOINTED TO REPRESENT YOU BEFORE ANY QUESTIONING IF YOU WISH.
- 5 YOU CAN DECIDE AT ANY TIME TO EXERCISE THESE RIGHTS AND NOT TO ANSWER ANY QUESTIONS.

WAIVER

1. DO YOU UNDERSTAND EACH OF THESE RIGHTS I HAVE EXPLAINED TO YOU? Yes Sir
2. HAVE YOU PREVIOUSLY REQUESTED ANY LAW ENFORCEMENT OFFICER TO ALLOW YOU TO SPEAK TO A LAWYER? No Sir
3. HAVING THESE IN MIND, DO YOU WISH TO TALK TO US NOW? No



FLORIDA HIGHWAY PATROL
Colonel John T. Czernis, Director
www.flhsmv.gov/fltp

A Division of the Florida Department of Highway Safety and Motor Vehicles
HSMV 61309 Rev 12/09

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
ALCOHOL TESTING PROGRAM
BREATH ALCOHOL TEST AFFIDAVIT

Instrument Type: Intoxilyzer 8000
Instrument Registered To: PINELLAS COUNTY SO
Instrument Serial Number: 80-000889 Software: 8100.27
Date of Test: 09/21/2010

Date of Last Agency Inspection: 08/28/2010
Observation Period Began: 22:00
Subject's Name: LUIS S MORONEY DOB: 12/03/1980 Sex: M

The subject was observed for at least twenty-minutes prior to the administration of the breath test to ensure that the subject did not take anything orally and did not regurgitate.

Results:	Test	g/210L	Time
	Diagnostics Check	OK	22:21
	Air Blank	0.000	22:21
	Control Test	0.081	22:21
	Air Blank	0.000	22:22
	Subject Sample #1	REF*	22:22
	Air Blank	0.000	22:22
	Control Test	0.080	22:23
	Air Blank	0.000	22:23
	Diagnostics Check	OK	22:23

*Subject Test Refused

Cylinder Lot: 827601G
Exp: 10/06/2010

State of Florida, County of Pinellas,

Personally appeared before me the undersigned authority, who () is personally known to me or () produced _____ as identification, and who after being placed under oath, states:

I DANIEL F VILLANO, hold a valid Breath Test Operator permit issued by the Florida Department of Law Enforcement, I administered the above breath test to the subject named above in accordance with Chapter 11D-8, Florida Administrative Code, and this form is a true and accurate report of that breath test.

Breath Test Operator [Signature] Date: 9/21/10
Signature

Sworn to (or affirmed) before me this 21st day of Sept 2010
Cheryl A. Peacock
Signature of Notary Public-State of Florida Printed CHERYL A. PEACOCK
Commission DD 750660
Expires April 20, 2012 State of Florida
Bonded thru Troy Fahn Insurance 800-345-7018

Note: Pursuant to section 117.10, Florida Statutes, law enforcement officers, correctional officers, traffic accident investigation officers and traffic infraction enforcement officers are notaries public when engaged in the performance of official duties. In accordance with section 316.1934(5), F.S., this completed form is admissible without further authentication and is presumptive proof of the results herein. To be used in accordance with Section 316.1934(5), F.S., and in administrative proceedings pursuant to 322.2615, F.S.

STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES
AFFIDAVIT OF
REFUSAL TO SUBMIT TO BREATH, URINE, OR BLOOD TEST

I, Daniel F. Villano, a duly certified Law Enforcement Officer or Correctional Officer,
(Person reading Implied Consent Warning)

am a member of Florida Highway Patrol, and I do swear
(Name of enforcement agency)

or affirm that on or about the 21st day of September, 20 10, at 9:28 P.M. A.M.
(Circle One)

NAME Luis Stefan Moroney
(Type or Print) FIRST MIDDLE OR MAIDEN LAST

DL# [REDACTED], state of FL, was placed under lawful arrest for

the offense of DUI by Daniel F. Villano and
(Name of Arresting Officer)

issued Citation # 2365-XBP

That on or about the 21st day of September, 20 10, at 10:20 P.M. A.M.
(Circle One)

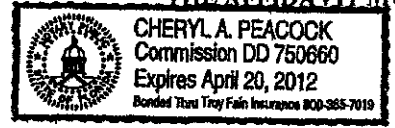
in Pinellas County, [PLEASE CHECK THE BOX OR BOXES THAT APPLY] I did request said

person to submit to a breath, urine, or blood test to determine the content of alcohol in his or her blood or breath or the presence of chemical or controlled substances therein. I did inform said person that any refusal to submit to such test or tests would result in the suspension of his or her privilege to operate a motor vehicle for a period of one (1) year for a first refusal, or for a period of eighteen (18) months if the driving privilege of such person had been suspended previously for refusing to submit to such test or tests. I did inform said person that he or she commits a misdemeanor, if said person refuses to submit to a lawful test as requested above, and his or her driving privilege has been previously suspended for a prior refusal to submit to a lawful test of his or her breath, urine, or blood. In cases involving a Commercial Motor Vehicle, I did inform the driver that this refusal will result in the disqualification of the driver's Commercial Driver's License/privilege for a period of one (1) year in the case of a first refusal or permanently if he or she has previously been disqualified as a result of a refusal to submit to such test.

