

ARREST / NOTICE TO APPEAR  
Juvenile Referral Report1. Arrest 3. Request For Warrant  
2. N.T.A. 4. Request For Capias

3

Juvenile ☐

|   |  |   |  |  |  |   |  |   |  |   |  |  |  |   |  |                                |  |                        |  |  |  |
|---|--|---|--|--|--|---|--|---|--|---|--|--|--|---|--|--------------------------------|--|------------------------|--|--|--|
| OBTS Number   |  | Agency ORI Number<br><b>FLO 5 0 0 0 0</b> |  | Agency Name<br><b>PALM BEACH COUNTY SHERIFF'S OFFICE</b> |  | Agency Report Number<br><b>06</b>   |  | <b>21-076210</b>  |  |   |  |  |  |   |  |                                |  |                        |  |  |  |
| Charge Type:<br>Check as many as apply<br><input checked="" type="checkbox"/> 1. Felony<br><input type="checkbox"/> 2. Traffic Misdemeanor<br><input type="checkbox"/> 3. Misdemeanor<br><input type="checkbox"/> 4. Traffic Misdemeanor<br><input type="checkbox"/> 5. Ordinance<br><input type="checkbox"/> 6. Other                    |  | If Weapon Seized<br>N/A                   |  | Multiple Clearance Indicator<br>0 1                      |  | Enter Type  |  |   |  |   |  |  |  |   |  |                                |  |                        |  |  |  |
| Location of Arrest (Including Name of Business)<br><b>6415 Lake Worth Rd. Suite #303 Greenacres, FL 33463</b>   |  |   |  |  |  | Location of Offense (Including Name of Business)<br><b>6415 Lake Worth Rd. Suite #303 Greenacres, FL 33463</b>      |  |   |  |   |  |  |  |   |  |                                |  |                        |  |  |  |
| Date of Arrest  |  | Time of Arrest                            |  | Booking Date   |  | Booking Time  |  | Jail Date   |  | Jail Time   |  | Location of Vehicle<br><b>N/A</b>  |  |   |  |                                |  |                        |  |  |  |
| Name (Last, First, Middle)<br><b>Lopes De Abreu Diogo Henrique</b>  |  |   |  |  |  | Alias (Name, DOB, Soc. Sec. #, Etc.)<br><b>Joe or Diogo DeAbreu</b>   |  |   |  |   |  |  |  |   |  |                                |  |                        |  |  |  |
| Race<br>W - White<br>B - Black<br>O - Oriental/Asian  |  | Sex<br><b>M</b>                           |  | Date of Birth<br><b>1-22-87</b>                          |  | Height<br><b>5-10</b>   |  | Weight<br><b>150</b>  |  | Eye Color<br><b>Brn</b>   |  | Hair Color<br><b>Brn</b>   |  | Complexion<br><b>Med</b>  |  | Build<br><b>Med</b>            |  |                        |  |  |  |
| Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)   |  |   |  |  |  | Marital Status  |  | Religion  |  | Indication of Alcohol Influence<br>Y <input type="checkbox"/> N <input type="checkbox"/> Unk <input type="checkbox"/> |  | Indication of Drug Influence<br>Y <input type="checkbox"/> N <input type="checkbox"/> Unk <input type="checkbox"/> |  |   |  |                                |  |                        |  |  |  |
| Local Address (Street, Apt. Number)<br><b>12604 Buckland Ct. E</b>  |  |   |  | City<br><b>Wellington</b>                                |  | State<br><b>FL</b>  |  | Zip<br><b>33414</b>   |  | Phone<br><b>203-898-1217</b>  |  | Residence Type:<br>1. City<br>2. County<br>3. Florida<br>4. Out of State   |  | <b>2</b>  |  |                                |  |                        |  |  |  |
| Permanent Address (Street, Apt. Number)   |  |   |  | City   |  | State   |  | Zip   |  | Phone<br><b>561-429-8220</b>  |  | Address Source<br><b>DAVID</b>   |  |   |  |                                |  |                        |  |  |  |
