

Sunday, April 9, 2006

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Local News

Boca lawyer charged with DUI

Wheeler could face disciplinary action if convicted of charge stemming from car accident

Published Saturday, February 5, 2005 1:00 am
by [By Dale M. King](#)

A Boca Raton attorney charged with driving under the influence with injury could face disciplinary action if convicted, according to the Florida Bar Association.

Delray Beach Police said Christopher Wheeler, 58, an attorney with the Boca Raton law firm of Proskauer Rose LLP, faces a DUI with injury charge stemming from an accident on Congress Avenue in that city the night of Dec. 15.

"The Fort Lauderdale office of the Bar Association is aware of the accident," said Eric Turner, chief branch disciplinary counsel for that office.

The charge, Turner said, is a misdemeanor. The Bar Association will not step in, he said, unless Wheeler is convicted.

If that happens, the matter will be reviewed and turned over to a grievance committee to determine if Wheeler should be prosecuted. If so, a complaint will be filed with the Supreme Court, Turner said.

The police report said Wheeler's car struck another vehicle from behind, causing the other car to roll into a "ditch-type terrain off the shoulder of the roadway." The other driver, Prospere Mede, 54, of Boynton Beach, was trapped in the car and had to be removed by paramedics, police said.

Both Mede and Wheeler were taken to Delray Medical Center for treatment of injuries.

Documents obtained from Delray Police said Wheeler's blood alcohol level was about .2 that night. In Florida, a blood level of .08 or higher can result in a drunken driving charge.

According to reports, Wheeler and his wife, Deanna, had been attending a party. She was driving behind her husband on their way home.

Police said Wheeler's car took off "at a high rate of speed" from the traffic light at 1000 S. Congress Ave. "and struck the vehicle ahead of him."

Officers who responded said they smelled "an odor of alcoholic beverage" in the car, and said Wheeler's speech was "very slurred."

The report said he willingly submitted to blood alcohol testing.

Wheeler is a prominent attorney in Boca Raton. He works in the corporate department and is a partner in the Florida office of Proskauer Rose LLP. The firm's Web site says he is versed in real estate and corporate law, institutional lending, administrative law and industrial revenue bond financing.



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- ➔ Announcements

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- Schools
- Business

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Healthy Living

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Business Directory

Obituaries

Customer Service

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- Headlines
- Business
- Sports
- Entertainment

Entertainment Deals

He is also active in professional, charitable and philanthropic organizations. He is on the board of trustees of the Boca Raton Community Hospital and the hospital foundation, serves on the executive committee and board of directors of the Florida Atlantic University Foundation and is on the Board of the National Conference for Community and Justice of South Florida.

Both FAU and the hospital declined comment on the charge against Wheeler. Hospital spokeswoman Jamie Oberweger said BRCH does not comment on the personal matters of its board members.

FAU spokeswoman Kristine McGrath said the university declined comment because the matter "does not affect the mission of the university."

Mike Edmondson, spokesman for State Attorney Barry Krischer, said his boss's office normally doesn't get involved with traffic cases. Edmondson said Wheeler will not receive special treatment because he is a lawyer.

The victim in the crash could not be reached for comment. However, his wife said he is out of the hospital and has returned to work.

Dale M. King can be reached at dking@bocanews.com.

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ARREST / NOTICE TO APPEAR
Juvenile Referral Report

