

#0516413

2020CF04091AMB

OBTs Number		ARREST / NOTICE TO APPEAR Juvenile Referral Report		1 Arrest 2 NTA.		3. Request for Warrant 4. Request for Capias		1		Juvenile		N	
Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE				Agency Report Number 20-050240							
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		Multiple Clearance Indicator		1	
Location of Arrest (including Name of Business) 3125 ALBATROSS RD DELRAY BEACH FL						Location of Offense (Business Name, Address) 22440 Lombard Ave. Boca Raton Florida 33428							
Date of arrest 5-12-2020		Time of Arrest 1010		Booking Date		Booking Time		Jail Date		Jail Time		Location of Vehicle N/A	
Name (Last, First, Middle) Boryczka Jr. John Francis						Alias (Name, DOB, Soc. Sec. #, Etc.)							
Race W - White I - American Indian B - Black O - Oriental/Asian		Sex W m		Date of Birth 2/16/1977		Height 5'7"		Weight 175		Eye Color brn		Hair Color brn	
Complexion fair		Build med		Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) MULTIPLE DOCUMENTED TATTOOS		Marital Status SINGLE		Religion NONE		Indication of Alcohol Influence Drug Influence		Unk. <input type="checkbox"/>	
Local Address (Street, Apt. Number) 1111 S.W. 7th Street				City Boca Raton		State Florida		Phone (954) 851-4393		Residence Type: 1. City 2. County 3. Florida 4. Out of State		2	
Permanent Address (Street, Apt. Number)				City		State		Phone		Address Source FL DL			
Business Address (Name, Street)				City		State		Phone		Occupation construction			
D/L Number, State B620-466-77-056		Soc. Sec. Number		INS Number		Place of Birth (City, State) Massachusetts		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 <input type="checkbox"/> 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 Dept. and Released. 2. TOT HRS/DYS 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 parent. The child and / or parent was told to keep the Juvenile Court Clerk's Office (Phone 365-2526) informed of any change of address. Yes, by (Name) No: (Reason)						School Attended		Grade					
Property Crime? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Description of Property necklace, earrings, school ring, wireless speaker				Value of Property \$3,100.00							
Activity N. N/A P. Possess		S. Sell B. Buy T. Traffic		R. Smuggle D. Deliver E. Use		K. Dispense Distribute		M. Manufacture/ Product/ Cultivate		Z. Other		Drug Type N. N/A A. Amphetamine E. Heroin	
B. Barbiturate C. Cocaine		H. Hallucinogen M. Marijuana O. Opium/Deriv		P. Paraphernalia/ Equipment S. Synthetic		U. Unknown Z. Other		Charge Description Grand Theft		Counts 2		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	
Drug Activity n		Drug Type n		Amount / Unit \$3,100.00		Offense # 20-050240		Statute Violation Number 812.014 (2c1)		Warrant / Capias Number		Violation of ORD #	
Charge Description		Counts		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number		Warrant / Capias Number		Violation of ORD #		Bond	
Drug Activity		Drug Type		Amount / Unit		Offense #		Statute Violation Number		Warrant / Capias Number		Bond	
Charge Description		Counts		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number		Warrant / Capias Number		Violation of ORD #		Bond	
Drug Activity		Drug Type		Amount / Unit		Offense #		Statute Violation Number		Warrant / Capias Number		Bond	
Location (Court, Room Number, Address)													
Court Date and Time Month Day Year Time P.M. P.M.													
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 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 Name				Signature of Arresting Officer Det. R. Banuchi				Name Verification (Printed by Arrested): (PRINT)					
<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal		<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:		Name of Arresting Officer (Print) Det. R. Banuchi		I.D. # 7369		PAGE		1		OF 1	
Witness Deputy D.S.		I.D. # 2113		Transporting Officer D.S. Vasconcelos		I.D. # 23113		Agency P820		Witness here if suspect signed with an "X"			

