

2021-CF 4467X

ARREST / NOTICE TO APPEAR

OBTS Number	Agency ORI Number 0501700		Agency Name Jupiter Police Department	Agency Report Number (N.T.A.'s only) 5 4 19-004635	1. Arrest 2. N.T.A.	3. Request for Warrant 4. Request for Capias	3	JUVENILE	N
Charge Type: Check as many as apply	<input checked="" type="checkbox"/> 1. Felony <input 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	If Weapon Seized Enter Type	Multiple Clearance Indicator				
Location of Arrest (Including Name of Business)				Location of Offense (Business Name, Address) 1350 N ALT AIA, JUPITER, FL 33469					
Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle			

Name (Last, First, Middle) FISCHETTI, JAMES MICHAEL		Alias:		Alias (Name, DOB, Soc. Sec. #, Etc.)					
Race W - White B - Black	Sex M	Date of Birth 02/19/1978	Height 5'11	Weight unk	Eye Color brown	Hair Color bald	Complexion med	Build med	
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) unk				Marital Status M	Religion -	Indication of: Alcohol Influence Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unk. <input type="checkbox"/> Drug Influence Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unk. <input type="checkbox"/>			
Local Address (Street, Apt. Number) 13048 COASTAL CIRCLE, PALM BEACH GARDENS, FL 33410		(City)	(State)	(Zip)	Phone (561) 575-1596		Residence Type: 1. City 3. Florida 2. County 4. Out of State 1 2		
Permanent Address (Street, Apt. Number) 13048 COASTAL CIRCLE, PALM BEACH GARDENS, FL 33410		(City)	(State)	(Zip)	Phone (561) 575-1596		Address Source FL DL		
Business Address (Name, Street) 1350 N ALT AIA		(City) Jupiter	(State) FL	(Zip) 33409	Phone (561) 262-5289		Occupation -		
D/L Number, State F230453780590 / FL	Soc. Sec. Number	INS Number	Place of Birth (City, State) New Jersey		Citizenship US				

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
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

<input type="checkbox"/> Parent <input type="checkbox"/> Legal Custodian	Other: _____	Name (Last, First, Middle)	Residence Phone		
Address (Street, Apt. Number)		(City)	(State)	(Zip)	Business Phone
Notified by: (Name)	Date	Time	JUVENILE DISPOSITION 1. Handled/Processed within Department and Released 2. TOT JAC 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 355-2526) informed of any change of address.				School Attended	Grade
Property Crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Description of Property	Value of Property		

Drug Activity N. N/A P. Possess	S. Sell B. Buy T. Traffic	R. Smuggle D. Deliver E. Use	K. Disperse/ Distribute	M. Manufacture/ Produce/ Cultivate	Z. Other	Drug Type N. N/A A. Amphetamine	B. Barbiturate C. Cocaine E. Heroin	H. Hallucinogen M. Marijuana O. Opium/Deriv.	P. Paraphernalia/ Equipment S. Synthetic	U. Unknown Z. Other
---------------------------------------	---------------------------------	------------------------------------	----------------------------	--	----------	---------------------------------------	---	--	--	------------------------

Charge Description THEFT - GRAND \$750-\$20,000	Statute Violation Number 812.014(2)(C)(1)	Violation of ORD #					
Drug Activity N	Drug Type N	Amount / Unit /	Offense # 19-4635	Counts 1	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Warrant / Capias Number	Bond

Charge Description	Statute Violation Number	Violation of ORD #					
Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Warrant / Capias Number	Bond

Charge Description	Statute Violation Number	Violation of ORD #					
Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence <input type="checkbox"/> Y <input type="checkbox"/> N	Warrant / Capias Number	Bond

Health / Apparent Physical Condition of Defendant	Any knowledge of the following: <input type="checkbox"/> Mental <input type="checkbox"/> Escape Risk <input type="checkbox"/> Medication <input type="checkbox"/> Deformities <input type="checkbox"/> Injuries		
Check which applies: <input type="checkbox"/> Released O.R. <input type="checkbox"/> Posted Bond	<input type="checkbox"/> Released to Parent/Guardian <input type="checkbox"/> South County Mental Health	<input type="checkbox"/> T.O.T. County Jail	
Transported By	Date Transported	Time Transported	Other

<input type="checkbox"/> INSTRUCTION NO. 1 - Mandatory appearance in court	Location (Court, Room)
<input checked="" type="checkbox"/> INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.	Court Date and Time
I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT IF I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN COMTEMPT 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	Signature of Arresting Officer	Name Verification (Printed by _____)
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal	Name of Arresting Officer (Print) CANONICO, LINDSEY	(PRINT) JOSEPH ABRUZZO Clerk of the Circuit Court & Comptroller Palm Beach County
Intake Deputy	I.D. #	Pouch #
Transporting Officer	I.D. #	Agency
Witness here if subject signed with an "X".		PAGE 1 OF 1