| Business Address (Street, Apt. Number)  |  |   |  | City   |  | State   |  | Zip   |  | Phone   |  | Occupation   |  |   |  |                                |  |                        |  |  |  |
| D/L Number, State<br><b>L123- -1</b>  |  | Social Security Number<br><b> </b>        |  |  |  | INS Number<br><b>A </b>   |  | Place of Birth<br><b>Brazil</b>   |  | Citizenship<br><b>Non immigrant</b>   |  |  |  |   |  |                                |  |                        |  |  |  |
| Co-Defendant Name (Last, First, Middle)   |  |   |  |  |  | Race  |  | Sex   |  | Date of Birth   |  | <input type="checkbox"/> 1. Arrested<br><input type="checkbox"/> 2. At Large                                       |  | <input type="checkbox"/> 3. Felony<br><input type="checkbox"/> 4. Misdemeanor<br><input type="checkbox"/> 5. Juvenile |  |                                |  |                        |  |  |  |
| Co-Defendant Name (Last, First, Middle)   |  |   |  |  |  | Race  |  | Sex   |  | Date of Birth   |  | <input type="checkbox"/> 1. Arrested<br><input type="checkbox"/> 2. At Large                                       |  | <input type="checkbox"/> 3. Felony<br><input type="checkbox"/> 4. Misdemeanor<br><input type="checkbox"/> 5. Juvenile |  |                                |  |                        |  |  |  |
| <input type="checkbox"/> Parent<br><input type="checkbox"/> Legal Guardian<br><input type="checkbox"/> Other  |  | Name (Last, First, Middle)                |  |  |  |   |  |   |  |   |  | Phone  |  |   |  |                                |  |                        |  |  |  |
| Address (Street, Apt. No.)  |  |   |  |  |  | City  |  | State   |  | Zip   |  | Business Phone   |  |   |  |                                |  |                        |  |  |  |
| Notified By (Name)  |  |   |  |  |  | Date  |  | Time  |  | Juvenile Disposition:<br>1. Handled/Processed within Dept. and Released<br>2. TOT HRS/DYS<br>3. Incarcerated          |  |  |  |   |  |                                |  |                        |  |  |  |
| Released To (Name)  |  |   |  |  |  | Relationship  |  | Date  |  | Time  |  |  |  |   |  |                                |  |                        |  |  |  |
| The above address was 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's Office (Phone 561 355-2526) informed of any address change<br><input type="checkbox"/> Yes, by (Name) <input type="checkbox"/> No: (Reason) |  |   |  |  |  | School Attended   |  |   |  |   |  | Grade  |  |   |  |                                |  |                        |  |  |  |
| Property Crime?<br><input type="checkbox"/> Yes <input type="checkbox"/> No   |  | Description of Property                   |  |  |  |   |  |   |  |   |  | Value of Property  |  |   |  |                                |  |                        |  |  |  |
| Drug Activity<br>N. N/A<br>P. Possess   |  | S. Sell<br>B. Buy<br>T. Traffic           |  | R. Smuggle<br>D. Deliver<br>E. Use                       |  | K. Dispense/<br>Distribute  |  | M. Manufacture/<br>Produce<br>Cultivate   |  | Z. Other  |  | Drug Type<br>N. N/A<br>A. Amphetamine<br>B. Barbiturate<br>C. Cocaine<br>E. Heroin                                 |  | H. Hallucinogen<br>M. Marijuana   |  | P. Paraphernalia/<br>Equipment |  | U. Unknown<br>Z. Other |  |  |  |
| Charge Description<br><b>Grand Theft of Monies Received by Contractor(&gt;\$20K)</b>  |  |   |  |  |  | Counts<br><b>01</b>   |  | Domestic Violence<br><input type="checkbox"/> Y <input checked="" type="checkbox"/> N |  | Statute Violation Number<br><b>489.126(2), (3) and (4)</b>  |  |  |  | Violation or ORD. #   |  |                                |  |                        |  |  |  |
| Drug Activity<br><b>N</b>   |  | Drug Type<br><b>N</b>                     |  | Amount/Unit<br><b>N/A</b>                                |  | Offense #<br><b>21-076210</b>   |  | Warrant/Capias Number   |  |   |  | Bond   |  |   |  |                                |  |                        |  |  |  |
| Charge Description  |  |   |  |  |  | Counts  |  | Domestic Violence<br><input type="checkbox"/> Y <input type="checkbox"/> N            |  | Statute Violation Number  |  |  |  | Violation or ORD. #   |  |                                |  |                        |  |  |  |
| Drug Activity   |  | Drug Type                                 |  | Amount/Unit  |  | Offense #   |  | Warrant/Capias Number   |  |   |  | Bond   |  |   |  |                                |  |                        |  |  |  |
| Charge Description  |  |   |  |  |  | Counts  |  | Domestic Violence<br><input type="checkbox"/> Y <input type="checkbox"/> N            |  | Statute Violation Number  |  |  |  | Violation or ORD. #   |  |                                |  |                        |  |  |  |
| Drug Activity   |  | Drug Type                                 |  | Amount/Unit  |  | Offense #   |  | Warrant/Capias Number   |  |   |  | Bond   |  |   |  |                                |  |                        |  |  |  |
| Charge Description  |  |   |  |  |  | Counts  |  | Domestic Violence<br><input type="checkbox"/> Y <input type="checkbox"/> N            |  | Statute Violation Number  |  |  |  | Violation or ORD. #   |  |                                |  |                        |  |  |  |
| Drug Activity   |  | Drug Type                                 |  | Amount/Unit  |  | Offense #   |  | Warrant/Capias Number   |  |   |  | Bond   |  |   |  |                                |  |                        |  |  |  |
| Location (Court, Address, Room Number)  |  |   |  |  |  |   |  |   |  |   |  |  |  |   |  |                                |  |                        |  |  |  |
| Court Date and Time<br>Month _____ Day _____ Year _____ Time _____ AM <input type="checkbox"/> PM <input type="checkbox"/>  |  |   |  |  |  |   |  |   |  |   |  |  |  |   |  |                                |  |                        |  |  |  |
| I AGREE TO APPEAR AT THE ABOVE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT I SHOULD WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.                     |  |   |  |  |  |   |  |   |  |   |  |  |  |   |  |                                |  |                        |  |  |  |
| Signature of Defendant (or Juvenile and Parent/Custodian)   |  |   |  |  |  |   |  |   |  |   |  |  |  | Date Signed   |  |                                |  |                        |  |  |  |
| HOLD for Other Agency<br>Name<br><input type="checkbox"/> Dangerous<br><input type="checkbox"/> Suicidal<br><input type="checkbox"/> Resisted Arrest<br><input type="checkbox"/> Other  |  |   |  |  |  | Signature of Arresting Officer<br><b>Detective J. D'Angelo</b><br>Name of Arresting Officer<br><b>24982</b><br>ID # |  |   |  |   |  | Name Verification (Printed by Arrestee)<br>(PRINT)   |  |   |  |                                |  |                        |  |  |  |
| Intake Deputy<br>ID # _____ Pouch # _____   |  |   |  |  |  | Transporting Officer<br>ID # _____ Agency<br><b>PBSO</b>  |  |   |  |   |  | Witness here if subject signed with an "X"   |  |   |  |                                |  |                        |  |  |  |
|   |  |   |  |  |  |   |  |   |  |   |  |  |  | Page<br><b>1</b><br>of <b>1</b>   |  |                                |  |                        |  |  |  |