MAY 13 AM 7:13

**PALM BEACH COUNTY SHERIFF'S OFFICE  
PROBABLE CAUSE AFFIDAVIT**

OBTS

Juvenile: [ ]

- [ ] 1. Arrest                      [X] 3. Request for Warrant  
2. N.T.A.                              4. Request for Capias

Agency ORI Number: **FL0500000**

Agency Report #: **20-050240**

Charge Type: [x] Felony    [ ] Misdemeanor    [ ] Ordinance  
[ ] Traffic Felony    [ ] Traffic Misdemeanor    [ ] Other

Special Notes: N/A

Defendant: John F. Boryczka w/m DOB 2/16/77

Alias: N/A

Charge(s): **F.S.S 812.014 (2c1) GRAND THEFT 2 COUNTS**

1.Victim #1: Kristin Duncan

Local Address: 22440 Lombard Ave. Boca Raton Florida 33428

Local Phone: Occupation:

Business Address:

Business Phone:

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.  
[ ] confessed to admitting to the below facts.  
[ ] was observed by, who told Your Affiant Dect. R. Banuchi that they saw the arrested person commit the below acts.  
[X] was found to have committed the below acts, resulting from my investigation.

Statement of facts:

On Tuesday March 17<sup>th</sup> 2020 Kristen Duncan called the Palm Beach Sheriff's Office to file a complaint for a jewelry theft from her residence. Duncan filed a report with the Sheriff's Office Alternate Response Unit T. Timmerman ID# 6626. Duncan stated the following: Sometime between March 2<sup>nd</sup> 2020 and March 5<sup>th</sup> 2020 someone stole the following property from her residence, 22440 Lombard Ave, Boca Raton, Florida to include the following:

1. 18" Rope necklace w/ round diamonds, gold ring flowers,
2. 14kt gold earrings
3. 14kt gld mns #7 ring Opal UF ring, (University of Florida with BA and BS inscribed inside the ring)
4. 750 KYG WMS 18" Tiffany Infinity Necklace Valued at \$950
5. 14kyg wms #6 band ring, 13-ring clr s stone, 14" kyg wms earring 10-clr
6. Bose wireless speaker

Duncan stated that on March 2<sup>nd</sup> 2020 she recalls laying her Tiffany Necklace down in a hexagon dish that was located in her bedroom dresser drawer. During this time period she has had contractor workers (Tri County Restoration) at the house completing removal of popcorn ceilings thru out the house. During this time period she was cognizant to remove all her personal jewelry off her bedroom dressers furniture. After she discovered the Tiffany Infinity necklace was missing, she was shocked since she always wears it and had only just put it in her drawer when she went to shower. She immediately contacted the supervisor Alex. The company questioned each employee that was working at the house, which they all acknowledged that they have no knowledge of the missing jewelry or Bose speaker. Duncan noted that after notifying Tri County Restoration company, one worker did not return, (later identified as John Boryczka (DOB 2-16-77) ) to work at her residence after March 5<sup>th</sup> 2020. Duncan was provided a list by Tri County Restoration of 8 workers who were in her house and had access to her bedroom. Duncan was also told by other workers, that John Boryczka may be involved. The individual names were all ran in the Rapid Pawn system database and John Boryczka came back with an extensive pawn history to include similar items recently pawned matching Duncan's property beginning on February 21, 2020 for a Bose blue tooth speaker.

