

New Jersey State Police Drinking Driving Report**D030-2019-00200D**

09/07/2023

Defendant Information

Defendant Name: Craig J Guy	Race: WHITE, NON-HISPANIC
Sex: MALE	Addr: 255 Warren St
Age: 61	Jersey City NJ 07302
Weight: 250	Driver's License: [REDACTED]
Eye Color: HAZEL	State: New Jersey

Vehicle Information

Vehicle Year: 2013	Veh. Color: BLACK
Make/Model: Ford - Explorer	Reg: M13KYV State: New Jersey
Vehicle Code: 01 PASSENGER CAR/STATION WAGON	
Vehicle Owner: County Of Hudson	
Owner Address: 567 Pavonia Ave Jersey City NJ	

Drinking Driving Information

Violation Date: 10/31/2019	Military Time: 2219	Summons No.: 2004-E19-038902	Court Date: 11/15/2019
County/Municipality: 2004	County: UNION	Municipality: ELIZABETH CITY	
Roadway or Location: New Jersey Turnpike North Milepost 102 (SNO ROADWAY)			
Arrested By: TPR. M A COLON 7840 D030 - NEWARK	Tested By: TPR. M A COLON 7840 D030 - NEWARK		
MVR Tape Number: D0302019 DIVR 852	MVR Start Time: 000	MVR End Time: 000	
Accident Involved	Examination	Summons Issued For	
X - None	X - Chemical Breath Test	X - 39:4-50 Influence	
	X - Observation	X - Blood Alcohol Results .14 %	

Observations

Ability To Walk	Ability To Stand	Speech	Demeanor	Actions
X - Unable To Walk	X - Swaying	X - Boisterous	X - Cooperative	-None-
X - Falling	X - Unable to Stand	X - Slurred	X - Polite	
X - On Hands & Knees	X - Sagging Knees	X - Slow	Odor of Alcoholic Beverage on Breath	
X - Swaying	X - Continual Leaning For Balance		X - Yes	
X - Sagging	X - Feet Wide Apart For Balance			
X - Grasping for Support				
X - Staggering				
Eyes	Clothing	Face		
X - Bloodshot	-None-	X - Flushed		
X - Watery		Movement of		
X - Droopy Lids		Hands		
		X - Fumbling		
		X - Slow		

Remarks

N/A

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09/07/2023

Narrative**1. Operation of the Motor Vehicle:**

While patrolling NJTP SNO Roadway in Newark City, I observed a black Ford bearing NJ registration "M13KYV" for failure to maintain lane (39:4-88B), specifically by failing to maintain lane and swerving erratically. When the area was safe, I activated the emergency lights of marked Troop Car #852 in attempt to conduct a motor vehicle stop. The vehicle pulled to the side of the roadway and I conducted a motor vehicle stop near MP 102, Elizabeth, Union County.

2. When Stopped or Arrival at Scene:

I approached the vehicle on the passenger's side, identified myself as a New Jersey State Trooper and requested the driver's credentials. Upon interacting with the driver, later identified as Craig Guy (DOB [REDACTED]/1957), I detected the odor of an alcoholic beverage emanating from the vehicle. Mr. Guy was subsequently asked out of the vehicle. Mr. Guy was requested to remove his hands from the steering wheel and take the keys out of the ignition and place them on the dashboard. I observed Mr. Guy eyes to be bloodshot and red with drooping eyelids during this interaction. Mr. Guy was asked to exit the vehicle for the purpose of performing Field Sobriety Tests. It should be noted Mr. Guy admitted to having 2 alcoholic beverages (beer) prior to driving.

Walk and Turn Test: I escorted Mr. Guy to the roadway in front of his vehicle, which was free of debris and level. The Walk and Turn Test was explained and demonstrated, which the driver stated he understood.

Instruction Stage: Lost balance (feet breaking apart)
Unable to maintain start position

During the Walk-and-Turn Test, I observe the driver's performance for several clues; if two or more clues are observed, then the subject fails the test. The observed clues are the following:

- Cannot keep balance while listening to instructions
- Stops walking to steady self
- Does not touch heel-to-toe
- Loses balance while walking (steps off line)
- Uses arms to balance (raises arms over six inches away from body)
- Loses balance on turn or turns incorrectly
- Incorrect number of steps
- Starts before instructions are finished

Mr. Guy was unable to perform the Walk-and-Turn Test.