Said person did at that time and place refuse to submit to such test or tests.

[Signature]
Signature of Law Enforcement Officer or
Correctional Officer

THE AFFIDAVIT MUST BE NOTARIZED OR ATTESTED TO (F.S. 117.10)



The foregoing instrument was sworn and subscribed before me:

Signature of Attesting Officer

Title

Date

(AFFIX SEAL)
The foregoing instrument was sworn and subscribed before

me this 21st day of Sept, 20 10,

by Daniel F. Villano,

who is personally known to me or who has produced

as identification

Notary Public Cheryl A. Peacock

Note: Mail or hand deliver to the designated Bureau of Administrative Reviews office, Department of Highway Safety and Motor Vehicles, with the driver's license, the appropriate copy of the UTC, and the probable cause affidavit. If no DUI arrest is made, attach HSMV 78005 (Notice of Commercial Driver's License/Privilege Disqualification).



Florida Highway Patrol

D.U.I. Detection Evaluation

DATE OF OFFENSE 9/21/2010
DATE OF ARREST 9/21/2010
CASE NUMBER: FHPC10OFF084733

SUBJECT INTERVIEW: (Post-Miranda Rights) Date: 9/21/2010 Time: 10:25 PM

What is your name? _____ What is today's date? _____
What is your date of birth? _____ What city are you in now? _____
What time is it now? _____ What day of the week is it? _____
Where do you live? _____
When did you last sleep? _____ How much sleep did you get? _____
When did you last eat? _____ Where? _____
What? _____
Do you have any physical defects? _____ If yes, what are they? _____

Have you taking any medication/ drugs this _____
What? _____
Where? _____ When? _____
How much? _____
Are you under the influence of an medications/ drugs? _____

Were you operating a motor vehicle this _____
Where were you going? _____
Where were you coming from? _____
What street or highway were you driving on? _____
Were you involved in a traffic crash? _____ Were you injured in the crash? _____

Have you been drinking alcoholic beverages this _____
What? _____
Where? _____ How much? _____
What time did you start drinking? _____ What time did you stop drinking? _____
Have you had any alcoholic beverages since the crash? _____ What? _____
Where? _____ When? _____
Are you under the influence of an alcohol beverage now? _____

Defendant's Name: MORONEY LUIS STEELE
Last First Middle
Investigator: DANIEL F. VILLANO Signature: _____



Florida Highway Patrol

D.U.I. INCIDENT AND ARREST NARRATIVE

DATE OF OFFENSE: 9/21/2010

DATE OF ARREST: 9/21/2010

CASE NUMBER: FHPC10OFF084733

I was on the west shoulder of State Road 93, south of State Road 694, in Pinellas County, monitoring southbound traffic. I observed a red Saab convertible (Florida License Plate N028WP) approaching my location. I estimated the speed of the Saab to be between 80 and 85 miles per hour. I activated my laser (serial #25988) and received an acquisition tone and a digital speed display of 83.1 miles per hour in a 65 mile per hour zone at a distance of 171.2 ft. I turned the headlights on my marked Florida Highway Patrol vehicle on and began to merge into traffic, in order to catch up to the Saab and initiate a traffic stop. The Saab accelerated rapidly and began changing lanes erratically, changing from the inside lane to the outside lane and back to the inside lane. The Saab was weaving in and out of traffic, cutting people off, following too closely, traveling at speeds estimated between 90 and 100 miles per hour and did not signal for any of its lane changes. I caught up to the Saab, activated my emergency equipment and initiated a traffic stop on the Saab. I made contact with the driver of the Saab, who was identified through his Florida Drivers License as Luis Stefan Moroney. I immediately noticed the strong odor of an alcoholic beverage emitting from Moroney's breath. Moroney's eyes were bloodshot and watery and his speech was slurred. I requested Moroney exit the Saab. Moroney was unsteady on his feet and used the Saab to steady himself while exiting. I then requested Moroney perform Standardized Field Sobriety Exercises and he agreed. During the Horizontal Gaze Nystagmus, I observed that Moroney had Lack of Smooth Pursuit, Distinct and Sustained Nystagmus at Maximum Deviation and Onset of Nystagmus Prior to 45 Degrees in both eyes. After the instructions phase, Moroney stated that he understood the instructions and had no questions. Moroney chose to keep his shoes on for the duration of the Standardized Field Sobriety Exercises in order to better maintain his balance. Moroney was swaying back and forth and from side to side. During the Walk and Turn, Moroney lost his balance twice during the instructions phase and attempted to begin the exercise before I completed the instructions phase four times. After I completed the instructions phase, Moroney stated that he understood the instructions and had no questions. Moroney did not touch heel to toe between steps one and two on the first nine steps and did not touch heel to toe between steps two and three on the second nine steps. Moroney performed an improper turn by stepping completely off the line with both feet. Moroney raised his arms to a point that they were almost perpendicular to his body. During the One Leg Stand, Moroney chose to stand on his left foot and raise her right foot. Moroney stated that he understood the instructions and had no questions. Moroney attempted to start twice before I had completed the instructions phase and swayed back and forth and from side to side while standing during the instructions phase. Moroney swayed back and forth and from side to side while standing on his left foot. Moroney raised his arms to a point that they were almost perpendicular to his body. Moroney put his foot down on the number ten. Moroney raised his foot and continued counting. Moroney put his foot down on the number 22, counted to 23 and then stopped. I asked Moroney if he had completed the exercise and he stated "Yes". Moroney counted to 23 in a 30 second period. I took Moroney into custody and transported him to the Pinellas County Central Breath Testing Facility.



