

STATE OF INDIANA)	IN THE ST. JOSEPH SUPERIOR COURT
)	
	SS:	CAUSE NUMBER. 71
COUNTY OF ST. JOSEPH)	
)	
STATE OF INDIANA)	
)	
VS)	SUPPLEMENTAL AFFIDAVIT IN
)	SUPPORT OF PROBABLE CAUSE
)	
RODOLFO SIGIFREDO)	
MONTERROSA)	
DOB: 4/23/1973)	

KENNETH P. COTTER, upon information and belief, after being duly sworn upon his oath, says that:

I am the Prosecuting Attorney with the 60th Judicial Circuit, St. Joseph County, State of Indiana. I have reviewed verified South Bend Police reports as well as the criminal history for RODOLFO SIGIFREDO MONTERROSA (MONTERROSA) for an incident that occurred on July 4, 2024. All pertinent facts occurred in St. Joseph County, Indiana. I make this affidavit based upon those reports.

According to the reports, on July 4, 2024, at approximately 1:00 am, Officer Evan Eckelbarger was working in uniform and a marked squad car and was traveling down Portage Avenue. He then noted an oncoming vehicle swerve into his lane on multiple occasions. Officer Eckelbarger was forced to pull to the side of the road in order to avoid being struck by the oncoming vehicle. Based upon this driving behavior, officer Eckelbarger pulled the vehicle over.

The driver of the vehicle was identified as MONTERROSA, who had glassy eyes and smelled of alcohol. Believing he may be intoxicated, Officer Eckelbarger had MONTERROSA perform a number of standardized field sobriety tests, including the horizontal gaze nystagmus test (in which he displayed distinct nystagmus in both eyes and lacked smooth pursuit), the "walk and turn" (in which he lost his balance, missed "heel to toe" and took improper steps) and the "1 leg stand" (in which he set his foot down multiple times, to the point where the officer stopped the test before the allotted 30 seconds). A PBT was performed in which he tested .197 BAC.

MONTERROSA was taken to the police station, where he was administered a certified breath test. MONTERROSA tested .203 BAC.

DETENTION CONSIDERATIONS

[xx] I: The defendant appears to be **eligible** for Criminal Rule 2.6 consideration.

I affirm, under the pains and penalties for perjury, that the foregoing representations are true.

A handwritten signature in black ink, appearing to read 'K. Cotter', is written over a horizontal line. The signature is stylized and cursive.

Kenneth P. Cotter
Prosecuting Attorney