One-Leg-Stand Test: I then administered the One-Leg-Stand Test, explaining verbally and demonstrating the test visually. During the One-Leg-Stand Test, I observe the driver's performance for four clues, and if two or more clues are observed, the subject fails the test. The clues are the following:

- Sways while balancing
- Uses arms to balance (raises arms over six inches away from body)
- Puts foot down
- Hopping

Mr. Guy was unable to perform the One-Leg-Stand Test.

Horizontal Gaze Nystagmus Test: Tpr. Correa#7841 performed the Horizontal Gaze Nystagmus Test. Tpr. Correa#7841 advised me that the subject displayed a total of six (6) out of six (6) hits.

Based on the totality of the circumstances, Mr. Guy was placed under arrest for driving while intoxicated. Same was handcuffed, searched with negative results, Mirandized, and secured in Troop Car #852. PC search of the vehicle was met with negative results. Mr. Guy was transported to Newark station for processing.

3. En Route to Station or Other Location:

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09/07/2023

Narrative

The odor of an alcoholic beverage permeated Troop Car #852. That same odor was not present before the accused was placed in the Troop Car.

4. At the Station or Other Location:

While at Newark Station, Mr. Guy was once again read his rights as per Miranda, which he acknowledged by signing a Miranda Card. All cell phones, portable radios, and transmitters were secured in a separate location from the processing room containing Alcotest 7110 MKIII-C, Serial # ARUL-0075. I then read Mr. Guy the Standard Statement for NJ Operators of a Motor Vehicle Form. When asked to submit samples of his breath for the purpose of determining the content of alcohol in his blood, Mr. Guy replied, "Yes." I observed Mr. Guy for over twenty minutes before the administration of the Alcotest unit. During the observation time, there was no ingestion of any kind, nor was there any burping or vomiting. No foreign objects were detected in the accused's mouth. Mr. Guy indicated that he was not a diabetic and did not use insulin. Mr. Guy was asked the Drinking Driver & Operation Questionnaire.

Mr. Guy was instructed on how to provide a proper breath sample. Mr. Guy provided two proper independent breath samples. It should be noted that before and after each breath test, a new mouthpiece was unwrapped and placed upon the breath hose instrument. The samples resulted in the accused's having a B.A.C. of 0.14% which confirmed my observations at the scene. The samples were confirmed by the alcotest calculator to be in the acceptable limits. Mr. Guy was then charged with 39:4-50 Driving While Intoxicated and issued Summons 2004-E19-038902 for this offense.

Mr. Guy was released to, William Wolfe, who read, signed, and acknowledged the NJSP Potential Liability Warning.

5. Other Traffic Offenses:

#2004-E19-038903 (39:4-88B)


Rank: TPR. M A COLON
7840

Signature:



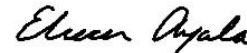
1st. Approval:
Date: 11/09/2019
SSGT. V CURKO
6319

Signature:



2nd. Approval:
Date: 11/09/2019
SFC E AYALA
5555

Signature:



**ALCOHOL INFLUENCE REPORT FORM, ALCOTEST 7110 MKIII-C
N.J.S.P NEWARK STATION**

Department Case No.: D030201900200D
Summons No(s): S
Sequential File No.: 01984

Subject

Last Name: GUY First Name: CRAIG MI: J
D.O.B.: [REDACTED]/1957 Age: 61 Gender: MALE Ht: 5 ft. 06 in. Wt: 260 lbs.
Driver License Number: [REDACTED] Issuing State: NJ

Arresting Officer

Last Name: COLON First Name: MARK MI: A
Badge No.: 7840 Arrest Date: 10/31/2019 Arrest Time: 22:41S Arrest Location: NSO

Instrument

Alcotest 7110 MKIII-C Serial No.: ARUL-0075
Location: N.J.S.P NEWARK STATION
Calibration File No.: 01975 Calib. Date: 10/21/2019 Calib. No.: 00028
Certification File No.: 01976 Cert. Date: 10/21/2019 Cert. No.: 00024
Linearity File No.: 01977 Lin. Date: 10/21/2019 Lin. No.: 00024
Solution File No.: 01979 Soln. Date: 10/23/2019 Soln. No.: 00247
Sequential File No.: 01984 File Date: 10/31/2019

