

STATE ATTORNEY'S OFFICE
TWELFTH JUDICIAL CIRCUIT OF FLORIDA

INTERDEPARTMENTAL MEMORANDUM

TO: Venice Police Department
ATTENTION: FRASSETTI, #327; OFC. JOYCE, #246; DEP. May,
#1581; RECORDS/CID
FROM: JASON A. FOUST
RE: JOSHUA PAUL ROSE
CHARGE: DRIVING WHILE UNDER THE INFLUENCE/UNLAWFUL BLOOD
ALCOHOL LEVEL
CARRYING CONCEALED WEAPON
AGENCY #: 08-101208 ARREST DATE: 05/27/2008

CLERK #: 2008MM009157SC

CASE #: 08MM012166AV

This office has made the following decision concerning the charges against the above-named defendant:

(+) **No Action** will be taken on the charge(s) listed above.
(See Comments below)

COMMENT SECTION: On or about 5/27/08, defendant was stopped for driving in reckless manner. Through the course of the traffic stop, suspicions arose that defendant might have been intoxicated. LEO began a DUI investigation at that point. When LEO ascertained that defendant was too intoxicated to drive a motor vehicle, he was placed under arrest for DUI. A set of brass knuckles was found on the front seat of defendant's vehicle incident to the arrest.

When preparing for trial, the State learned of the fact that the arresting officer in this case is not employed by the Venice Police Department any longer. After contacting VPD it was also learned that there was no forwarding information for the arresting officer.

Without the assistance of the arresting officer at trial, the State cannot prove this case beyond a reasonable doubt. Due to the facts and circumstances involved in this matter, this case is declined.



JASON A. FOUST
Assistant State Attorney



Cliff Ramey
Division Chief

11/21/08
Date

Should there be any questions concerning this matter,
please contact the Assistant State Attorney named in the "FROM"
portion of this memorandum.