On March 18, 2020 I was notified by a Detective Goldstein of this case which occurred at 22440 Lombard Street in Boca Raton Florida. a complete review of the initial report was conducted and reveal detailed information of four pawned transactions at Smart Cash pawn in Deerfield Beach, Florida where the pawned property matched the victims stolen property reported

On March 18, 2020 I drove to Smart Cash pawn shop located at 3370 West Hillsboro Blvd Deerfield Beach Florida. Upon arrival, I made contact with the pawn shop representative, Mikhail Sarkisov (dob 3-31-86). Sarkisov provided me four pawnbroker transaction forms:

1. # 202000348 18" Rope necklace w/ round diamonds, gold ring flowers, 14kt gold earrings
2. # 202000359 14kt gld mns #7ring Opal UF ring, 750 KYG WMS 18" Tiffany Infinity Necklace
3. # 202000362 14kyg wms #6 band ring, 13-ring clr s stone, 14kyg wms earring 10-clr
4. # 202000303 Bose speakers (picked back up by John Boryczka)

All these transactions were pawned by John Boryczka which he provided a finger print and physical id card and completed with his biographical information and signed a pawn broker transaction form which he atest that the pledger represents and warrants that the pledged property is not stolen, rented or leased and that they have no liens or encumbrances against them. The Pledger also atest to have good title and the pledged property and has the right to sell the property. John Boryczka received the following amount:

transaction #202000348 on Feb. 28 2020	\$300.00
transaction # 202000359 on March 2 2020	\$270.00
transaction # 202000362 on March 3 2020	\$130.00
transaction # 202000303 on Feb. 21, 2020	\$20.00

Based on a review of the paperwork and victim's information a pawn broker hold was placed on the property with exception of the Bose speakers which was bought back by John Boryczka. Photographs of the property was taken and will be used for identification.

Contact was made with the victim, Kristen Duncan to arrange for a follow up interview. It should be known that the victim described all her jewelry/property that was photographed at smart cash pawn shop.

On March 19, 2020 Detective Walsh id# 7916 and I conducted a follow up investigation at Smart Cash Pawn located at 3370 West Hillsboro Blvd, Deerfield Beach, Florida. Upon arrival, we met with Mikhail Sarkisov. Sarkisov was provided a photo line-up by Det. Walsh who was also provided pre-photo line up instructions which he understood. Det. Walsh showed Sarkisov a 6 pictured black and white photographic line up consisting of 6 similar white males. Sarkisov positively identified John Boryczka and swears and attest the person who has been coming into his shop and pawning all the property/jewelry in the following transaction numbers:

transaction #202000348 on Feb. 28 2020	\$300.00
transaction # 202000359 on March 2 2020	\$270.00
transaction # 202000362 on March 3 2020	\$130.00
transaction # 202000303 on Feb. 21, 2020	\$20.00

All four transactions were provided for review and a property receipt was completed for transaction number # 202000359 for fingerprint identification.

On March 19 2020 Det. Walsh and I made contact with Kristen Duncan at her residence. Duncan provided a sworn taped statement regarding the events leading up to her missing property that was hidden inside her master bedroom dresser. This was discovered while workers from a restoration company were conducting repair work in her house since February 18th 2020. Duncan had stated that on March 2nd 2020 she had taken off her jewelry (infinity necklace) temporarily and went back and discovered it was gone, after an exhaustive search she waited to the end of the day to see if her jewelry would re-emerge before she contacted the project manager for the construction company. Duncan showed us the location of the hidden jewelry in her master bedroom. According to Duncan, her mother Susan Sherwood (561-702-7063) was at her house when the construction workers including John Boryczka were working, this includes March 2 2020. Duncan stated that the project manager of the restoration/construction company also confirmed who was in her house including March 2<sup>nd</sup> 2020.

I showed Duncan photographs of the property pawned by John Boryczka at Smart Cash Pawn and the property was positively identified. Duncan was explained her options on recovery of her property which she will explore and make a final decision after some thought.

On March 19 2020 At approximately 1700 hours, I received a call from Duncan who drove to Smart Cash to buy back her property after realizing the courts were closed for options of filing a writ. Her additional loss of \$700.00 was incurred to buy back her property.