FILED
Circuit Criminal Department

JAN 15 2021

No Photo Available

ARREST / NOTICE TO APPEAR

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

3

JUVENILE

N

OBTS Number	Agency ORI Number 0501700		Agency Name Jupiter Police Department		Agency Report Number (N.T.A.'s only) 5 4 19-004635	
Charge Type: Check as many as apply	<input checked="" type="checkbox"/> 1. Felony	<input 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
Location of Arrest (Including Name of Business)				Location of Offense (Business Name, Address) 1350 N ALT AIA, JUPITER, FL 33469		
Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle

Name (Last, First, Middle) FISCHETTI, JAMES MICHAEL				Alias (Name, DOB, Soc. Sec. #, Etc.) Alias:			
Race W - White B - Black	1 - American Indian 2 - Oriental/Asian	Sex M	Date of Birth 02/19/1978	Height 5'11	Weight 170	Eye Color brown	
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) ink		Marital Status M	Religion	Complexion med	Build med	Indication of Alcohol Influence Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unk. <input type="checkbox"/>	
Local Address (Street, Apt. Number) 13048 COASTAL CIRCLE, PALM BEACH GARDENS, FL 33410			(City)	(State)	(Zip)	Phone (561) 575-1596	Residence Type: 1. City 3. Florida 2. County 4. Out of State FL DL
Permanent Address (Street, Apt. Number) 13048 COASTAL CIRCLE, PALM BEACH GARDENS, FL 33410			(City)	(State)	(Zip)	Phone (561) 575-1596	Address Source FL DL
Business Address (Name, Street) 1350 N ALT AIA Jupiter FL 33469			(City)	(State)	(Zip)	Phone (561) 262-5289	Occupation
D/L Number, State F230453780590 / FL	Soc. Sec. Number	INS Number	Place of Birth (City, State) New Jersey		Citizenship US		

Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	<input type="checkbox"/> 1. Arrested	<input type="checkbox"/> 3. Felony	<input type="checkbox"/> 5. Juvenile
Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	<input type="checkbox"/> 1. Arrested	<input type="checkbox"/> 3. Felony	<input type="checkbox"/> 5. Juvenile
<input type="checkbox"/> Parent <input type="checkbox"/> Other: _____	Name (Last, First, Middle)			Residence Phone		
<input type="checkbox"/> Legal Custodian	Address (Street, Apt. Number)			(City)	(State)	(Zip)
Notified by: (Name)			Date	Time	JUVENILE DISPOSITION 1. Handled/Processed within Department and Released 2. TOT JAC 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 355-2526) informed of any change of address.				School Attended	Grade	
<input type="checkbox"/> Yes, by: _____ <input type="checkbox"/> No			Property Crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Description of Property	Value of Property	

Drug Activity N. N/A P. Possess	S. Sell B. Buy T. Traffic	R. Smuggle D. Deliver E. Use	K. Disperse/ Distribute	M. Manufacture/ Produce/ Cultivate	Z. Other	Drug Type N. N/A A. Amphetamine	B. Barbiturate C. Cocaine E. Heroin	H. Hallucinogen M. Marijuana O. Opium/Deriv.	P. Paraphernalia/ Equipment S. Synthetic	U. Unknown Z. Other
---------------------------------------	---------------------------------	------------------------------------	----------------------------	--	----------	---------------------------------------	---	--	--	------------------------



Charge Description THEFT - GRAND \$750-\$20,000	Statute Violation Number 812.014(2)(C)(1)	Violation of ORD #
Drug Activity N	Drug Type N	Amount / Unit
Offense # 19-4635	Counts 1	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
Warrant / Capias Number	Bond	

Health / Apparent Physical Condition of Defendant	Any knowledge of the following: <input type="checkbox"/> Mental <input type="checkbox"/> Escape Risk <input type="checkbox"/> Medication <input type="checkbox"/> Deformities <input type="checkbox"/> Injuries		
Check which applies: <input type="checkbox"/> Released O.R. <input type="checkbox"/> Posted Bond	<input type="checkbox"/> Released to Parent/Guardian	<input type="checkbox"/> T.O.T. County Jail	PROPERTY - Received By
<input type="checkbox"/> South County Mental Health	Released By		Released To
Transported By	Date Transported	Time Transported	Other

<input type="checkbox"/> INSTRUCTION NO. 1 - Mandatory appearance in court	Location (Court, Room)
<input checked="" type="checkbox"/> INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.	Court Date and Time
I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN COMTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.	
Signature of Defendant (or Juvenile and Parent/Custodian)	Date Signed

No Photo Available

HOLD for Other Agency	Signature of Arresting Officer	Name Verification (Printed by Arrestee)
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal	<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other	(PRINT)
Intake Deputy	Name of Arresting Officer (Print) CANONICO, LINDSEY	I.D. # 1054
I.D. #	Pouch #	Transporting Officer
I.D. #	Agency	Witness here if subject signed with an "X"