Calibrating Unit: WET Model No.: CU-34 Serial No.: DDRK S3-0006
Control Solution %: 0.100% Expires: 02/11/2021
Solution Control Lot: 19060 Bottle No.: 0598

Breath Test Information

Function	Result %BAC	Time HH:MM	Volume (L)	Duration Sec (s)	Date of Test: 10/31/2019	
					Temp. Sim. (°C)	Error Message
Ambient Air Blank	0.000%	23:28S				
Control Test 1					33.9°C	
EC Result	0.098%	23:29S				
IR Result	0.096%	23:29S				
Ambient Air Blank	0.000%	23:30S				
Breath Test 1			2.4L	5.3s		
EC Result	0.146%	23:31S				
IR Result	0.148%	23:31S				
Ambient Air Blank	0.000%	23:31S				
Breath Test 2			2.5L	7.0s		
EC Result	0.143%	23:33S				
IR Result	0.145%	23:33S				
Ambient Air Blank	0.000%	23:34S				
Control Test 2					33.9°C	
EC Result	0.096%	23:34S				
IR Result	0.097%	23:34S				
Ambient Air Blank	0.000%	23:35S				

REPORTED BREATH TEST RESULT: 0.14% BAC

Breath Test Operator

Last Name: COLON First Name: MARK MI: A
Signature:  Badge No.: 7840
Date: 10/31/2019

Copy Given to Subject

S.O.P. F26
ANNEX E

NEW JERSEY STATE POLICE DRINKING-DRIVING REPORT STANDARD STATEMENT FOR MOTOR VEHICLE OPERATORS <small>N.J.S.A. 39:4-50.2(a) (rev. 07/01/12)</small>	Time <i>2:05</i>	Date <i>10/31/19</i>	Case Number <i>202019002500</i>
	Defendant <i>Craig Bwy</i>		

The police officer shall read the following:

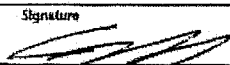
1. You have been arrested for driving while intoxicated. N.J.S.A. 39:4-50.
2. The law requires you to submit samples of your breath for the purpose of testing to determine alcohol content.
3. A record of the taking of the breath samples, including the test results, will be made. Upon your request, a copy of that record will be made available to you.
4. After you have provided samples of your breath for testing, you have the right, at your own expense, to have a person or physician of your own selection take Independent samples of your breath, blood or urine for Independent testing.
5. If you refuse to provide samples of your breath, you will be issued a separate summons for the refusal. A court may find you guilty of both refusal and driving while intoxicated.
6. If a court finds you guilty of the refusal, you will be subject to various penalties, including license revocation of up to 20 years, a fine of up to \$2000, installation of an Ignition interlock, and referral to an Intoxicated Driver Resource Center. These penalties may be in addition to penalties imposed by the court for any other offense of which you are found guilty.
7. You have no legal right to have an attorney, physician or anyone else present for the purpose of taking the breath samples. You have no legal right to refuse to give, or delay giving, samples of your breath.
8. Any response from you that is ambiguous or conditional, in any respect, to my request that you provide breath samples, will be treated as a refusal to submit to breath testing. Even if you agree to take the test, but then do not follow my instructions, do not properly perform the test, or do not provide sufficient breath samples, I will charge you with refusal to submit to breath testing.
9. I repeat, the law requires you to submit samples of your breath for testing. Will you submit the samples of your breath?

Answer: *Yes*

If the arrested person does not respond, or gives any ambiguous or conditional answer short of an unequivocal "yes," the police officer shall read the following.

Your answer is not acceptable. The law requires that you submit samples of your breath for breath testing. If you do not answer, or answer with anything other than "yes," I will charge you with refusal. Now, I ask you again, will you submit to breath testing?

