

ARREST REPORT

A G E N C Y	Agency Name Concord Police Department		ORI 0130100 C0011	Date/Time Arrested 12/04/2011 02:27	OCA 1119259	
	<input type="checkbox"/> Taken <input type="checkbox"/> Prints <input type="checkbox"/> Photos	Fingerprint Card Check Digit # (CKN)	Arrest Tract D2	Residence Tract OJ	Arrest Number 59027	
	Name (Last, First, Middle) MACKEY, NIKITA VIDAL		D.O.B. 04/12/1967	Age 44	Race B	Sex M
A R R E S T E E	Current Address 11142 Hunters Trace Ln, CHARLOTTE, NC 28262		Phone 980-721-5090	Occupation Attorney	<input type="checkbox"/> Resident <input checked="" type="checkbox"/> Non-Resident	
	Employer's Name LAW OFFICES OF NICK MACKEY		Address PO BOX 60089		Phone 704-313-9095	
	Also Known As (Alias Names)		Hgt 5'07	Wgt 170	Hair BLK	Eyes BRO
	Scars, Marks, Tattoos		Social Security #	DLN and State	Consumed Drug/Alcohol <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unk	
	Nearest Relative Name		Address		Phone	
A R R E S T	If Armed, Type of Weapon NOT APPLICABLE/NONE		<input checked="" type="checkbox"/> On-View <input type="checkbox"/> Order for Arrest	<input type="checkbox"/> Criminal Summons <input type="checkbox"/> Citation <input type="checkbox"/> Warrant	Place of Arrest CONCORD MILLS BLVD/I-85 S RAMP TO	
	Charge #1 Impaired Driving	<input type="checkbox"/> Fel <input checked="" type="checkbox"/> Misd	Counts 1	DCI Code 2100	Offense Jurisdiction (if not arresting agency) 20-138.1(A)	
	Charge #2 Driving While License Revoked	<input type="checkbox"/> Fel <input checked="" type="checkbox"/> Misd	Counts 1	DCI Code 4010	Offense Jurisdiction (if not arresting agency) 20-28	
	Charge #3	<input type="checkbox"/> Fel <input type="checkbox"/> Misd	Counts	DCI Code	Offense Jurisdiction (if not arresting agency)	
V E H I C L E	VYR 2011	Make HOND	Model ACCORD	Style 4D	Color SIL	
	Plate #/State ZZY4645 NC 2011	VIN 1HGCS2B82BA002708	Date/Time 12/04/2011 00:00	UNKN		
C O N F I N E D	Vehicle		<input type="checkbox"/> Left at Scene <input type="checkbox"/> Released to other at owners request <input type="checkbox"/> Impounded	<input type="checkbox"/> Secured <input type="checkbox"/> Unsecured <input type="checkbox"/> Name of Other	Inventory on File? <input type="checkbox"/>	
	Date/Time Confined	Place Confined		Committing Magistrate		
	Type Bond <input type="checkbox"/> Written Promise <input type="checkbox"/> Secured <input type="checkbox"/> No Bond <input type="checkbox"/> Other	Bond Amount \$0.00	Trial Date	Court Of	City	
	Assisting Officer Name/ID # HULSE, A. E. 2	Released By (Name/Department/ID #)		Date/Time Released		
D R U G S	Status Codes		L - Lost S - Stolen R - Recovered D - Damaged Z - Seized B - Burned C - Counterfeit / Forged F - Found		Check up to 3 types of activity for each	
	DCI	Status	Quantity	Type Measure	Suspected Type	Possess Buy Sale Mfg. Impairing Operating
C O M P	Name: Complainant <input type="checkbox"/> Victim <input type="checkbox"/>		Address		Phone	
	NARRATIVE R/O AT APPROX 0227HRS WHILE ON ROUTINE PATROL OBSERVED A SILVER VEHICLE ON CONCORD MILLS BLVD, TRAVELING TOWARD I 85. THE VEHICLE APPEARED TO BE TRAVELING ABOVE THE POSTED SPEED LIMIT. AS R/O GOT CLOSER TO THE VEHICLE, THE DRIVER DRIFTED FROM THE FAR LEFT LANE TO THE CENTER LANE WITHOUT A SIGNAL, JUST BEFORE THE CONCORD MILLS BLVD INTERSECTION AT ENTRY A. AFTER CLEARING THE INTERSECTION, THE DRIVER DRIFTED TO THE FAR RIGHT LANE AND AFTER A FEW FEET, PUT ON HIS TURN SIGNAL.					
S T A T U S	Arresting Officer Signature/ID # ESCHERT, J. S. (3078)		Date/Time Submitted 12/04/2011 02:27		Supervisor Signature HINSON, G. I.	
	Case Status: <input type="checkbox"/> Further Inv. <input type="checkbox"/> Inactive <input checked="" type="checkbox"/> Closed		Case Disposition: <input checked="" type="checkbox"/> Cleared By Arrest / No Supplement Needed <input type="checkbox"/> Arrest / No Investigation		Arrestee Signature	