OBTS Number Agency ORI Number FL 0501700	PROBABLE CAUSE AFFIDAVIT	1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias	3	JUVENILE N
Agency Name JUPITER POLICE DEPARTMENT	Agency Report Number 5 4 19-004635			
Charge Type: <input checked="" type="checkbox"/> 1. Felony <input 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:	
Name (Last, First, Middle) FISCHETTI, JAMES MICHAEL			Race W	Sex M
Date of Birth 02/19/1978				
Charge Description 812.014(2)(C)(1) THEFT - GRAND \$750-\$20,000				
Victim's Name (Last, First, Middle) VETTER, GEORGE H			Race W	Sex M
Date of Birth 06/25/1934				
Local Address (Street, Apt. Number) 13150 FLAMINGO TER, PALM BCH GDNS, FL 33410		(City) (State) (Zip) (561) 201-9006	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 . . . <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 my (described) investigation. On the <u>6</u> day of <u>August</u> , <u>2019</u> at <u>00:00</u> (Specifically include facts constituting cause for arrest.)				
On 10/15/19, then Officer Farinacci was dispatched to the Jupiter Police Department in reference to an information report. That day he met with Patricia Vetter (W/F 11/03/37) and her husband, George Vetter (W/M 06/25/34). The Vettters were there to report that money had been stolen from them by James Fischetti, the owner of All European Auto (located at 1350 N. Alt A1A). An initial information report was taken and the case was initially classified as a civil matter.				
On 10/22/19, I was asked to look into this case and review the details to determine if there was anything criminal in nature. After I read the initial report, I needed further clarification as to what exactly transpired. I reached out to George Vetter who explained what occurred. George advised that he and his wife, Patricia Vetter, have known James Fischetti and his family for many years. George told me about his vast prior professional experience with the auto industry and how it operates. He explained that a normal car dealership stocks their showroom and lot with cars bought on "floorplan" adding that this is similar to a loan/financing. The title is held by the floor-planning company and when the vehicle eventually sells, the "floorplan" financing and interest is paid off and the title is released to the dealer and now transferrable to the new owner (vehicle purchaser). As with any loan/financing, these too come with fees (as much as \$1,500.00 in 6 weeks). George explained that he and Patricia have plenty of money and don't have any children that they have to take care of. Therefore, being longtime family friends, they offered to act as the floorplan lender in a way but with no fees or interest, merely just to help Fischetti avoid fees. Despite no fees or interest, the idea and agreement was the same; The Vettters would loan the business the money to purchase the vehicle outright, the title would be given to the Vettters and held in a safe, at their residence, until the vehicle sold and the loan was paid back. Then and only then, would the Vettters release the title to Fischetti to transfer to the new vehicle owner/purchaser. This process for the Vettters was like an investment in a way but they were not doing it to really make any money. The Vettters and Fischetti have been				
SWORN AND SUBSCRIBED BEFORE ME <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">  NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) <u>9/3/20</u> DATE </div> <div style="width: 45%;">  SIGNATURE OF ARRESTING / INVESTIGATING OFFICER CANONICO, LINDSEY (1054) NAME OF OFFICER (PLEASE PRINT) <u>09/03/2020</u> DATE </div> </div>				
				PAGE 1 OF 9

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

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


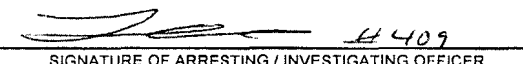
3 JUVENILE **N**

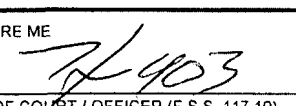

OBTS Number	Agency ORI Number FL 0501700		Agency Name JUPITER POLICE DEPARTMENT	Agency Report Number 5 4 19-004635
Charge Type: Check as many as apply.			Special Notes:	
<input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony			<input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other	

Name (Last, First, Middle) FISCHETTI, JAMES MICHAEL	Alias	Race W	Sex M	Date of Birth 02/19/1978
---	-------	------------------	-----------------	------------------------------------