1. Arrest 3. Request for Warrant
2. N.T.A. 4. Request for Capias
3 Juvenile

ADMINISTRATIVE	OBTS Number	DRPO		Agency ORI Number				Agency Name				Agency Report Number (N. T.A.'s only)			
	FLO 500400		DELRAY BEACH POLICE DEPARTMENT												
DEPENDANT	Charge Type: Check as many as apply.		<input type="checkbox"/> 1. Felony <input checked="" type="checkbox"/> 2. Traffic Felony		<input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor		<input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		Weapon Seized / Type 2 1. Yes 2. No		Multiple Clearance Indicator		01		
	Location of Arrest (Including Name of Business) Warrant Request						Location of Offense (Business Name, Address) 551 SOUTH SR 807								
CO-DEF	Date of Arrest	Time of Arrest		Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle							
	Warrant Request		N/A						Beck's Towing (Phone# 561-369-1096)						
JUVENILE	Name (Last, First, Middle) WHEELER, CHRISTOPHER, C						Alias (Name, DOB, Soc. Sec. #, Etc.)								
	Race	Sex	Date of Birth		Height	Weight	Eye Color	Hair Color	Complexion	Build					
CHARGE	W - White I - American Indian B - Black O - Oriental/Asian		W	M	08/13/46		506	160	Hazel	Brown	Light	Medium			
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) NONE OBSERVED						Marital Status	Religion	Indication of: Alcohol Influence Drug Influence		Y	N	Unk.		
CHARGE	Local Address (Street, Apt. Number)		(City)	(State)	(Zip)	Phone	Residence Type:		1. City 2. County 3. Florida 4. Out of State		2				
	7 SANDPIPER DRIVE		VILLAGE OF GOLF	FL	33436	(561) 736-4547									
CHARGE	Permanent Address (Street, Apt. Number)		(City)	(State)	(Zip)	Phone	Address Source		FL DL/ID CARD						
	7 SANDPIPER DRIVE		VILLAGE OF GOLF	FL	33436	(561) 736-4547									
CHARGE	Business Address (Name, Street)		(City)	(State)	(Zip)	Phone	Occupation		ATTORNEY						
	Unknown					(561) 241-7400									
CHARGE	D/L Number, State		Soc. Sec. Number		INS Number		Place of Birth (City, State)		Citizenship						
	W-460-103-46-293-0 FL						BUFFALO, NY		USA						
CHARGE	Co-Defendant Name (Last, First, Middle)				Race	Sex	Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large		<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile				
	NONE														
CHARGE	Co-Defendant Name (Last, First, Middle)				Race	Sex	Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large		<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile				
CHARGE	<input type="checkbox"/> Parent <input type="checkbox"/> Legal Custodian <input type="checkbox"/> Other:		Name (Last)		(First)	(Middle)	Residence Phone		()						
CHARGE	Address (Street, Apt. Number)		(City)	(State)	(Zip)	Business Phone		()							
CHARGE	Notified by: (Name)				Date	Time	Juvenile Disposition		1. Handled/ processed within Dept. and Released.		2. TOT HRS / DYS 3. Incarcerated				
CHARGE	Released To: (Name)				Relationship		Date	Time							
CHARGE	The above address provided by <input type="checkbox"/> defendant and / or <input type="checkbox"/> defendant's parents The child and / or parent was told to keep the Juvenile Court Clerk (Phone 355-2526) informed of any change of address.						School Attended		Grade						
	<input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No: (Reason)														
CHARGE	Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No		Description of Property				Value of Property								
CHARGE	Drug Activity		S. Sell N. N/A P. Possess	R. Smuggle D. Deliver E. Use	K. Dispense/ Distribute	M. Manufacture/ Produce/ Cultivate	Z. Other	Drug Type	B. Barbiturate C. Cocaine E. Heroin	H. Hallucinogen M. Marijuana O. Opium/Deriv.	P. Paraphernalia/ Equipment S. Synthetics	U. Unknown Z. Other			
CHARGE	Charge Description		Counts	Domestic Violence	Statute Violation Number		Violation of ORD #								
	DRIVING UNDER THE INFLUENCE W/INJURY		1	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	316.193										
CHARGE	Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number		Bond								
	N	N	N	04-35170											
CHARGE	Charge Description		Counts	Domestic Violence	Statute Violation Number		Violation of ORD #								
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CHARGE	Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number		Bond								
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CHARGE	Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number		Bond								
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CHARGE	Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number		Bond								
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CHARGE	Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number		Bond								
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CHARGE	Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number		Bond								
CHARGE	Charge Description		Counts	Domestic Violence	Statute Violation Number		Violation of ORD #								
				<input type="checkbox"/> Y <input type="checkbox"/> N											
CHARGE	Drug Activity	Drug Type	Amount / Unit												

PROBABLE CAUSE AFFIDAVIT

1. Arrest
2. N.T.A. 3. Request for Warrant
4. Request for Capias

Juvenile 3

ADMIN	OBTS Number	Agency ORI Number FLO500400		Agency Name DELRAY BEACH POLICE DEPARTMENT	Agency Report Number 04-35170
	Charge Type: Check as many as apply.	<input checked="" type="checkbox"/> 1. Felony <input checked="" type="checkbox"/> 2. Traffic Felony	<input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor	<input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other	Special Notes:

DEF	Name (Last, First, Middle) WHEELER, CHRISTOPHER, C	Alias	Race W	Sex M	Date of Birth 08/13/46
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CHARGES	Charge Description DRIVING UNDER THE INFLUENCE W/INJURY	Charge Description
	Charge Description	Charge Description

VICTIM	Victim's Name (Last, First, Middle) STATE OF FLORIDA	Race	Sex	Date of Birth
	Local Address (Street, Apt. Number) (City) (State) (zip) Phone	Address Source		
	Business Address (Name, Street) (City) (State) (zip) Phone	Occupation		

The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe that the above named Defendant committed the following violation of law.
 The Person taken into custody
 committed the below acts in my presence. was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.
 confessed to _____ admitting to the below facts. was found to have committed the below acts, resulting from my (described) investigation.
 On the **15TH** day of **December** 20 **04** at **10:56** A.M. P.M. (Specifically include facts constituting cause for arrest.)