Answer: _____

Title <i>Trooper</i>	Signature 	Badge # <i>7840</i>	Reviewed By
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S.P. 365A (07/15) (S.O.P. F26)



**NEW JERSEY STATE POLICE
DRINKING DRIVER/OPERATOR QUESTIONNAIRE**

**S.O.P. F26
ANNEX F**

Defendant (First name) <i>Craig</i>	(Initial) (Last name) <i>Burg</i>	Case Number <i>D030201900200P</i>
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1. QUESTIONS:

The following Questions were asked: On <i>10/31</i> , 20 <i>19</i> At <i>22:10</i> <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM		Occupation? <i>Hudson County</i>
Are you Sick? If Yes, Explain: <i>No</i>		
Are you under the care of a Doctor? If so, provide name & address. [Redacted]		Last Visit Date: _____ Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM
Are you taking Medicines? If so, What and What for? [Redacted]		Last Dose? Date: _____ Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM
Do you have Diabetes? [Redacted]	Are you taking Insulin? [Redacted]	Last Dose? Date: _____ Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM
Are you Injured? <i>Yes</i>	Where? <i>Right Hip / Back</i>	
Are your Injuries Affecting you now? If so, What and How? <i>Yes trouble walking and standing</i>		
Note any Physical Injuries or Deformities observed:		

2. ADVISE SUBJECT OF MIRANDA WARNING:

What kind of Alcoholic Drinks have you had? <i>Beer</i>	How many? <i>2</i>
Where? <i>Jersey City White Star</i>	What was the time between each drink? <i>2 hrs</i>
When did you have your First Drink? Date: <i>10/31/19</i> Time: <i>7:30</i> <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	When did you finish your Last Drink? Date: <i>10/31/19</i> Time: <i>9:30</i> <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM
What time did you Finish eating? (B4) What did you Eat?	
Remarks:	

3. COMPLETE THE FOLLOWING WHEN A BREATH TEST IS ADMINISTERED AND NO CHARGE FOR DRIVING/OPERATING IS ENFORCED:

Operation of the Vehicle/Vessel:
When Stopped or Arrival at Scene:

(Rank) _____ (Signature) _____ (Badge No.) _____	Copy given to Subject: On _____, 20 _____
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2004-E19-038902

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THE COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED. YOU ARE REQUIRED TO APPEAR IN COURT ON 11/16/2019. IF YOU ARE UNABLE TO APPEAR, CONTACT THE COURT TO DETERMINE IF THIS CASE CAN BE RESCHEDULED.

Drivers License No: [REDACTED] D/L State: NJ
 D/L Expiration Date: 06/30/2021 Commercial License

THE UNDERSIGNED CERTIFIES THAT

CRAIG J GUY Telephone: [REDACTED] Weight: [REDACTED]
 255 WARREN STREET Birth Date: [REDACTED] 1987 Height: [REDACTED]
 JERSEY CITY, NJ 07302 Eyes: GRAY Residencs: 0
 Sex: M

AND DID UNLAWFULLY OPERATE A

License Plate No. **M13KYV** Vehicle Make: FORD Year: [REDACTED]
 Color: BLK Body Type: [REDACTED]
 Plate State: NJ Exp Date: [REDACTED]

Commercial Vehicle Omnibus Hazardous Material Out of Service

AND DID COMMIT THE FOLLOWING OFFENSE

39:4-50 - OPERATING UNDER INFLUENCE OF LIQUOR OR DRUGS
 Date of Offense: 10/31/2019 Time: 22:19 PM

Construction Zone Safe Corridor 65 MPH Zone
 Accident Personal Injury Death/Serious Bodily Injury

Location: 67P HED WP 103 ELIZA Mun. Code (Offense): 2904
 Municipality: ELIZABETH CITY County: UNION

I certify that there are just and reasonable grounds to believe that you committed the above offense. I also certify that I will file this complaint in this court charging you with this offense.

10/31/2019 Date *[Signature]* 7840 Officer ID
 TPR. M A COLON

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED ABOVE. YOUR COURT DATE AND TIME IS:

Court Date: 11/16/2019 Court Time: 09:30

TO MAKE PAYMENT VIA THE INTERNET OR FOR MORE INFORMATION, LOGON TO WWW.NJMCDIRECT.COM

NOTICE

IF YOU FAIL TO APPEAR FOR YOUR SCHEDULED COURT DATE, THEN ADDITIONAL PENALTIES MAY RESULT. A WARRANT MAY BE ISSUED FOR YOUR ARREST, AND YOUR DRIVING PRIVILEGES IN NEW JERSEY MAY BE REVOKED. IF THIS IS A PARKING TICKET, YOUR FAILURE TO APPEAR SHALL BE CONSIDERED AN ADMISSION OF LIABILITY AND A DEFAULT JUDGEMENT MAY BE ENTERED AGAINST THE OWNER OF THE VEHICLE. EXCEPT FOR A PARKING TICKET, A RECORD OF THIS CONVICTION WILL BE SENT TO THE MOTOR VEHICLE COMMISSION (MVC) THAT ISSUED YOUR LICENSE.