George were okay with. I asked if she had been consistently losing money of late (large dollar amounts) and she said no, it would only be a few thousand here and there. Patricia then said that they would sometimes use the profits from one to make repairs on another and in the end, if there was a profit, she believed they split it. I asked if the main objective was to make money or just to help Fischetti out and she said it was really just to help him out. I added that George had told me the same thing; that it was mostly just to help Fischetti out since they have money. I confirmed, however, that it was always expected to be returned and Patricia added that it is not okay if someone outright cheats you. I then added that this is the reason we are here, because even though she and George have been able to conduct business (loan-payback) with Fischetti for years in the past, that just recently they had reason to believe that Fischetti just took their money and Patricia agreed. I then referred to some of the documents that were supplied by George, namely a handwritten list of the vehicles, that George and Patricia gave money to purchase. The list had dates (only 2019), year/make/model/VIN, check number, and amounts given. Patricia stated that she was not part of any of the meetings regarding the issues but believed that about a year ago George tried to discuss with Fischetti and the family how to get some of the money back for the cars they had purchased and still had the titles for but business continued in the meantime. Patricia again told me that George was the one that handled all of these details. I asked some follow up questions about which vehicles they had the titles for but she didn't know. I asked about the most recent check in her register and she told me it was check #361 on 08/06/19 for \$55,620.00 and that she wrote down the cars that were supposed to be purchased in the memo portion. I asked if Fischetti had already purchased the vehicles and that is how she knew the VIN to write it down, and she said yes. She thought the process was that Fischetti goes to the auction and buys the car, then he comes with the vehicle information to ask for the check to present as payment to the auction, and upon receipt of the title it is turned over to George and Patricia until the car gets sold. I asked about the titles for the most recent check given but Patricia did not know and told me I would have to ask George. Patricia did not know a lot of the details when asked specific questions. I did, however, confirm that she and George are extremely financially secure and that it has not been an issue to have the money out (waiting for the cars to sell) but she had told me it's not okay what Fischetti has done and she wants her money back and is willing to prosecute.

As previously mentioned, the two vehicles in question that the Vettters alleged Fischetti had asked to borrow the money to purchase and were actually floor-planned was a 2015 Mercedes GLA bearing VIN#WDCTG4EB5FJ182365 and a 2016 Mercedes GLE bearing VIN#4JGDA5JBGGA801771. I began by conducting a check in the Florida Driver and Vehicle Information Database (DAVID), for each of the VINs. When I ran the 2016 Mercedes GLE bearing VIN#4JGDA5JBGGA801771, I found that it was not currently registered. The title history showed it was last owned by "Daimler Trust" (Mercedes Benz) and was issued on 07/25/16. It should be noted that when I later ran the police call history for the business address (1350 N Alternate A1A) I saw that there was a Repo call record

SWORN AND SUBSCRIBED BEFORE ME  NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) 9/3/20 DATE	 SIGNATURE OF ARRESTING / INVESTIGATING OFFICER CANONICO, LINDSEY (1054) NAME OF OFFICER (PLEASE PRINT) 09/03/2020 DATE
---	---

OBTS Number Agency ORI Number FL 0501700	PROBABLE CAUSE AFFIDAVIT SUPPLEMENT	1. Arrest 2. N.T.A.	3. Request for Warrant 4. Request for Capias	3	JUVENILE N
Agency Name JUPITER POLICE DEPARTMENT	Agency Report Number 5 4 19-004635				
Charge Type: Check as many as apply. <input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other			Special Notes:		
Name (Last, First, Middle) FISCHETTI, JAMES MICHAEL			Race W	Sex M	Date of Birth 02/19/1978
<p>(CAD#19-298691) on 10/16/19. One of the vehicle repossessed by National Recovery that day was the 2016 Mercedes GLE bearing VIN#4JGDA5JBGGAB01771. This is confirmation that Fischetti pocketed the loan money given by George and Patricia and he floor-planned the vehicle. Fischetti never paid George and Patricia back and he also never paid off the floor plan loan therefore, he was never able to provide the title to George and Patricia as collateral. It should also be noted that I later sent a subpoena to the floorplan company, Manheim (Cox Automotive), and confirmed that this vehicle had been floor-planned on 08/06/19.</p> <p>When I ran the 2015 Mercedes GLA bearing VIN#WDCTG4EB5FJ182365 I discovered that it was initially bought on 07/30/19 and it was sold to a new owner on 08/05/19 and this could only have been done with a lien-free title. It should be recalled that Fischetti never even asked George and Patricia for the money to buy this vehicle until 08/06/19, which is after it was even bought and sold to a new owner. Also, according to the subpoena results from the floorplan company, Manheim (Cox Automotive), I confirmed that this vehicle had been floor-planned on 07/30/19 but had to have been paid in full by in order to transfer the title into the new owner's name. No money was ever given back to George or Patricia.</p> <p>Fischetti knowingly deceived George and Patricia Vetter at the time the loan was taking place. He knew full well that he never intended to pay them back nor provide them with collateral.</p> <p>I also later provided the sales information for the 2017 Chevy Suburban that George and Patricia had provided the funds to purchase and later gave Fischetti the title when he came over threatening suicide. The documents showed that the business purchased the car from a prior owner on 06/26/19 for \$35,500.00. Fischetti borrowed \$35,500.00 from George and Patricia on 07/03/19 to cover the purchase. The vehicle was then sold on 08/23/19. No money was ever given back to the Vettters.</p> <p>In addition to the subpoena I sent to Manheim/Cox Automotive, I also sent a subpoena to Seacoast Bank for the financial records of the business and James Fischetti. After reviewing the records received, I found that James Fischetti was a signatory on seven (7) active accounts during August 2019. Three of the accounts were cosigned savings accounts for his minor children. Of the remaining four accounts, two appeared to be personal accounts he held with his wife (a checking and a savings) and the remaining two were business checking accounts; one for European Automotive Imports Inc. and the other for Post Skateboard Company with an address in West Palm Beach. I noted the account balances in all of the active accounts as of 08/05/19, when Fischetti went to the Vettters with the apparent lies of needing a check to purchase the two Mercedes. The balance in the European Automotive Imports Inc. account (ending [REDACTED] was -\$40,254.19. Their personal checking account (ending [REDACTED] also had a negative balance of -\$884.15. The total collective balance across all active accounts (including the children's</p>					
SWORN AND SUBSCRIBED BEFORE ME  NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S. 117.10) 9/3/20 DATE	SIGNATURE OF ARRESTING / INVESTIGATING OFFICER  #409 CANONICO, LINDSEY (1054) NAME OF OFFICER (PLEASE PRINT) 09/03/2020 DATE				
					PAGE 4 OF 9