Florida Highway Patrol

D.U.I. INCIDENT AND ARREST NARRATIVE (Continuation)

DATE OF OFFENSE: 9/21/2010
DATE OF ARREST: 9/21/2010
CASE NUMBER: FHPC10OFF084733

A twenty minute observation period was conducted and I then requested Moroney submit to a lawful test of his breath for the purpose of determining its alcohol content, to which he refused. I read Moroney Implied Consent and asked if he still refused to take the test knowing that his driving privilege would be suspended for a period of at least one year, to which he stated "Yes, Sir". Moroney was transported to the Pinellas County Jail and booked. Moroney was charged with Driving Under the Influence and Unlawful Speed and issued a court date of October 15, 2010 at 10:30 AM.

Lined area for additional narrative text.

FL0529000

UCN: 522010

COMPLAINT/ARREST AFFIDAVIT - CIRCUIT/COUNTY COURT - PINELLAS COUNTY, FLORIDA DOCKET # 1423643

SPN # 1642576 SSN # [REDACTED]

Charge DRIVING UNDER THE INFLUENCE Report No. FHPC100FF084733 Court Case No. CTC102365VBPASP

Defendant's Name (Last, First, Middle) MORONEY, LUIS STEFAN DOB 12/03/1980 Sex M Race W Ht. 508 Wt. 140 Hair BLK Eyes BRO Skin FAR

State FL Scars, Tattoos, Unique Physical Features CROWN ON BACK

Local Address (Street, City, State) 2785 BAYSIDE DR S ST PETERSBURG FL 33705 Telephone 813-842-8797 Place of Birth AZ Citizenship USA

Permanent Address (Street, City, State) Zip Code Telephone Employed by/School

Weapon Seized Yes No [X] Type Indication of Drug Influence Y N UNK [X] Indication of Mental Health Issues Y N UNK [X] Indication of Alcohol Influence Y N UNK [X]

Co-Defendant's Name (Last, First, Middle) DOB Sex Race In Custody Yes No Felony Misd.

Co-Defendant's Name (Last, First, Middle) DOB Sex Race In Custody Yes No Felony Misd.

The undersigned swears that he has reasonable grounds to believe that the above named defendant on the 21 day of SEPTEMBER, 2010 at approximately 9:05 PM at SB SR 93 S OF SR 694, in Pinellas County did:

REASON FOR STOP: UNLAWFUL SPEED

THEN AND THERE UNLAWFULLY DRIVE AND/OR BE IN ACTUAL PHYSICAL CONTROL OF A MOTOR VEHICLE WITHIN PINELLAS COUNTY, FLORIDA WHILE UNDER THE INFLUENCE OF AN ALCOHOLIC BEVERAGE, A CONTROLLED SUBSTANCE AND/OR ANY CHEMICAL SUBSTANCE TO THE EXTENT THAT HIS NORMAL FACULTIES WERE IMPAIRED.

BRAC: REFUSED BREATH: STRONG BALANCE: POOR EYES: BLOODSHOT AND WATERY PRIOR CONVICTIONS: 12/06/00

DEFENDANT FAILED FIELD SOBRIETY TESTS.

COURT INFORMATION: SOUTH COUNTY TRAFFIC COURT 10/15/2010 @ 10:30 AM CITATION #: 2365-XBP

Other traffic citations UNLAWFUL SPEED Contrary to Florida Statute/Ordinance 316.193

ARREST DATE 9/21/2010 Time 9:21 PM Aggravating/Mitigating Factors

Booking Officer DELONG, T 3174 Amount of Bond ROR Bond Out Date Time a.m. p.m.

Victim Notified of Advisory [X] Injuries to Victim [X] Medical-Treatment to Victim [X]

Child abuse/neglect referral made to DCF [X]

Pursuant to F.S. 92.525 and under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true.

Signature of Trooper Daniel Villano 2786, Agency FHP PINELLAS, SPN 02967420

Table with 5 columns: DATE, OFFICER, HOURS, X PAY RATE, = COST. Includes 'REQUEST FOR INVESTIGATIVE COSTS, F.S. 938.27(1)' and 'TOTAL \$0.00'.

Received by Booking: 9/21/2010 10:51:11 PM NOTICE TO APPEAR ONLY

- MISDEMEANOR - You MUST appear at the Criminal Justice Center, Courtroom 15, Third Floor, 14250 49th Street North, Clearwater, Florida, on the ... day of ... at ... a.m. p.m.
ORDINANCE VIOLATION - You MUST comply with EITHER A or B:
A. Comply with the Waiver Information on the reverse side of this form and pay a fine in the amount of \$... for a Category ... offense within thirty (30) calendar days of this Notice.
B. Appear at the Criminal Justice Center, 14250 49th Street, Courtroom 15, Third Floor, Clearwater, Florida, on the ... day of ... at ... a.m. p.m.
NON-CRIMINAL VIOLATION - You MUST pay a fine in the amount of \$... within thirty (30) calendar days, or comply with the non-criminal violation information on the bottom of the reverse side of this form.

I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED ABOVE TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, OR PAY THE FINE REQUIRED BY THE DATES SET OUT ON THIS FORM, THAT I MAY BE HELD IN CONTEMPT OF COURT AND THAT A WARRANT FOR MY ARREST WILL BE ISSUED. I HEREBY CERTIFY BY MY SIGNATURE THE BELOW LISTED ADDRESS IS MY CORRECT ADDRESS.

Defendant's Signature (Street, City, State, Zip Code) Date of Receipt of Notice



IMPORTANT INSTRUCTIONS TO INDIVIDUAL CHARGED WITH A TRAFFIC VIOLATION REQUIRING A MANDATORY COURT APPEARANCE

8498-SRR **5**

FLORIDA UNIFORM TRAFFIC CITATION

CHECK DIGIT **5**

COUNTY OF PINELLAS		<input checked="" type="checkbox"/> (1) FHP <input type="checkbox"/> (2) P.D. <input type="checkbox"/> (3) S.O. <input type="checkbox"/> (4) OTHER	
CITY OF (IF APPLICABLE)		AGENCY FLORIDA HIGHWAY PATROL	
IN THE COURT DESIGNATED BELOW THE UNDERSIGNED CERTIFIES THAT HE/SHE HAS AJET AND REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT ON			
SUMMONS (VIOLATORS COPY)			
DAY OF WEEK TUE	MONTH 09	DAY 21	YEAR 2010 <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.
NAME (PRINT) FIRST LUIS	MIDDLE STEFAN	LAST MORONEY	
STREET 2785 BAYSIDE DR S IF DIFFERENT THAN ONE ON DRIVER LICENSE "X" HERE			
CITY ST PETERSBURG		STATE FL	ZIP CODE 33706
TELEPHONE NUMBER	DATE OF BIRTH 12 03	YEAR 1980	RACE W SEX M HGT 508
DRIVER LICENSE NUMBER	STATE FL	CLASS E	CDL LICENSE Y YR. LICENSE EXP 2010 IF COMMERCIAL MTR. VEH "X" HERE <input type="checkbox"/>
YR VEHICLE 2003	MAKE SAA	STYLE CV	COLOR RED IF PLACARDED HAZARDOUS VEH "X" HERE <input type="checkbox"/>
VEHICLE LICENSE NO N028WP	TRAILER TAG NO	STATE FL	YEAR TAG EXPIRES 2011 IF COMPANION CITATIONS VEH "X" HERE <input type="checkbox"/>
UPON A PUBLIC STREET OR HIGHWAY OR OTHER LOCATION, NAMELY SB SR 93 S OF SR 694		LATITUDE N 27 50.3816 LONGITUDE W 82 39.8195	

You were charged with a violation which requires your mandatory appearance in court.

COURT DATE:
10/15/2010.

COURT TIME:
10.30 AM.

COURT LOCATION:
**PINELLAS SOUTH COUNTY TRAFFIC COURT
1800 66TH STREET NORTH
ST. PETERSBURG, FLORIDA 33710**

COURT PHONE:
(727)-464-7000

For further information regarding your mandatory court appearance please contact the Clerk of Court in PINELLAS County before your scheduled court date of 10/15/2010.

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE. CHECK ONLY ONE OFFENSE EACH CITATION

- UNLAWFUL SPEED **83** MPH SPEED APPLICABLE **65** MPH
(INTERSTATE 4-LANE HWY WITH 20 FT MEDIAN OUTSIDE BUS OR RES DIST)
SPEED MEASUREMENT DEVICE. **LASER ATLANTA-SERIAL #25988**
- CARELESS DRIVING
- VIOLATION OF TRAFFIC CONTROL DEVICE
- VIOLATION OF RIGHT-OF WAY
- IMPROPER CHANGE OF LANE OR COURSE
- IMPROPER PASSING
- CHILD RESTRAINT
- SAFETY BELT VIOLATION
- IMPROPER OR UNSAFE EQUIPMENT
- EXPIRED TAG
- SIX (6) MONTHS OR LESS MORE THAN SIX (6) MONTHS
- NO PROOF OF INSURANCE
- EXPIRED DRIVER LICENSE
- FOUR (4) MONTHS OR LESS MORE THAN FOUR (4) MONTHS
- NO VALID DRIVER LICENSE
- DRIVING WHILE LICENSE SUSPENDED OR REVOKED
- FAILURE TO STOP AT A TRAFFIC SIGNAL
- DRIVING UNDER THE INFLUENCE OF ALCOHOLIC BEVERAGES, CHEMICAL OR CONTROLLED SUBSTANCES, DRIVING/ACTUAL PHYSICAL CONTROL WHILE IMPAIRED, OR DRIVING/ACTUAL PHYSICAL CONTROL WITH UNLAWFUL BREATH/BLOOD/URINE ALCOHOL LEVEL. **B.A.L.**