|   |  |  |  |                    |  |  |  |                                 |                                   |
|---|--|--|--|--------------------|--|--|--|---------------------------------|-----------------------------------|
| OBTS Number   |  | <b>PROBABLE CAUSE AFFIDAVIT</b>                          |  |                    |  | 1. Arrest    3. Request For Warrant<br>2. N.T.A.   4. Request For Capias |  | 3                               | Juvenile <input type="checkbox"/> |
| Agency ORI Number<br><b>FLO 5 0 0 0 0 0</b>   |  | Agency Name<br><b>PALM BEACH COUNTY SHERIFF'S OFFICE</b> |  |                    |  | Agency Report Number<br><b>06 21-076210</b>                              |  |                                 |                                   |
| Charge Type:<br><input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance<br><input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other _____ |  | Special Notes  |  |                    |  |  |  |                                 |                                   |
| Defendant Name (Last, First, Middle)<br><b>Lopes De Abreu Diogo Henrique</b>  |  |  |  |                    |  | Race<br><b>W</b>   |  | Sex<br><b>M</b>                 |                                   |
|   |  |  |  |                    |  | Date of Birth<br><b>1-22-87</b>  |  |                                 |                                   |
| Charge<br><b>Grand Theft of Monies Received by Contractor(&gt;\$20K)</b>  |  |  |  |                    |  | Charge   |  |                                 |                                   |
| Charge  |  |  |  |                    |  | Charge   |  |                                 |                                   |
| Victim Name (Last, First, Middle)<br><b>Ferretti John</b>   |  |  |  |                    |  | Race<br><b>W</b>   |  | Sex<br><b>M</b>                 |                                   |
|   |  |  |  |                    |  | Date of Birth<br><b>1-23-60</b>  |  |                                 |                                   |
| Local Address (Street, Apt. Number)<br><b>1515 SW 19th ST.</b>  |  | City<br><b>Boca Raton</b>                                |  | State<br><b>FL</b> |  | Zip<br><b>33482</b>  |  | Phone<br><b>954-901-3045</b>    |                                   |
| Business Address (Street, Apt. Number)  |  | City   |  | State              |  | Zip  |  | Address Source<br><b>Victim</b> |                                   |
|   |  |  |  |                    |  |  |  | Occupation                      |                                   |
| The undersign 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.<br>The person taken into custody...  |  |  |  |                    |  |  |  |                                 |                                   |
| <input type="checkbox"/> committed the below acts in my presence. <input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.  |  |  |  |                    |  |  |  |                                 |                                   |
| <input type="checkbox"/> confessed to admitting to the below facts. <input checked="" type="checkbox"/> was found to have committed the below acts, resulting from (described) investigation.   |  |  |  |                    |  |  |  |                                 |                                   |
| On the <b>24th</b> day of <b>September</b> 20 <b>20</b> at <b>12:30</b> <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM  |  |  |  |                    |  |  |  |                                 |                                   |

On Monday, May 24, 2021, I received an email from Amy Swiatek about a letter her Attorney received from Karen Breton. Breton advised in her letter that she was an ex-employee of New Concept Designs and had information pertaining to the Swiateks' case with PBSO; C/N:21-037179. In that case, I arrested the owners of New Concept Designs, Diogo "Joe" Lopes De Abreu and Phillip DeBrito for Grand Theft of Monies Received by Contractor(>\$20K). Arrest warrants were obtained for De Abreu and DeBrito as a permit was never applied for within 30 days of receiving the signed contract and a 50 percent deposit in the amount of \$52,211.00. In response to Swiatek's email, I contacted called Breton who agreed to meet for an interview.

On Tuesday, May 25, 2021, at around 1100 hours, I made contact with W/F Karen Breton, 2-9-55, at PBSO District 16, 2995 Jog Road. During a recorded interview, Breton explained how she began employment with New Concept Designs on December 10, 2020 as their Project Coordinator. Breton explained that during her time there, she observed many suspicious and even illegal activities occur in her presence. Breton advised that she quit on April 28, 2021 the day after De Abreu and DeBrito were arrested.

In addition to the Swiateks, Breton advised that the same incident occurred to John Ferretti at 1515 SW 19th St. Boca Raton, FL, 33486. According to Breton, Ferretti signed his contract prior to the Swiateks and that of April 28, 2021, she did not believe any permits have been pulled for his job and that no work was completed. Breton advised that Ferretti made a down payment of around \$28,000.00. Breton advised that she did not get involved in this job until around February. At that time, Ferretti was very unhappy, advised he wanted all communication through him only and not his wife, he wanted out of his contract and wanted his money back. Breton then explained that Ferretti's job required a permit because structural changes were being done that involved installing new windows. By this time, February 2021, Chris and the Architectural Group were having issues obtaining a work permit due to window sizing differentials and code guidelines within the project design and drawings. In order to obtain a permit though, Chris from the Architectural Group came to the office with a letter template stating that in order to pull a permit for Ferretti, he needed a letter matching the provided template that authorized Sandra from the Architectural Group to respond to all comments and allow them to obtain the permit. Chris also advised that the letter needed to be back dated to December 6, 2020. Knowing that Ferretti was unhappy and wanted out of the contract, De Abreu instructed Breton to write the letter and forge John Ferretti's name. Breton refused. Her coworker, later positively identified through a DAVID familiarization photo, as B/F Janee A. Cole, 10-22-95, stated no one would know and took it among herself to type the letter and fraudulently sign Ferretti's name herself. Breton advised that Cole actually had to sign the letter twice as she made a mistake the first time she brought it to Chris. Breton then provided me with a copy of that letter and explained that not only has Ferretti never seen that letter, but he has no knowledge of it. At the top of the letter, I observed that John and Christina Ferretti's names were written in large letters as if they drew the letter themselves, not from a New Concept Designs

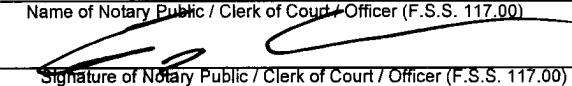

letterhead. It was then signed at the bottom as "John Ferretti.... Owner" with an actual signature underneath. Upon later identifying John Ferretti on DAVID, as W/M John Steven Ferretti, 1-23-60, and reviewing his signature history, I confirmed that the signature on the letter does not match any of Ferretti's DAVID signatures.

On May 27, 2021, I went to The City of Boca Raton's Development Services Department where I obtained a copy of Ferretti's permit application information. Upon reviewing the documents, I observed that Sandra Puerta, who I know of from The Architectural Group, applied for Ferretti's permit under the name of Master Contractors, Inc. and that the permit was applied for as a "Kitchen Interior Remodel". The permit was applied for on November 4, 2020; however, the overall permit was disapproved on February 25, 2021. Specifically, the mechanical and plumbing portions were approved on February 25, 2021. The electrical and regulatory portions; however, were disapproved on February 23, 2021 and the structural portion was disapproved on February 25, 2021. The building department confirmed that since the disapproval, which occurred a total of 91 days prior to May 27, 2021, no corrections, changes, addendums, etc. were submitted in an effort to rectify the situation and obtain an approved permit.