ARREST REPORT (Additional Narrative)

Agency Name	ORI	Date/Time Arrested	OCA
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Arrestee Name	Arrest Number		
MACKEY, NIKITA VIDAL	59027		

TO MAKE A RIGHT TURN WELL BEFORE THE NEXT INTERSECTION. R/O OBSERVED THE TAG BEING EXPIRED AND CONDUCTED A VEHICLE STOP. THE DRIVER STOPPED IN THE MIDDLE OF THE TRAVEL LANE ON A GREEN LIGHT AND PUT HIS FLASHERS ON. THE DRIVER HAD A CLEAR PATH TO PULL OFF TO THE RIGHT SHOULDER OF THE ROADWAY. R/O APPROACHED THE DRIVER SIDE OF THE VEHICLE AT APPROX 0228HRS AND ASKED THE DRIVER FOR HIS LICENSE AND REGISTRATION. R/O EXPLAINED TO THE DRIVER THAT HE WAS BEING STOPPED FOR AN EXPIRED TAG. WHEN R/O APPROACHED THE VEHICLE, THE DRIVER HAD BOTH HANDS ON THE STEERING WHEEL LOOKING STRAIGHT AHEAD. THE DRIVER WOULDN'T LOOK AT ME OR MAKE ANY EYE CONTACT. THE DRIVER STATED HE KNEW THE TAG WAS EXPIRED AND THE INSPECTION WAS OUT. VEHICLES HAD TO DRIVE AROUND US TO GET ONTO THE INTERSTATE DUE TO WHERE THE DRIVER STOPPED. R/O RETURNED TO THE PATROL VEHICLE AT APPROX 0229 HRS AND RAN THE DRIVERS LICENSE. THE DRIVER CAME BACK REVOKED WITH A PICK UP ORDER ON HIS LICENSE. AT APPROX 0234 HRS R/O WENT BACK UP THE THE DRIVERS SIDE OF THE VEHICLE AND ASKED THE DRIVER TO STEP OUT. THIS WAS DUE TO THE FACT, I COULD SMELL AN ODOR OF ALCOHOL COMING FROM THE VEHICLE. NOW STRONG MINT SMELL AS WELL. THE DRIVER WAS UNSTEADY ON HIS FEET WHEN HE GOT OUT OF THE VEHICLE. NOW THAT THE DRIVER WAS OUT OF THE VEHICLE, I COULD SEE HIS FACE BECAUSE HE HAD TO DIRECTLY LOOK AT ME. THE DRIVER HAD RED GLASSY EYES, ODOR OF ALCOHOL COMING FROM HIS BREATH AND WAS RAMBLING WITH HIS SPEECH. AT APPROX 0236 HRS THE DRIVER ADVISED ME THAT HE WAS AN ATTORNEY AND HIS LICENSE WASN'T REVOKED. R/O ASKED IF THE PASSENGER HAD A VALID LICENSE WHICH HE STATED "YES". AT APPROX 0237 HRS. OFFICER A HULSE ARRIVED AS I ASKED THE DRIVER IF HE STILL LIVED AT THE ADDRESS ON HIS LICENSE AND HE ADVISED "YES". R/O ADVISED THE DRIVER TO HAVE A SEAT BACK IN THE VEHICLE, WHILE I RAN HER LICENSE AND CHECKED THE REVOKED STATUS. AT APPROX 0241 HRS BOTH OF OUR PATROL VEHICLES WERE ALMOST STRUCK FROM BEHIND. OFFICER A HULSE THEN LEFT TO STOP THAT VEHICLE, WHICH TURNED OUT TO BE A DWI. AT APPROX 0244 HRS R/O WENT BACK TO THE DRIVER SIDE OF THE VEHICLE AND HAD THE DRIVER STEP OUT. AT APPROX 0244 HRS THE DRIVER WAS CHEWING ON A MINT OR GUM AND THE ODOR WAS VERY STRONG AND I WASN'T ABLE TO REALLY SMELL THE ALCOHOL AS MUCH. R/O WENT TO PLACE THE DRIVER UNDER ARREST FOR DRIVING WHILE LICENSE REVOKED BUT HE STARTED TALKING MORE CLOSE TO MY FACE. THE DRIVER STATED HE WAS A CMPD OFFICER FOR 14 YEARS. HE ASKED AS A COURTESY IF I COULD WRITE HIM FOR REVOKED. AT APPROX 0245 HRS R/O ASKED THE DRIVER IF HE HAD ANYTHING TO DRINK. THE DRIVER STATED NO SIR, ME, NOT AT ALL. R/O TOLD HIM, I CAN'T TELL BETWEEN THE MINT, WHEN HE INFORMED ME, IT WAS CHEWING GUM. R/O ASKED THE DRIVER TO SPIT OUT THE GUM, BUT INSTEAD HE TOOK IT OUT OF HIS MOUTH AND THREW IT TO HIS LEFT. THE DRIVER INFORMED ME THAT THEY WERE AT A CLUB AND AGAIN, I ASKED THE DRIVER IF HE HAD ANYTHING TO DRINK. THE DRIVER STATED "NO" AND AGAIN WENT INTO EXPLAINING HE WAS A POLICE OFFICER AND AN ATTORNEY NOW. THE SUBJECT CONTINUED TO TALK AT WHICH TIME, R/O TOLD HIM THAT I WAS GOING TO CHECK HIM ON A PBT. THE DRIVER STATED, HE DIDN'T KNOW WHAT THAT IS. R/O STATED "YOU DON'T KNOW WHAT A PORTABLE BREATH TEST IS". THE DRIVER THEN STATED THAT HE KNEW WHAT THAT WAS. HE THEN TOLD ME HE WAS AN ATTORNEY AGAIN AND PULLED OUT A BUSINESS CARD FROM HIS FRONT LEFT PANTS POCKET TO HAND ME. THE ODOR NOW WITH THE GUM GONE AND HIM TALKING WAS VERY STRONG COMING FROM HIS BREATH. AT APPROX 0246 HRS THE DRIVER REFUSED THE PBT THAT A CABARRUS COUNTY SHERIFF DEPUTY WAS ALLOWING ME TO USE. AT APPROX 0247 HRS THE DRIVER REFUSED ALL OTHER TESTS ON THE ROADSIDE. THE DRIVER STATED HE WASN'T TAKING ANY PHYSICAL TEST. THE DRIVER WAS THEN ASKED TO TURN AROUND AND PUT HIS HANDS BEHIND HIS BACK, WHICH HE DID AND WAS PLACED UNDER ARREST FOR SUSPECTED DWI AND DRIVING ON A REVOKED LICENSE. AT APPROX 0247 HRS THE DRIVER WANTED TO SPEAK TO HIS GIRLFRIEND QUICKLY, WHICH I ALLOWED HIM TO DO. AT APPROX 0249HRS THE SUBJECT WAS SEARCHED AND PLACED INTO THE BACK OF THE PATROL CAR. AT APPROX 0252HRS R/O LEFT THE SCENE ENROUTE DOWNTOWN. AS WE DROVE THE ODOR IN MY VEHICLE GREW STRONGER OF ALCOHOL COMING FROM THE DRIVERS BREATH. AT APPROX 0255 HRS ENROUTE STILL R/O STATED " I CAN SMELL THE ALCOHOL ON YOU AND YOU HAVE THE RIGHT TO REFUSE". AT APPROX 0256 HRS R/O TOLD THE DRIVER, YOU COULD BE TAKEN TO THE ER FOR A BLOOD

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TEST AND HE STATED HE UNDERSTOOD. AT APPROX 0257 HRS R/O MADE CONTACT WITH SGT JD YOUNG ABOUT TAKING THE DRIVER TO THE ER FOR A BLOOD KIT AND I INFORMED THE DRIVER WHERE WE WERE GOING. AT APPROX 0305 HRS SGT JD YOUNG CONTACTED ME ABOUT GOING TO THE JAIL TO GET THE REFUSAL FIRST AND THEN THE ER WHICH WE DID. WE ARRIVED AT THE CABARRUS COUNTY JAIL AT APPROX 0309HRS AND THE DRIVER WAS TAKEN BEFORE OFFICER S MEDLIN CHEMICAL ANALYST. THE SUBJECT WAS ADVISED AND CALLED AN ATTORNEY. HE WANTED US TO STEP OUT OF THE ROOM SO THEY COULD SPEAK IN PRIVATE. WE INFORMED HIM THAT WE WERE UNABLE TO DO THAT. AFTER IS HIS THE INSTRUMENT WAS READY FOR HIM TO TEST. THE DRIVER PROVIDED SEVERAL INSUFFICIENT SAMPLES AND THE TESTING TIMED OUT. THE DRIVER WAS REFUSED AND TRANSPORTED TO THE ER FOR A BLOOD KIT. THE DRIVER WANTED TO MAKE IT CLEAR HE REFUSED THE BLOOD DRAWER, BUT ALLOWED IT TO CONTINUE UNDER PROTEST AFTER DELAYING IN FOR SEVERAL MINS. AFTER THE BLOOD WAS TAKEN, THE DRIVER WAS TRANSPORTED BACK TO THE CABARRUS COUNTY JAIL. THE DRIVER WENT BEFORE THE MAGISTRATE AND WAS RELEASED TO A SOBER PERSON. THE DRIVER WAS WEARING BLACK SHOES, DARK COLOR BLUE JEANS AND A CREAM TURTLE NECK SWEATER.