OTHER VIOLATIONS OR COMMENTS PERTAINING TO OFFENSE
UNLAWFUL SPEED/ 65 HIGHWAY/TURNPIKE (REQUIRES SPEEDS)

<input type="checkbox"/> AGGRESSIVE DRIVING	IN VIOLATION OF STATE STATUTE	SECTION 316.187(2)(b)	SUB SECTION
CRASH <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	PROPERTY DAMAGE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	INJURY TO ANOTHER <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	SERIOUS BODILY INJURY TO ANOTHER <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
FATAL <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			

CRIMINAL VIOLATION COURT APPEARANCE REQUIRED AS INDICATED BELOW
 INFRACTION COURT APPEARANCE REQUIRED AS INDICATED BELOW
 INFRACTION WHICH DOES NOT REQUIRE APPEARANCE IN COURT

8498-SRR **5**

COURT INFORMATION **10/15/2010** **10:30 AM**
DATE TIME
PINELLAS SOUTH COUNTY TRAFFIC COURT
COURT
1800 66TH STREET NORTH
LOCATION
ST. PETERSBURG, FLORIDA 33710 **(727)-464-7000**

ARREST DELIVERED TO **PINELLAS COUNTY JAIL** DATE **9/21/2010**

I AGREE AND PROMISE TO COMPLY AND ANSWER TO THE CHARGES AND INSTRUCTIONS SPECIFIED IN THIS CITATION. WILLFUL REFUSAL TO ACCEPT AND SIGN THE CITATION MAY RESULT IN ARREST. I UNDERSTAND MY SIGNATURE IS NOT AN ADMISSION OF GUILT OR WAIVER OF RIGHTS. IF YOU NEED REASONABLE FACILITY ACCOMMODATIONS TO COMPLY WITH THIS CITATION, CONTACT THE CLERK OF THE COURT.

X SIGNATURE OF VIOLATOR

TROOPER **D. F. VILLANO** **2786** **C**
RANK SIGNATURE OF OFFICER BADGE NO ID NO TROOP / UNIT

HSMV 75901 (REV 06/08)



FLORIDA DUI UNIFORM TRAFFIC CITATION

2365-XBP CHECK DIGIT 3

Information Regarding Review Hearing

Form with fields for County of PINELLAS, Florida Highway Patrol, Agency, Summons (Molator's Copy), Date of Week (Tue 09 21 2010 9:06 PM), Name (Luis Stefan Moroney), Street (2785 Bayside Dr S), City (St Petersburg), Telephone Number, Driver License Number, Vehicle (2003 SAA CV), and License (N02BWP).

FINAL ORDER

This will serve as notice of final order of license suspension/disqualification effective on the date it was issued to you. You may request a formal or informal review of the suspension/disqualification.

INFORMAL REVIEW

The informal review shall consist solely of an examination of the materials submitted by you and the law enforcement officer or correctional officer.

FORMAL REVIEW

The formal review allows you to be heard and present witnesses in regard to this suspension/disqualification.

DRIVING WITH AN UNLAWFUL BLOOD OR BREATH ALCOHOL LEVEL (.08 OR ABOVE)

- 1. Whether the arresting law enforcement officer had probable cause to believe that the person was driving or in actual physical control of a motor vehicle in this state while under the influence of alcoholic beverages or controlled substances (DUI)
2. Whether the person had an unlawful blood or breath alcohol level (.08 or above).

REFUSAL TO SUBMIT TO A BREATH, BLOOD OR URINE TEST

- 1. Same as number 1 above.
2. Whether the person refused to submit to any such test after being requested to do so by a law enforcement officer or correctional officer.
3. Whether the person was told that if he or she refused to submit to such test his or her privilege to operate a motor vehicle would be suspended.

IN CASE OF A DISQUALIFICATION THE FOLLOWING ISSUES WILL BE CONSIDERED:

DRIVING WITH AN UNLAWFUL BLOOD OR BREATH ALCOHOL LEVEL (.08 OR ABOVE)

- 1. Whether the arresting law enforcement officer had probable cause to believe that the person was driving or in actual physical control of a commercial motor vehicle, or any motor vehicle if the driver holds a commercial driver's license, in this state while he or she had any alcohol, chemical substance, or controlled substance in his or her body.
2. Whether the person had an unlawful blood-alcohol level or breath-alcohol level of 0.08 or higher.

REFUSAL TO SUBMIT TO A BREATH, BLOOD OR URINE TEST

- 1. Same as number one above.
2. Whether the person refused to submit to any such test after being requested to do so by a law enforcement officer or correctional officer.
3. Whether the person was told that if he or she refused to submit to any such test, his or her privilege to operate a commercial motor vehicle would be disqualified.

FAILURE TO REQUEST A REVIEW WITHIN THE 10 DAY PERIOD SHALL RESULT IN THE WAIVER OF YOUR RIGHT TO A REVIEW OF THE SUSPENSION / DISQUALIFICATION

Location of Administrative Reviews Hearing Offices

- 1. Clearwater 33762
2. Daytona Beach 32114-4863
3. Fort Myers 33901
4. Fort Pierce 34882-5106
5. Gainesville 32609-2864
6. Jacksonville 32210-3697
7. Lantana 33462-1816
8. Lauderdale Lakes 33311
9. Miami 33135-1422
10. Melbourne 32904-7121
11. Panama City 32401-2236
12. Pensacola 32504-6331
13. Tallahassee, FL 32399-0500
14. Tampa 33616-4478
15. Orlando 32810-4221
16. Winter Springs 32704

DID UNLAWFULLY COMMIT THE OFFENSE OF DRIVING UNDER THE INFLUENCE OF ALCOHOLIC BEVERAGES, CHEMICAL OR CONTROLLED SUBSTANCES; DID DRIVE, OR WAS IN ACTUAL PHYSICAL CONTROL OF A VEHICLE, WHILE UNDER THE INFLUENCE OF AN ALCOHOLIC BEVERAGE/CHEMICAL SUBSTANCE/CONTROLLED SUBSTANCE TO THE EXTENT NORMAL FACULTIES WERE IMPAIRED, OR WITH A BLOOD OR BREATH ALCOHOL LEVEL OF .08 OR ABOVE OF

COMMENTS PERTAINING TO OFFENSE (only one offense each citation)

Form with checkboxes for State Statute, Aggressive Driver, Crash, Damage to Other Property, Injury to Another, Serious Bodily Injury, Fatal, and Year Tag Expires (2011).

THIS IS A CRIMINAL VIOLATION. COURT APPEARANCE REQUIRED, AS INDICATED BELOW
10/15/2010 10:30 AM 2365-XBP CHECK DIGIT 3

PINELLAS SOUTH COUNTY TRAFFIC COURT
1800 66TH STREET NORTH
ST. PETERSBURG, FLORIDA 33710

ARREST DELIVERED TO PINELLAS COUNTY JAIL DATE 09/21/2010
I AGREE AND PROMISE TO COMPLY AND ANSWER TO THE CHARGES AND INSTRUCTIONS SPECIFIED IN THIS CITATION, WILLFUL REFUSAL TO ACCEPT AND SIGN THIS CITATION MAY RESULT IN ARREST. I UNDERSTAND MY SIGNATURE IS NOT AN ADMISSION OF GUILT OR WAIVER OF RIGHTS. IF YOU NEED REASONABLE FACILITY ACCOMMODATIONS TO COMPLY WITH THIS CITATION, CONTACT THE CLERK OF THE COURT.

SIGNATURE OF VIOLATOR
EFFECTIVE IMMEDIATELY, YOUR DRIVING PRIVILEGE IS SUSPENDED/DISQUALIFIED FOR:
DRIVING WITH AN UNLAWFUL BLOOD OR BREATH ALCOHOL LEVEL. THIS SUSPENSION IS FOR A PERIOD OF SIX MONTHS IF THIS IS THE FIRST VIOLATION OR ONE YEAR IF PREVIOUSLY SUSPENDED FOR DRIVING WITH AN UNLAWFUL BLOOD OR BREATH ALCOHOL LEVEL.

REFUSAL TO SUBMIT TO LAWFUL BREATH, BLOOD OR URINE TEST SECTION 322.2615, F. S. THIS SUSPENSION IS FOR A PERIOD OF ONE YEAR IF THIS IS A FIRST REFUSAL OR 18 MONTHS IF PREVIOUSLY SUSPENDED FOR THIS OFFENSE. IF YOU HOLD A CDL OR YOU ARE OPERATING A CMV, YOUR COMMERCIAL DRIVER LICENSE/PRIVILEGE WILL ALSO BE DISQUALIFIED FOR A PERIOD OF ONE YEAR FOR A FIRST REFUSAL OR PERMANENTLY DISQUALIFIED IF PREVIOUSLY DISQUALIFIED UNDER SECTION 322.64, F.S.

LICENSE SURRENDERED? YES NO REASON
ELIGIBLE FOR PERMIT? YES NO REASON
UNLESS INELIGIBLE, THIS CITATION SHALL SERVE AS A TEMPORARY DRIVER LICENSE AND WILL EXPIRE AT MIDNIGHT ON 10/15/2010 (THE 10TH DAY FOLLOWING THE DATE OF SUSPENSION).

AT THE BUREAU OF ADMINISTRATIVE REVIEWS OFFICE, 4585 140TH AVENUE NORTH, SUITE 1302, CLEARWATER 33762, YOU MAY REQUEST, ON OR BEFORE 10/15/2010 (WITHIN 10 DAYS AFTER THE DATE OF SUSPENSION), A REVIEW OF SUSPENSION BY THE DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES. SEE REVERSE SIDE.

