County of Alameda

HOLDOVER

DECLARATION AND DETERMINATION

Probable Cause for Warrantless Arrest

Arrestee/Suspect	DOB	Sex	PFN
TIMOTHY THOMAS	[redacted]	M	BNM245

Race	CDL	Agency Report #
BLACK	[redacted] CA	LP37583

Arresting Agency	Declarant	Agency Phone	Agency Fax
CALIFORNIA HIGHWAY PATROL, DUBLIN	J Wallimann	(925) 828-0466	

Arrest Date	Arrest Time	Arrest Location
01/30/2023	23:07:00	(EB580 ISABEL AVE OFFRAMP)

Holds	Arrestee Home Address
	[redacted]

Charges/Violations

VC 23152(A) M(1 Counts), PC 25400(A)(1) M(1 Counts)

On January 30, 2023, at approximately 2232 hours I was in a full departmental CHP uniform driving a fully marked CHP patrol vehicle with Officer C. Wells (ID #22178). I was driving on I-580 eastbound just east of Hacienda Drive when I observed a White Chevrolet Silverado (s/v) in the #1 lane driving at a high rate of speed and weaving in the lane. I positioned my patrol vehicle behind the s/v and obtained a pace of 90 miles per hour. The s/v deviated from the #1 lane and drove over the broken white line into the #2 lane two times. The s/v accelerated to 95 miles per hour and continued to weave. I turned on my patrol vehicle's red and blue emergency lights to conduct an enforcement stop. The s/v yielded on the I-580 eastbound offramp to SR-84. I contacted the driver of the s/v, informed him my reason for the stop and asked for his driver's license. The driver gave me a California Driver License that identified the driver as Timothy Lee Thomas, (B6384630/ CA). I smelled the odor of an alcoholic beverage emitting from the s/v. I attempted to conduct a cursory check of Thomas' eyes but he failed to follow my finger when instructed to. I instructed Thomas to exited his vehicle and walk to the right side of my patrol vehicle. At the patrol vehicle, I conducted a cursory check of Thomas' eyes and observed nystagmus. I asked Thomas a series of Pre-Field Sobriety Test questions. Thomas related to me he was driving to Tracy, from Oakland. Thomas related he did not consume any alcohol today. During my interview I smelled the moderate amount of odor of an alcoholic beverage emitting from Thomas' breath and person. Thomas displayed several signs of impairment. I explained and demonstrated a series of FSTs for Thomas to perform. Thomas did not perform the FSTs as explained and demonstrated. Based on my observations of Thomas' driving, and his objective signs of impairment, I arrested Thomas for 23152(a)VC - driving under the influence of alcohol. I advised Thomas of the chemical test advisement and asked if he would submit to a chemical test. Thomas initially agreed to a blood test. Thomas was transported to Valley Care Medical Center for complaint of knee pain. Upon arrival, Thomas informed me he did not consent to a blood test.

I declare under penalty of perjury that the above information was obtained through official police channels and is contained in the above-mentioned police report. Executed in the County of Alameda, State of California. Identity and signature of declarant verified by CRIMS.

Date: 01/31/2023 05:11:03 Declarant: J Wallimann Badge: 22867

On the basis of the foregoing declaration, I hereby determine that there is/is not probable cause to detain this arrestee.

Date: Judge:

Document #: PCD792025