



## Division of Criminal Justice Services

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### **CERTIFICATION PURSUANT TO CPLR 4518 OF RECORDS MAINTAINED IN THE REGULAR COURSE OF BUSINESS**

I, Joshua Vinehout, Supervisor of Public Safety Programs, Office of Public Safety, New York State Division of Criminal Justice Services, 80 South Swan Street, Albany, New York 12210, having been duly designated and authorized by the Commissioner of the Division of Criminal Justice Services, do hereby certify and authenticate, as provided by subdivision c of Rule 4518 of the Civil Practice Law and Rules, that the document annexed hereto is an exact copy of an electronic record of the Office of Public Safety which is in my possession, custody and control. This record, once created, is stored in an electronic format that cannot thereafter be altered or modified.

I further certify that the original electronic record of inspection/maintenance/calibration of NAT'L PATENT ANALYTICAL SYS, DATAMASTER DMT breath test instrument, serial number 115108, performed on December 03, 2018 by Office of Public Safety employee Jonathan Mascolo, of which the annexed is an exact copy, was made in the regular course of business of the New York State Division of Criminal Justice Services, Office of Public Safety, that such record was made at the time such inspection/ maintenance/calibration was performed or within a reasonable time thereafter, and further that it is the regular course of the Office of Public Safety's business to make such records at the time such inspection/maintenance /calibration is performed, or within a reasonable time thereafter, and to provide such instrument's records to the agency that requested them.

A handwritten signature in black ink that reads "Joshua Vinehout".

Digitally signed under  
ESRA by Joshua Vinehout  
on 12/5/2018 1:35 PM

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**Joshua Vinehout**  
Supervisor of Public Safety Programs  
Office of Public Safety

An Equal Opportunity/Affirmative Action Agency

**BREATH TEST INSTRUMENT  
RECORD OF INSPECTION / MAINTENANCE / CALIBRATION**

Name of Submitting Agency: Sherrill City Police Department

Manufacturer: NAT'L PATENT ANALYTICAL SYS

Model: DATAMASTER DMT

Date: December 03, 2018

Serial Number: 115108

Reference Solution Lot Number: 18010

Reference Solution Standard: 0.10 % at 34.0 degrees centigrade

Test No	Test Result	Simulator Temperature
1	0.101 %	34.01 degrees centigrade
2	0.102 %	34.00 degrees centigrade
3	0.102 %	34.00 degrees centigrade
4	0.102 %	34.01 degrees centigrade

Reference Solution Lot Number: 18161

Reference Solution Standard: 0.08 % at 34.0 degrees centigrade

Test No	Test Result	Simulator Temperature
1	0.082 %	34.01 degrees centigrade
2	0.082 %	34.00 degrees centigrade
3	0.082 %	34.00 degrees centigrade
4	0.082 %	34.02 degrees centigrade

Reference Solution Lot Number: 18280

Reference Solution Standard: 0.180 % at 34.0 degrees centigrade

Test No	Test Result	Simulator Temperature
1	0.181 %	34.01 degrees centigrade
2	0.182 %	34.00 degrees centigrade
3	0.181 %	34.00 degrees centigrade
4	0.181 %	34.01 degrees centigrade

I hereby certify that I have performed any necessary maintenance procedures and calibrated NAT'L PATENT ANALYTICAL SYS breath test instrument model DATAMASTER DMT, serial number 115108, and have determined that it is accurate and reliable for the determination of ethyl alcohol in the blood by analysis of the breath. The instrument's test results are recorded above and this instrument satisfies all limits and standards established by the New York State Commissioner of Health as enumerated in Part 59, Subchapter D of Chapter II, TITLE 10 (Health) of the Official Compilation of Codes, Rules and Regulations of the State of New York, (10 NYCRR Part 59) as amended.

I further certify that I made the entries in these records of inspection/maintenance/calibration at the time that such inspection/maintenance/calibration of the above identified breath test instrument was performed, or within a reasonable time thereafter.

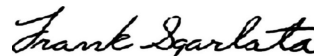
Performed by:



Digitally signed under  
ESRA by Jonathan Mascolo  
on 12/3/2018 1:52 PM

**Jonathan Mascolo**  
Highway Safety Equipment Technician  
Breath Analysis Operator Permit # 45339

Reviewed by:



Digitally signed under  
ESRA by Frank Sgarlata  
on 12/5/2018 11:53 AM

**Frank Sgarlata**  
Breath Analysis Technical Supervisor

**BREATH TEST INSTRUMENT  
RECORD OF INSPECTION / MAINTENANCE / CALIBRATION**

**Name of Submitting Agency: Sherrill City Police Department**  
**Manufacturer: NAT'L PATENT ANALYTICAL SYS**  
**Model: DATAMASTER DMT**  
**Serial Number: 115108**  
**Date: December 03, 2018**

- 1. General Appearance and condition of this device -----: OK**
  
- 2. Check controls and indicators -----: OK**
  
- 3. Check breath flow system -----: OK**
  
- 4. Check printer operation -----: OK**
  
- 5. System cycles through all modes -----: OK**



**6. Record any repairs made to this instrument and list services provided: SOFTWARE 2.02-5 GUTH, PIC. 2.08, INSPECTED INSTRUMENT, CHECKED SETUP VOLTAGES PRINT AND REMOTE OPERATION. PERFORMED CALIBRATION/ADJUSTMENT PROCEDURE, RAN SUBJECT, TECHNICIAN AND DIAGNOSTIC TESTS, VERIFIED CALIBRATION.**

Performed by:

Handwritten signature of Jonathan Mascolo in black ink.

Digitally signed under  
ESRA by Jonathan Mascolo  
on 12/3/2018 1:52 PM

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**Jonathan Mascolo**  
**Highway Safety Equipment Technician**  
**Breath Analysis Operator Permit # 45339**

Reviewed by:

Handwritten signature of Frank Sgarlata in black ink.

Digitally signed under  
ESRA by Frank Sgarlata  
on 12/5/2018 11:53 AM

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**Frank Sgarlata**  
**Breath Analysis Technical Supervisor**