Handwritten signature of Troop E D. F. Villano

TROOP E D. F. VILLANO 2786 C
RANK - SIGNATURE OF OFFICER BADGE NO. ID NO TROOP UNIT
HSMV 75904 (Rev. 11/09)

Message Date & Time	Message Description
9/21/2010 9:05:46 PM	CIC VEH. REG RESP: FL N028WP(1)

--BEGIN MESSAGE--

[Page: 1 of 1]

--FCIC HIT RESPONSE--

FRQ : NO RECORDS FOUND

--WARNING--

WARNING! CERTIFICATION DATE WILL EXPIRE WITHIN 60 DAYS! [20101029]

--END--

FRQ FL02990MON028WP

2010

--DMVR--

DHSMV RECORD -

N028WP YS3DF78K737005716 SAA CV 03 003260 TRANSFER
COLOR: RED/BLK

LUIS STEFAN MORONEY
2785 BAYSIDE DR S CLASS: 001 GVW: 000000
ST PETERSBURG FL 33705-3242 COUNTY RES: 04
DOB: 12/03/80 SEX: M DECAL/YR: 02368863/1 DECAL EXP:12/03/11 USE: PRIVATE

REGISTRANT(S) INFORMATION

REGISTRANT 1: LUIS STEFAN MORONEY
2785 BAYSIDE DR S SEX: M DOB: 12/03/80
ST PETERSBURG FL 33705-3242 DL#1: XXXXXXXXXX
REGISTRANT 2:

SEX: DOB: / /
NO R2

INSURANCE INFORMATION

INSURER: PROGRESSIVE SELECT INS. CO. POLICY # 80492626
3802 COCONUT PALM DRIVE
TAMPA FL 33619-0000

END DHSMV RESPONSE

--NCIC--

1L01FLS1810594782

FL02990M0

NO RECORD LIC/N028WP

--END MESSAGE--

Message Date & Time	Message Description
9/21/2010 9:09:28 PM	CIC DRV REG RESP: FL [REDACTED]

--BEGIN MESSAGE--

[Page: 1 of 1]

--FCIC HIT RESPONSE--

FDQ : NO RECORDS FOUND

--WARNING--

WARNING! CERTIFICATION DATE WILL EXPIRE WITHIN 60 DAYS! [20101029]

--END--

FDQ FL02990M0M650537804430

--DHSMV--

M-650-537-80-443-0

LUIS, STEFAN, MORONEY

2785 BAYSIDE DR S

ST PETERSBURG

FL 33705

2785 BAYSIDE DR S

ST PETERSBURG

FL 33705

TYPE LIC: CLASS E OPERATOR

DOB: 12/03/80 HT: 508 RACE: W SEX: M

CURRENT LICENSE ISSUED: 03/24/2007 EXPIRES: 12/03/2010

VALID LICENSE

- ELIGIBLE FOR 30 DAY PERMIT SOC SEC: [REDACTED]

04/17/09 CONVICTION

EXPIRED TAG - 6 MOS OR LESS

3878FYC CO:04

--END MESSAGE--



FLORIDA DUI UNIFORM TRAFFIC CITATION

2365-XBP CHECK DIGIT 3

COMPLAINT

FLORIDA HIGHWAY PATROL
COUNTY OF PINELLAS
AGENCY
IN THE COURT DESCRIBED BELOW THE UNDERSIGNED CERTIFIES THAT HE/SHE HAS JUST AND REASONABLY GROUNDS TO BELIEVE AND DOES BELIEVE THAT ON
COMPLAINT (RETAINED BY COURT)
DATE OF VIOLATION: Tue 09 21 2010 9:06 PM
NAME (PRINT) FIRST MIDDLE LAST: LUIS STEFAN MORONEY
STREET: 2785 BAYSIDE DR S
CITY: ST PETERSBURG
STATE: FL ZIP CODE: 33705
TELEPHONE NUMBER: DATE OF BIRTH: 12 03 1980 RACE: W SEX: M HTY: 508
DRIVER LICENSE NUMBER: STATE: FL CLASS: E COL LICENSE: Y (R) YR LICENSE EXP: 2010 IF COMMERCIAL MTR VEH 'X' HERE:
TR VEHICLE MAKE: SAA MODEL: CV YEAR: 2003 IF PLACARDED HAZARDOUS MATERIAL 'X' HERE:
VEHICLE LICENSE NO: N028WP TRAILER TAG NO: STATE: FL YEAR TAG EXPIRES: 2011 IF COMPANION CITATION(S) 'X' HERE:
UPON A PUBLIC STREET OR HIGHWAY OR OTHER LOCATION NAMED: SB SR 93 S OF SR 694

DID UNLAWFULLY COMMIT THE OFFENSE OF DRIVING UNDER THE INFLUENCE OF ALCOHOLIC BEVERAGES, CHEMICAL OR CONTROLLED SUBSTANCES, DID DRIVE, OR WAS IN ACTUAL PHYSICAL CONTROL OF A VEHICLE, WHILE UNDER THE INFLUENCE OF AN ALCOHOLIC BEVERAGE/CHEMICAL SUBSTANCE/CONTROLLED SUBSTANCE TO THE EXTENT NORMAL FACULTIES WERE IMPAIRED, OR WITH A BLOOD OR BREATH ALCOHOL LEVEL OF .08 OR ABOVE OF

COMMENTS PERTAINING TO OFFENSE (Only one offense each column)

STATE STATUTE [X] AGGRESSIVE DRIVER [] SECTION SUB-SECTION 316.193
CRASH DAMAGE TO OTHER PROPERTY INJURY TO ANOTHER SERIOUS BODILY INJURY TO ANOTHER FATAL
[X] YES [] NO [] YES [] NO [] YES [] NO [] YES [] NO [] YES [] NO [] YES [] NO

THIS IS A CRIMINAL VIOLATION COURT APPEARANCE REQUIRED, AS INDICATED BELOW
10/16/2010 10:30 AM 2365-XBP CHECK DIGIT 3

PINELLAS SOUTH COUNTY TRAFFIC COURT
1800 66TH STREET NORTH
ST. PETERSBURG, FLORIDA 33710

ARREST DELIVERED TO PINELLAS COUNTY JAIL DATE 09/21/2010

I AGREE AND PROMISE TO COMPLY AND ANSWER TO THE CHARGES AND INSTRUCTIONS SPECIFIED IN THIS CITATION WILLFUL REFUSAL TO ACCEPT AND SIGN THIS CITATION MAY RESULT IN ARREST I UNDERSTAND MY SIGNATURE IS NOT AN ADMISSION OF GUILT OR RESPONSIBILITY FOR THE OFFENSE. IF YOU NEED REASONABLE ACCOMMODATIONS TO COMPLY WITH THIS CITATION, CONTACT THE CLERK OF THE COURT.

EFFECTIVE IMMEDIATELY YOUR DRIVING PRIVILEGE IS SUSPENDED/DISQUALIFIED FOR
[] DRIVING WITH AN UNLAWFUL BLOOD OR BREATH ALCOHOL LEVEL THIS SUSPENSION IS FOR A PERIOD OF SIX MONTHS IF THIS IS THE FIRST VIOLATION OR ONE YEAR IF PREVIOUSLY SUSPENDED FOR DRIVING WITH AN UNLAWFUL BLOOD OR BREATH ALCOHOL LEVEL IF YOU HOLD A CDL OR YOU ARE OPERATING A CMV, YOUR COMMERCIAL DRIVER LICENSE/PRIVILEGE WILL ALSO BE DISQUALIFIED FOR ONE YEAR FOR THE FIRST OFFENSE OR PERMANENTLY DISQUALIFIED IF YOU HAVE BEEN PREVIOUSLY DISQUALIFIED UNDER SECTION 322.64 F.S.

[X] REFUSAL TO SUBMIT TO LAWFUL BREATH BLOOD OR URINE TEST SECTION 322.2915 F.S. THIS SUSPENSION IS FOR A PERIOD OF ONE YEAR IF THIS IS A FIRST REFUSAL OR 18 MONTHS IF PREVIOUSLY SUSPENDED FOR THIS OFFENSE. IF YOU HOLD A CDL OR YOU ARE OPERATING A CMV, YOUR COMMERCIAL DRIVER LICENSE/PRIVILEGE WILL ALSO BE DISQUALIFIED FOR A PERIOD OF ONE YEAR FOR A FIRST REFUSAL OR PERMANENTLY DISQUALIFIED IF PREVIOUSLY DISQUALIFIED UNDER SECTION 322.64 F.S.

LICENSE SURRENDERED? [X] YES [] NO REASON
ELIGIBLE FOR PERMIT? [X] YES [] NO REASON
UNLESS INELIGIBLE, THIS CITATION SHALL SERVE AS A TEMPORARY DRIVER LICENSE AND WILL EXPIRE AT MIDNIGHT ON 10/01/2010 (THE 10TH DAY FOLLOWING THE DATE OF SUSPENSION)

AT THE BUREAU OF ADMINISTRATIVE REVIEWS OFFICE, 4545 140TH AVENUE NORTH, SUITE 1002, CLEARWATER 33762, YOU MAY REQUEST, ON OR BEFORE 10/01/2010 (WITHIN 10 DAYS AFTER THE DATE OF SUSPENSION), A REVIEW OF SUSPENSION BY THE DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES. SEE REVERSE SIDE

TROOPER F VILLANO 2786 C
SIGNATURE OF OFFICER BADGE NO ID NO TROOP UNIT

HSMV 75904 (Rev 11/09)

CASE NO DOCKET NO PAGE NO

Table with 2 columns: DATE, COURT ACTION AND OTHER ORDERS. Rows include: BAIL FIXED AT \$ OR CASH DEPOSIT OF \$, SIGNATURE OF PERSON GIVING BAIL, SIGNATURE OF PERSON TAKING BAIL, FINE IN THE AMOUNT OF \$ RECEIVED AS REQUIRED BY COURT SCHEDULE, SIGNATURE OF CLERK, CONTINUANCE TO REASON, BOND ESTREATED, WARRANT ISSUED, VIOLATOR FAILED TO APPEAR-DRIVER LICENSE SUSPENDED, VIOLATOR ARRAIGNED ON (DATE) PLEA FINDING ADJUDICATION SENTENCE FINE COST JAILED DAYS DRIVER IMPROVEMENT SCHOOL OTHER DRIVER LICENSE SUSPENDED OR REVOKED FOR DAYS RECOMMEND DRIVER LICENSE SUSPENSION FOR DAYS RECOMMEND RE-TEST, SIGNATURE OF JUDGE, TESTIMONY - JUDGE'S NOTES (OR OTHER COURT ORDERS), APPEAL BOND OF \$, VIOLATOR'S FINGERPRINT WHEN APPLICABLE



STATE OF FLORIDA PINELLAS COUNTY
I hereby certify that the foregoing is a true copy of the original as it appears among the files and records of this court.
This 7th day of October 2010
KEN BURKE
Clerk of Circuit Court
By Michelle Adams
Deputy Clerk