On June 3, 2021, Det. Padgett and I made contact with Mr. and Mrs. Ferretti at their residence in Boca Raton. There, Mr. and Mrs. Ferretti provided a recorded sworn statement detailing their current status with New Concept Designs. In short, Mr. and Mrs. Ferretti hired Joe De Abreu and Phil DeBrito of New Concept Designs to perform a bathroom remodel. De Abreu was the salesman and Phil DeBrito was the project designer. On September 23, 2020, Mr. Ferretti provided New Concept Designs a retainer in the amount of \$3,500.00 (check #1601). The following day, September 24, 2020, Mr. Ferretti signed the contract, #1064-1, with Joe De Abreu of New Concept Designs and provided the remainder of the deposit in the amount of \$24,202.50 (check #1602); providing a total deposit of \$27,702.50 which was 50% of the total cost of \$55,405.00. As of June 3, 2021, no work has been completed in the Ferretti's bathroom. In regards to the permit application, which could have been submitted any time online per Boca Raton's Development Services Department, the permit was applied for on November 4, 2020 which was a total of 41 days after the contract was signed and New Concept Designs received their 50% deposit of \$27,702.50. Mr. and Mrs. Ferretti advised that they have never met or heard of Sandra Puerta or of Master Contractors before. In addition, when I showed them the letter provided by Karen Breton that was allegedly drafted and signed by Mr. Ferretti on December 6, 2020, giving permission to Sandra from the Architectural Group to execute the permitting process, Mr. Ferretti confirmed that he did not draft the letter and that the signature was not his. Mr. Ferretti advised that he was unaware of that letter until I brought it to his attention when I first spoke to him on the phone about a week prior. Mr. Ferretti also noted that his wife's name "Cristina" was spelled improperly at the top of the letterhead as "Christina"; there is no "H" in her name. Last, Mr. Ferretti explained that on February 1, 2021 "Manager" of New Concept Designs sent him an email asking to start the job before permitting was approved. Mr. Ferretti explained that he told them that they could not start any work before the permit was approved, let alone start finish work prior to doing any structural work and risk damaging the finish work. In addition, Mr. Ferretti knew that per the contract, he would have to provide an additional check for \$22,162.00, totaling \$49,864.50 paid. Mr. Ferretti was afraid to approve of the early work for many reasons. First, he could be left without an operational bathroom pending any more permit delays; second, the "finished" work could be damaged by the structural work which is backwards work; and last, De Abreu and DeBrito could disappear with the additional money and Ferretti would sustain an even greater loss of about \$50,000.00. On February 2, 2021, Karen Breton responded in email as the Project Coordinator, advising that the remodel would be put off as requested and that they "have done everything to try and expedite the process of obtaining your permit." Mr. and Mrs. Ferretti confirmed that no work has been done to their bathroom and showed it to me. I observed the bathroom to be untouched and collected photographs. After the interview, Ferretti later provided me with copies of his contract, deposit checks, permit documents and emails between he and New Concept Designs.

In conclusion, Mr. Ferretti hired Diogo "Joe" Lopes De Abreu and Phillipe DeBrito from New Concept Designs to remodel his bathroom. Mr. Ferretti signed the contract with De Abreu in his own home on September 24, 2020 and provided him a 50% deposit totaling \$27,702.50. Forty-one days later, Sandra Puerta from Master's Contractors, Inc. applied for the permit; however, on February 25, 2021, the permit was disapproved. Through the "regulatory" portion of the permit application, Masters Contractors, Inc, did not even have the authority, or permission, from Ferretti to pull the permit; therefore, a fraudulent

letterhead was drafted and fraudulently backdated to December and fraudulently signed. As of May 27, 2021, which was 91 days after the permit application was disapproved, De Abreu and DeBrito have made no efforts made to rectify the situation and obtain an approved permit. In addition, the "Manager" of New Concepts Designs even asked Ferretti to start the work prematurely before the permit was approved which would then require Ferretti to pay another \$22,160.00, with no permits pulled. It should also be noted that these events were occurring alongside the Swlatek's criminal and civil investigation. Based upon the totality of these facts and circumstances, Phillpe DeBrito and Diogo Joe De Abreu from New Concepts Designs failed to have permits applied for within 30 days after receiving a fifty percent down payment which was greater than \$20,000.00 contrary to Florida Statutes 489.126(2), (3) and (4) and 812.014(1) and (2)(b). (2 DEG FEL) (LEVEL 6). In addition, at least 91 days have passed since the permit was disapproved and no efforts were made to rectify the situations. In total, about 9 months have passed since Ferretti signed the contract and provided his deposit and no permits have been obtained. Based upon the totality of these facts, I find probable cause to charge and arrest Diogo "Joe" Lopes De Abreu and Phillpe DeBrito from New Concept Designs for Grand Theft of Monies Received by Contractor(>\$20K).

|  |  |
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| The foregoing instrument was sworn to and affirmed before me this <u>17<sup>th</sup></u> day of <u>June</u> 20 <u>21</u> , by: |  |
| <b>Detective G. Gerbasl</b> <b>9545</b>  | <b>Detective J. D'Angelo</b> <b>24982</b>  |
| Name of Notary Public / Clerk of Court / Officer (F.S.S. 117.00)   | Name of Arresting/Investigating Officer  |
|   |  |
| Signature of Notary Public / Clerk of Court / Officer (F.S.S. 117.00)  | Signature of Arresting/Investigating Officer                                       |
| Page<br><b>2</b> of <b>2</b>   |  |