On March 30, 2020 at approximately 1000 hours Det. Walsh and I conducted a follow up investigation at 4011 Westbury F in Deerfield Beach Florida. Upon arrival, Det. Walsh and I met with Susan Sherwood. Det Walsh presented a photo line up to Sherwood and read aloud prior photo line-up instructions. Sherwood positively identified Boryczka as one of the construction workers that was in her daughters' home while renovations were being completed and

advised that John Boryczka was in the house on March 2nd 2020 by the project supervisor. Sherwood provided a sworn taped statement regarding her knowledge surrounding the theft. Sherwood is the mother of Kristen Duncan. Sherwood would come each day to check on the workers and their progress with some days staying all day when her grandchildren were sick. Sherwood was extremely upset when Duncan discovered her infinity necklace was put away in her drawer and then discovered missing approximately an hour later. Sherwood spoke with the owner, Jeff Wienman from Tri County Restoration who provided her with all the workers in her house specifically on March 2nd and March 3rd. Sherwood stated that she had an extended conversation with Boryczka because he was much louder and boastful compared to all the other workers. Sherwood stated that Boryczka had access to the entire house due to the extensive ceiling damage repair which included the master bedroom. There were many times the workers were unsupervised while in Duncan's home. Sherwood was advised that Weinman fired Boryczka after letting him know they found Duncan's Jewelry (Infinity necklace and UF college ring) at a pawn shop in Deerfield Beach, Florida on the same day it went missing. This taped sworn statement will be placed into evidence at the Palm Beach County Sheriff's Office.

On April 14<sup>th</sup> 2020 I made contact with the owner of Tri County Restoration, Jeff Weinman who confirmed that John Boryczka was working at Duncans' residence for several weeks including March 2<sup>nd</sup> 2020. A copy of the worker list reveals Boryczka working at Duncans' residence beginning on February 21 2020 and the last day was March 2, 2020.

Based on the timing of the victims missing jewelry and Bose speaker, the subsequent multiple dates of the victims pawned property on March 2<sup>nd</sup> and then on March 3<sup>rd</sup> occurring within 24 hours, probable cause exist for violation of F.S.S. 812.014 (2c1) Grand Theft (Palm Beach County), two (2) counts by John Boryczka (DOB 2-16-77)

State of Florida  
County of Palm Beach

Det. Samuel 73A

Signature of Arresting /Investigative Officer

The foregoing instrument was sworn to or affirmed and subscribed before me this day of by Detective Robert J. Banuchi, who is personally known to me and/or produced identification. Type of identification produced: Personally Known

Det. E. J. Hassel

Notary Public/Clerk of Court/Officer (F.S.S. 117.10)

NOT A CERTIFIED COPY



# PALM BEACH COUNTY SHERIFF'S OFFICE

Florida State Statute Exemption Sheet

## Palm Beach County Sheriff's Office – Arrests Only

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	<input type="checkbox"/>	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	<input type="checkbox"/>	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	<input type="checkbox"/>	119.071(4)(c)	Undercover personnel.	
	<input type="checkbox"/>	119.071(2)(f)	Confidential informants (CIs).	
	<input type="checkbox"/>	119.071(2)(e)	Confession.	
Public Info. Exemptions	<input type="checkbox"/>	985.04(1)	Juvenile offender records.	
	<input type="checkbox"/>	119.071(h)(i)	Assets of a crime victim.	
	<input type="checkbox"/>	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	<input type="checkbox"/>	394.4615(7)	Mental health information.	
	<input type="checkbox"/>	119.071(4)(d)(2)(a)	Home address, telephone, Social Security number, date of birth, or photos of active/former LE personnel, spouses, and children.	
Florida Rules of Judicial Administration 2.420 (Rule of 23)	<input checked="" type="checkbox"/>	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	<input type="checkbox"/>	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	<input type="checkbox"/>	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	<input type="checkbox"/>	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
Other	<input type="checkbox"/>		Other:	
	<input type="checkbox"/>		Other:	

REVIEW COMPLETED BY

Booking Number: 2020012447

Date: 05/13/2020

Specialist Name/ID: T Howard/7185