ON 12-15-04, @ 10:56 PM, I RESPONDED TO A TWO VEHICLE TRAFFIC CRASH INVOLVING SERIOUS INJURY, LOCATED AT 551 SR 807, IN THE CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA. (SEE CRASH REPORT)

I APPROACHED THE DEFENDANT WHO WAS IN PHYSICAL CONTROL OF HIS VEHICLE. THE VICTIM IN THIS CASE, PROSPERE MEDE, WAS REAR ENDED AND TRAPPED INSIDE HIS VEHICLE AS PARAMEDICS RENDERED AID. I MADE CONTACT WITH PARAMEDIC PERSONNEL WHO REPORTED THAT THE DEFENDANT APPEARED IMPAIRED AND REEKED THE ODOR OF AN ALCOHOLIC BEVERAGE WHILE THEY TREATED HIM FOR A HEAD WOUND. I ALSO HEARD THE DEFENDANT SPEAK WITH VERY SLURRED SPEECH, DETECTED AN ODOR OF AN ALCOHOLIC BEVERAGE

COMING FROM HIS BREATH, AND SAID HE CAME FROM THE BOCA RATON HOSPITAL CHRISTMAS BALL. ADDITIONALLY, THE DEFENDANTS WIFE, DEANNA WHEELER, WAS FOLLOWING HER HUSBAND AND TOLD ME THAT HER HUSBAND HAD TAKEN OFF FROM THE RED LIGHT AT 1000 SOUTH CONGRESS AVE AT A HIGH RATE OF SPEED FOR UNKNOWN REASONS AND HAD BEEN DRINKING. MOMENTS LATER, HE STRUCK THE VEHICLE AHEAD OF HIM. SHE THEN TOLD ME THAT HER HUSBAND SHOULDN'T HAVE BEEN DRIVING AND EXPRESSED CONCERNS FOR THE VICTIM STILL TRAPPED IN HIS CAR.

I REQUESTED THAT THE DEFENDANT SUBMIT TO AN APPROVED TEST OF HIS BLOOD FOR DETERMINING HIS ALCOHOL CONTENT. THE DEFENDANT AGREED AND SAID HE WOULD SUBMIT. AT 11:13 PM, I INSTRUCTED DBFD PARAMEDIC MICHAEL RODRIGUEZ TO WITHDRAW THE BLOOD SAMPLE USING A LAW ENFORCEMENT BLOOD KIT THAT WAS PROVIDED, FILLING BOTH GRAY TOPPED VIALS. THIS SAMPLE WAS LATER TRANSPORTED TO THE PBSO TOXICOLOGY LAB FOR ANALYSIS.

ON 1-28-05, I RECEIVED THE TOXICOLOGY REPORT FROM THE LAB. THESE RESULTS INDICATED THAT THE DEFENDANT HAD AN UNLAWFUL BLOOD ALCOHOL LEVEL OF .203% AND .207%.

BASED UPON THE AFOREMENTIONED, THE DEFENDANT IS THUS CHARGED WITH DUI INVOLVING INJURY TO ANOTHER, PURSUANT TO FSS 316.193.

FEB 01 2005

ADMINISTRATIVE	SWORN AND SUBSCRIBED BEFORE ME	SIGNATURE OF ARRESTING / INVESTIGATING OFFICER	
	<i>Sgt. R. Dunderow</i>	<i>V. GRAY</i>	
	NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)	NAME OF OFFICER (PLEASE PRINT)	
	1/31/05	1/31/05	PAGE
DATE	DATE	1 OF 1	

DELRAY BEACH POLICE DEPARTMENT NARRATIVE REPORT FORM

INCIDENT NUMBER (yy-####) 04-35170	DATE (MM/DD) 12/15	OFFICER ID NUMBER 692
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Continuation
 Supplement

OFFENSE CHANGE	VICTIM NAME
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DATE OF SUPPLEMENT
12/16/04

NEW DISPOSITION		
<input type="checkbox"/> ARRESTED <input type="checkbox"/> EXCEPTIONALLY	<input type="checkbox"/> UNFOUNDED <input type="checkbox"/> ADULT <input type="checkbox"/> JUVENILE	<input type="checkbox"/> INACTIVE <input type="checkbox"/> CLOSED

NARRATIVE

I responded to the 500 block S. Congress Ave to assist Ofc. Gray with a traffic crash. I made contact with one of the drivers, Christopher Wheeler. Wheeler was in the drivers seat of his black Lexus (FL tag U72-WXP). The keys were in the ignition and the engine was on. I asked Wheeler what happened, and he stated, "I don't know, a car came out of nowhere." Wheeler's eyes were bloodshot and glassy, his speech was slurred and there was a strong odor of an alcoholic beverage on his breath. I asked Wheeler if he had anything to drink, and he said he had a couple of glasses of wine at dinner. Ofc. Gray then arrived and took over the investigation.

FEB 01 2005

... If the victim(s), arrested, etc. are new to the case or they have not previously had a status report completed, please fill one out for each for computer entry.

Additional Forms Used <input type="checkbox"/> Property <input type="checkbox"/> Status	<input type="checkbox"/> Booking <input type="checkbox"/> Arrest	<input type="checkbox"/> Vic/Wit <input type="checkbox"/> Veh Status	Officer Name Signature / Print	FTO Init./ID# Silverman	Supervisor Init./ID#
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