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

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

3

JUVENILE

A D M I N I S T R A T I V E	OBTS Number		Agency ORI Number FL 0501700		Agency Name JUPITER POLICE DEPARTMENT		Agency Report Number 5 4 19-004635	
	Charge Type: Check as many as apply.		Special Notes:		Name (Last, First, Middle) FISCHETTI, JAMES MICHAEL		Race W	Sex M

<input checked="" type="checkbox"/> 1. Felony <input 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		Race W		Sex M		Date of Birth 02/19/1978	
---	--	--	--	--	--	------------------	--	-----------------	--	------------------------------------	--

savings accounts) was -\$29,446.62.



After reviewing the account statements it appeared that throughout 2019 their personal account (ending ██████ had a negative balance at some point during each and every month indicating ongoing issues and trouble within their personal finances. Their personal savings (ending #█████ quickly dwindled as well; starting with a high balance of \$77,226.00 in February 2019 and ultimately being dwindled down to \$0.00 by December 2019.

It should also be noted that I located a civil case in the Palm Beach County Clerk of Court system (502020CC001448XXXXMB) that shows American Express filed suit against Fischetti on 01/31/20 for failure to pay his business credit card ("European Automotive") debt. Exhibit B in the case is a copy of the final statement when American Express cancelled the account. The closing date of said statement was 07/15/19 and the amount owed is \$17,520.15. This evidence further documents the complete diminishment of personal and business assets at the time of the deception and theft from the Vettters.

After reviewing the European Automotive Imports Inc. account (ending #█████) it appeared that the balance would ebb and flow until June 2019 when the account was seen in the negative for the first time. I happened again in August, which is when Fischetti deceived the Vettters. It happened again in October and didn't seem to recover. It should be noted that it was at this time also that Fischetti began having other issues at the business with other customers who subsequently reported a variety of Fischetti's deceptive and fraudulent behavior.

On 12/10/19, Officer Palladino was dispatched to the Jupiter Police Department lobby in reference to a possible fraud case. According to the initial report, upon arrival, he made contact with complainant Susanne Skinner (W/F 09/22/47), who advised she was having an issue involving the purchase of a vehicle from European Automotive Imports, Inc. in Jupiter. Skinner stated that on 09/12/19 she traded in her vehicle, a 2011 blue Mercedes being VIN #WDDKK5GF2BF081356, at European Automotive Imports (1350 N Alternate A1A B, Jupiter FL 33469) and purchased a new vehicle. Skinner paid a total of \$14,355.59 after the trade in, which included the purchase of an extended warranty.

After the trade-in/purchase was completed, she took her new vehicle, 2014 silver Mercedes E350 bearing VIN# WDDKK5KF6EF261578, to her residence. During the purchase Skinner said she was working with the president of the company, James Fischetti, and an employee, Jennifer Cavallaro. Skinner stated after weeks went by she still had not received the title to the vehicle or the extended warranty which was agreed upon with Fischetti and paid for in full. She then contacted the Florida Department of Highway Safety and Motor Vehicles (DHSMV) to get the tag from her original vehicle transferred to her current vehicle. While dealing with the DHSMV she was advised that she is unable to transfer the tag due to her not having the title to the new vehicle and the title not

A D M I N I S T R A T I V E	SWORN AND SUBSCRIBED BEFORE ME		SIGNATURE OF ARRESTING / INVESTIGATING OFFICER	
	 NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)		 #409	
	DATE 9/3/20		CANONICO, LINDSEY (1054) NAME OF OFFICER (PLEASE PRINT)	
			09/03/2020 DATE	

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

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

3 JUVENILE N

OBTS Number		
Agency ORI Number FL 0501700	Agency Name JUPITER POLICE DEPARTMENT	Agency Report Number 5 4 19-004635
Charge Type: Check as many as apply. <input checked="" type="checkbox"/> 1. Felony <input 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:

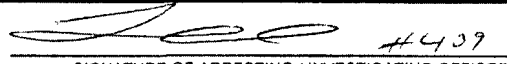
Name (Last, First, Middle) FISCHETTI, JAMES MICHAEL	Alias	Race W	Sex M	Date of Birth 02/19/1978
---	-------	------------------	-----------------	------------------------------------

showing it had been transferred to her. DHSMV agreed to provide a temporary tag for the vehicle in the meantime. Skinner was advised she could not register her new vehicle without the title transferred in her name. Skinner had tried numerous times to contact the business and Fischetti with negative results. She advised she believes the business is no longer open. She advised she filed a complaint with DHSMV against the dealership and it is being investigated by DMV Region 9 Compliance Examiner Stacey Ratherford. Upon running the VIN on the newly purchased vehicle, Officer Palladino saw that the vehicle was still listed as last being owned by Juan Carlos Guillermo Muniz Somoza out of Kendall Florida, but it did show "Sold" marked under Somoza's ownership section. When Officer Palladino checked the VIN of the vehicle Skinner traded in, it showed that it had already been resold to a David and Linda Kremer out of Louisville KY. Skinner provided several signed documents between her and European Automotive Imports (warranty agreement, payment and trade agreement, etc.) as well as her communication with DHSMV.

I was assigned this case for follow up on 12/11/19. I began by reviewing the documents provided by Skinner. I started with the contract that was dated 09/11/19. It showed that she was given \$18,000.00 as the trade in value for her 2011 Mercedes bearing VIN WDDKK5GF2BF081356. It listed the purchase price of the newer 2014 Mercedes E350 bearing VIN WDDKK5KF6EF261578 as \$28,000.00 (plus taxes and fees). In addition to the taxes and fees, there was a line item for "Est Tag, Title & Reg Cost. Listed on a separate line was the charge for the Service/Warranty Agreement for \$3,370.00 (plus tax). The contract also documents that Skinner paid in full, \$14,355.59 on the date of purchase using check #2566. Also provided was a copy of the "power of attorney for motor vehicle" in order to transfer the title, as well as a copy of the "notification of transfer of registration license plate" for FL tag #SS922, neither of which was obviously ever filed with the DHSMV.

When I notified Skinner that I was assigned her case she stated that she wanted to come meet with me to discuss the case in person. When we met, she went over a lot of the items I had already looked at. She primarily expressed her frustration with the DHSMV and the lack of assistance she was getting. She said they were only willing to keep issuing temporary tags but that it didn't solve the problem, and they weren't mandating that Fischetti turn over the title despite her proof of purchase and payment. She stated that she was afraid to drive the vehicle on the roadways until the records were straightened out. I told her to feel free to pass along my contact information to the DHSMV Examiner Stacey Reatherford. She also told me that she tried to confirm with the extended warranty company (Royal Administration Services) as to whether or not they were ever paid and if she had an active warranty. She also provided me with a copy of the extended warranty contract that she signed when she bought the vehicle from Fischetti.

Stacey Reatherford with the DHSMV called and emailed me about Skinner's case. I informed her of the other complaints I was aware of with Fischetti and the business and we spoke about the status of Skinner's title. We spoke on the phone and conversed via email as

SWORN AND SUBSCRIBED BEFORE ME	
<u>7/403</u> NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)	SIGNATURE OF ARRESTING / INVESTIGATING OFFICER
<u>9/3/20</u> DATE	CANONICO, LINDSEY (1054) NAME OF OFFICER (PLEASE PRINT)
	09/03/2020 DATE

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

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

3 JUVENILE **N**

OBTS Number	Agency ORI Number FL 0501700		Agency Name JUPITER POLICE DEPARTMENT	Agency Report Number 5 4 19-004635
Charge Type: Check as many as apply. <input checked="" type="checkbox"/> 1. Felony <input 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:


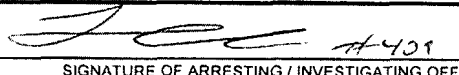
Name (Last, First, Middle) FISCHETTI, JAMES MICHAEL	Alias	Race W	Sex M	Date of Birth 02/19/1978
---	-------	------------------	-----------------	------------------------------------

well. Reatherford advised that she had not had much cooperation from Fischetti and that she was supposedly waiting for him to contact her regarding titles he had liens on due to floor-planning debt. She said that Fischetti told her he has lawyers involved trying to work out a resolution with the floorplan company but she kept getting stalled and put off by Fischetti. Reatherford had other complaints received about the dealership and said that she was moving forward with administrative action to revoke his dealer license.

I attempted to call the Royal Administration Company to confirm whether they were ever given the money that Skinner paid Fishetti for the extended warranty. I was verbally told over the phone that they had not received the funds but when I asked if they could send me some sort of documentation, they said that they would need letter from the customer (Skinner) requesting it. Skinner did so on 01/29/20. They finally mailed her a letter back on 03/03/20 confirming that she did not have an active warranty because they had never received payment. This is confirmation that Fischetti in fact stole the money he collected for the extended warranty, which was listed as \$3,370.00 on the contract.

As previously stated I had sent a subpoena to according to the floorplan company, Manheim (Cox Automotive). In addition to the evidence for the Vetter case, I was able to confirm that the vehicle Skinner purchased that she was never given the title to, was in fact floor planned with Manheim in June, 2019 and there was no record if it being paid off. He clearly stole her money and did not pay Manheim so that they could release the title. In spite of his criminal behavior, through the assistance of the DHSMV and Reatherford, Skinner was issued an "authorization for title and registration" and was eventually able to get the vehicle titled in her name (after 7 months).

On 01/13/20, Officer Irons was dispatched to European Automotive Imports 1350 N. Alt. A1A Jupiter, FL 33469. According to the initial report, upon her arrival, she met and spoke with Kenneth Morrissette (W/M 01/29/43) and his Attorney David Miller, regarding Morrissette's 2013 Bentley (bearing VIN# SCBFT72A5DC080697). Morrissette advised that he consigned his Bentley, which is valued at \$100,000.00, with James Fischetti and European Automotive Imports on 07/09/19. Morrissette stated that the consignment agreement was for 90 days and it authorized James Fischetti to sell the vehicle. On 09/14/19, Morrissette said he called Fischetti to get a status update on the sale of the Bentley and was told that it still had not sold. Morrissette called Fischetti back on 09/14/19 and advised him he was coming into town to pick up his vehicle. That same day, Morrissette asked a friend to drive by European Automotive Imports to see if his car was on the lot and was told that it was in fact there, and sent him a photo. However, when Morrissette he got into town, on 09/24/19, to pick up his vehicle the business was closed and the vehicle was no longer there. He said he emailed and called Fischetti countless times and had yet to hear back from him. Officer Irons attempted to contact Fishetti on his cell phone and business line but this met with negative results. However, she did speak with Stephan Mills, Owner of Exclusive Motor Works (which is the

SWORN AND SUBSCRIBED BEFORE ME  NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) 9/3/20 DATE	 SIGNATURE OF ARRESTING / INVESTIGATING OFFICER CANONICO, LINDSEY (1054) NAME OF OFFICER (PLEASE PRINT) 09/03/2020 DATE	PAGE 7 OF 9
---	--	------------------------------

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

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

3 JUVENILE N

OBTS Number:		
Agency ORI Number	Agency Name	Agency Report Number
FL 0501700	JUPITER POLICE DEPARTMENT	5 4 19-004635

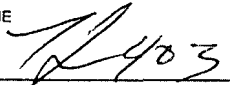
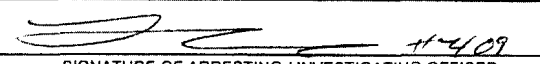
Charge Type: 1. Felony 3. Misdemeanor 5. Ordinance
 2. Traffic Felony 4. Traffic Misdemeanor 6. Other

Name (Last, First, Middle) **FISCHETTI, JAMES MICHAEL** Alias _____ Race **W** Sex **M** Date of Birth **02/19/1978**

neighboring business to European Automotive Imports) and was told that European Automotive Imports had been closed for approximately four months allegedly for renovations.

On 01/14/20, I was assigned this case for further investigation. I first began by running the VIN on Morrissette's Bentley and discovered that although the vehicle's title as still technically in Morrissette's name, it was insured on 09/26/19 by another person, Sergio J. Jacinto out of Tampa, FL. I called Morrissette to speak about his case and to advise that I had already been working on several other allegations made against Fischetti. I told him that I had seen in the DHSMV records that his vehicle was currently being insured by another male. Morrissette assured me that he still had possession of the original title and had never been informed that the vehicle sold and was surely never provided any money from the sale of his vehicle. I told him that I would be reaching out to Jacinto about the vehicle. Morrissette advised he would be sending me several items the next day. In the email sent the next day, Morrissette supplied a copy of the title, a copy of the consignment agreement between Morrissette and European Automotive Imports, email communications between Morrissette and Fischetti RE: status of Bentley between 07/18/19-09/22/19, as well as a letter dated 09/30/19 from Morrissette's attorney formerly cancelling the consignment and demanding the return of the Bentley.

After conducting some online research on Sergio J. Jacinto out of Tampa, I learned that he appeared to be a practicing pediatric neurologist. I could not locate a personal phone number, therefore, I called his practice and left a message with his staff about wanting to discuss the Bentley. On 02/04/20, he called me back and told me he was glad that I called since he was having an issue with obtaining a clear title and registration. Dr. Jacinto further explained that he saw the online listing for the Bentley last year and it was a good price so he contacted Fischetti at European Automotive Imports to express interest in purchasing the vehicle. Dr. Jacinto asked about obtaining financing but Fischetti told him they do not offer financing and it was cash only. Dr. Jacinto told him that he had no interest in paying all cash and the only other option was to obtain financing through his own bank. Dr. Jacinto stated that he completed the loan application with his bank and drove his Chrysler 300 over to the east coast to trade in the Chrysler 300 and purchase the Bentley. The trade in amount granted was \$6,500.00 and Fischetti was to transfer the tag to the Bentley and get the title switched over as well. However, a month after the purchase, Dr. Jacinto had still not received the registration confirming the tag and title switch and actually got pulled over by police officer because of it (tag attached not assigned). The only positive information was that because Dr. Jacinto's bank had never received the title from Fischetti, they never sent the money. I informed him about Morrissette and the fraudulent activity being conducted by Fischetti. I told Dr. Jacinto that I would relay all of this information to Morrissette and perhaps he would want to complete the sale himself in order to receive the funds and sign over the title. I did add that I, in no

SWORN AND SUBSCRIBED BEFORE ME  NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) 9/3/20 DATE	 SIGNATURE OF ARRESTING / INVESTIGATING OFFICER CANONICO, LINDSEY (1054) NAME OF OFFICER (PLEASE PRINT) 09/03/2020 DATE
---	--

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

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

3 JUVENILE N

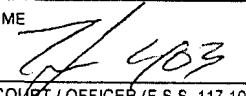
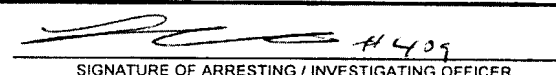
OBTS Number		
Agency ORI Number FL 0501700	Agency Name JUPITER POLICE DEPARTMENT	Agency Report Number 5 4 19-004635
Charge Type: <input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other		Special Notes:

Name (Last, First, Middle) FISCHETTI, JAMES MICHAEL	Alias	Race W	Sex M	Date of Birth 02/19/1978
---	-------	------------------	-----------------	------------------------------------

way was guaranteeing he would even be open to this and I could not be involved beyond relaying the information that he was still interested in keeping the Bentley and sending the funds. Dr. Jacinto later provided me with a copy of the contract to purchase the Bentley from European Automotive and I saw that it was dated 09/20/19. In the end, Morrissette and Jacinto were able to work out the situation themselves. However, it does not take away from Fischetti's actions. This case serves as further confirmation of the fraudulent and unscrupulous actions and dealings by Fischetti as he struggled with his personal and business finances.

In summary, with regard to the Vettters, I found that although they had successful prior business dealings, the specific allegations of the final loan request made in the criminal investigation were substantiated. There were lies and deception at the time of the loan request. The 2015 Mercedes GLA bearing VIN#WDCTG4EB5FJ182365, was bought on 07/30/19 on floor plan and it was sold to a new owner on 08/05/19. Meaning it was bought and sold to a new owner before even asking for the alleged loan from the Vettters to purchase the car. And the second vehicle, a 2016 Mercedes GLE bearing VIN#4JGDA5JBGGA801771, was found to have been floor-planned on 08/06/19 and later repossessed on 10/16/19 (JPD CAD#19-298691). Further confirming that when Fishetti asked the Vettters for the funds to purchase the car, he had already floor-planned it and had no intention of paying off the floor-plan or the Vettters. Lastly, of significance, were the account balances in all of Fischetti's active bank accounts as of 08/05/19 (when Fischetti went to the Vettters with the apparent lies of needing a check to purchase the two Mercedes). The balance in the European Automotive Imports Inc. account (ending # [REDACTED]) was -\$40,254.19. Their personal checking account (ending # [REDACTED]) also had a negative balance of -\$884.15. The total collective balance across all active accounts (including the children's savings accounts) was -\$29,446.62.

Therefore, I found that James Fischetti did knowingly obtain or use (by way of obtaining property by fraud, willful misrepresentation of a future act, or false promise) \$50,420.00, which was the property of Patricia and George Vetter or any other person not the defendant(s), with the intent to permanently or temporarily deprive Patricia and George Vetter or any other person not the defendant(s) of the property or benefit therefrom or to appropriate the property to the use of James Fischetti or to the use of any person not entitled thereto, contrary to Florida Statute 812.014(1) and (2)(c).

SWORN AND SUBSCRIBED BEFORE ME  NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) 9/3/20 DATE	 SIGNATURE OF ARRESTING / INVESTIGATING OFFICER CANONICO, LINDSEY (1054) NAME OF OFFICER (PLEASE PRINT) 09/03/2020 DATE	PAGE 9 OF 9
---	--	------------------------------