IF YOU HOLD A COMMERCIAL DRIVERS LICENSE AND YOU ARE CONVICTED OF TWO OR MORE SERIOUS TRAFFIC VIOLATIONS, THE MVC MAY, DEPENDING ON YOUR RECORD, SUSPEND YOUR COMMERCIAL DRIVING PRIVILEGES EVEN IF THE VIOLATIONS WERE COMMITTED IN A NON-COMMERCIAL MOTOR VEHICLE. FOR MORE INFORMATION, VISIT THE OFFICIAL MVC WEBSITE AT WWW.NJMVC.GOV.

PLEASE NOTIFY COURT OF DISABILITY ACCOMMODATION NEEDS

ROAD CONDITION
 Wet Dry Ice Snow

AREA TYPE
 Business School Residential Rural

TRAFFIC DENSITY
 Light Medium Heavy

VISIBILITY
 Clear Rain Fog

NARRATIVES:

2004-E19-038903

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT ON THE PAY BY DATE TO ANSWER THE COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED. IF YOU PLEAD GUILTY AND PAY THE PENALTY AMOUNT OF \$ 185 BEFORE THE SCHEDULED PAY BY DATE OF 11/15/2019, YOU DO NOT NEED TO APPEAR IN COURT (SEE INSTRUCTIONS BELOW).

Drivers License No: [REDACTED] DL State: NJ
 D/L Expiration Date: 06/30/2021 Commercial License

THE UNDERSIGNED CERTIFIES THAT

CRAIG J GUY Telephone: [REDACTED] Weight: [REDACTED]
 255 WAREN STREET Birth Date: [REDACTED] 1957 Height: [REDACTED]
 JERSEY CITY, NJ 07302 Eyes: GRAY Restrictions: 0
 Sex: M

AND DID UNLAWFULLY OPERATE A

License Plate No. **M13KYV** Vehicle Make: FORD Year: [REDACTED]
 Color: BLK Body Type: [REDACTED]
 Plate State: NJ Exp Date: [REDACTED]

Commercial Vehicle Omnibus Hazardous Material Out of Service

AND DID COMMIT THE FOLLOWING OFFENSE

39:4-8BB - UNSAFE LANE CHANGE
 Date of Offense: 10/31/2019 Time: 22:19 PM

Construction Zone Safe Corridor 65 MPH Zone
 Accident Personal Injury Death/Serious Bodily Injury

Location: 6TH HED HP 101 ELIZA Municip. Code (Offense): 2804
 Municipality: ELIZABETH CITY County: UNION

I certify that there are just and reasonable grounds to believe that you committed the above offense. I also certify that I will file this complaint in this court charging you with this offense.

10/31/2019 *[Signature]* 7840
 Date TPR, M A COLON Officer ID

1. GUILTY PLEA AND PAYMENT. If you wish to plead guilty and pay the penalty, you may make payment via the internet by logging onto www.njmcdirect.com or you may bring or mail this ticket and payment in the amount of the penalty to this court before the court date listed above. Payments by mail must be by check or money order made payable to this Municipal Court. Do not send cash. Please print the ticket number on the front of the check or money order. A receipt will be sent to you only if you send a self-addressed, stamped envelope along with payment.

2. PLEA OF NOT GUILTY. If you want to plead not guilty, you must notify the court at least 7 days before your scheduled pay by date or it may be necessary for you to make additional court appearances.

Amount of Penalty: \$ 185 Pay By Date: 11/15/2019

TO MAKE PAYMENT VIA THE INTERNET OR FOR MORE INFORMATION, LOGON TO WWW.NJMCDIRECT.COM

NOTICE

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PLEASE NOTIFY COURT OF DISABILITY ACCOMMODATION NEEDS

ROAD CONDITION
 Wet Dry Ice Snow

AREA TYPE
 Business School Residential Rural

TRAFFIC DENSITY
 Light Medium Heavy

VISIBILITY
 Clear Rain Fog

NARRATIVES: