

0392142 50-2020-CF-005507-AXX.MB 714

Rough Arrest Only

OBTS Number		ARREST / NOTICE TO APPEAR				1. Arrest 3. Request for Warrant		1		Jvenile	
Agency ORI Number FL0500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE				Agency Report Number 06-20-250068					
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		Weapon Seized/Type 1. Yes 2. No 2		Multiple Clearance Indicator 01	
Location of Arrest (Including Name of Business) 5056 Ashley Lake Drive Apt. 526 - Boynton Beach, FL 33437						Location of Offense (Business Name, Address) 5056 Ashley Lake Drive Apt. 526 - Boynton Beach, FL 33437					
Date of Arrest 07/01/2020		Time of Arrest 0700		Booking Date		Booking Time		Jail Date		Jail Time	
Name (Last, First, Middle) Aponte, Louis Alberto		Alias (Name, DOB, Soc. Sec. #, Etc.)									
Race W - White 1 - American Indian B - Black O - Oriental/Asian H 4		Sex M	Date of Birth 04.23.75		Height 5'06"	Weight 190	Eye Color Bro	Hair Color Gray	Complexion Med	Build Med	
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) Left shoulder Puerto Rican Flag & Aponte/Right Shoulder Red Dog						Marital Status M		Religion Christian		Indication of: Alcohol Influence <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> Drug Influence <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	
Local Address (Street, Apt. Number) 5056 Ashley Lake Drive Apt. 526		(City) Boynton Beach		(State) FL	(Zip) 33437	Phone (561) 449.9075		Residence Type 1. City 3. Florida 2. County 4. Out of State 2			
Permanent Address (Street, Apt. Number) 5056 Ashley Lake Drive Apt. 526		(City) Boynton Beach		(State) FL	(Zip) 33437	Phone (561) 449.9075		Address Source FLDL			
Business Address (Street, Apt. Number) 2017 NW 16th Street		(City) Belle Glade		(State) FL	(Zip) 33430	Phone (561) 996.6531		Occupation Parts Receiving			
D/L Number, State A153-621-75-143-0		Soc. Sec. Number		INS Number		Place of Birth Naples, FL		Citizenship USA			
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"/> 2. At Large	<input type="checkbox"/> 4. Misdemeanor	<input type="checkbox"/> 5. Juvenile			
<input type="checkbox"/> Parent Name (Last) (First) (Middle)		Residence Phone		<input type="checkbox"/> Legal Custodian		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/CYF		3. Incarcerated			
Released To: (Name)		Relationship		FCIC/NCIC		Date		Time			
The above address was provided by defendant and/or defendant's parents. The child and/or parent was told to keep the Juvenile Court Clerk's Office informed of any change of address: <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No: (Reason)						School Attended		Grade			
Recovery Information											
0. N/A 1. Voluntary 2. Located Not Returned 3. Hospitalized 4. HRS Custody 5. Law Enforcement Custody 6. Returned to Parent 7. Deceased 8. Other											
Drug Activity S. Sell R. Smuggle K. Dispense/ M. Manufacture Z. Other Drug Type B. Barbituate H. Hallucinogen P. Paraphernalia/ U. Unknown N. N/A B. Buy D. Deliver Distribute Produce/ Cultivate A. Amphetamine E. Heroin C. Cocaine M. Marijuana Equipment Z. Other P. Possess T. Traffic E. Use											
Charge Description Possession of Sexual Performance By a Child		Counts 2	Domestic Violence <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Statute Violation Number 827.071(5)(a)		Violation of ORD #					
Drug Activity N	Drug Type N	Amount/Unit	Offense #	Warrant/Capias Number 20-250068		Bond					
Charge Description		Counts	Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No	Statute Violation Number		Violation of ORD #					
Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number		Bond					
Charge Description		Counts	Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No	Statute Violation Number		Violation of ORD #					
Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number		Bond					
Charge Description		Counts	Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No	Statute Violation Number		Violation of ORD #					
Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number		Bond					
<input type="checkbox"/> Instruction No. 1 Mandatory Appearance in Court		Location (Court, Room Number, Address)									
<input type="checkbox"/> Instruction No. 2 You need not appear in Court but must Comply with instructions on reverse side.		Court Date and Time Month Day Year Time A.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/Guardian)						Date Signed					
HOLD for other Agency Name:		Signature of Arresting Officer X				Name Verification (Printed) MB 25					
<input type="checkbox"/> Dangerous <input type="checkbox"/> Resisted Arrest		Name of Arresting Officer (Print) DET. T. Grimaldi				I.D. # 24094		PAGE			
<input type="checkbox"/> Suicidal <input type="checkbox"/> Other		I.D. #		Pouch #		Transporting Officer LAUREANO		I.D. # 36198		Agency PBSO	
Witness here is subject signed with an "X".		1 OF 1									

OBTS Number		PROBABLE CAUSE AFFIDAVIT				1	N
Agency ORI Number FLO 5 0 0 0 0 0		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06 -20-250068			
Charge Type: <input checked="" type="checkbox"/> 1. Felony		<input type="checkbox"/> 3. Misdemeanor		<input type="checkbox"/> 5. Ordinance		Special Notes:	
Check as many: <input type="checkbox"/> 2. Traffic Felony		<input type="checkbox"/> 4. Traffic Misdemeanor		<input type="checkbox"/> 6. Other			
Defendant's Name (Last, First, Middle) Aponte, Louis Albert				Race H	Sex M	Date of Birth 04.23.1975	
Charge Description Possession of Sexual Performance by a Child				Charge Description			
Charge Description				Charge Description			
Victim's Name (Last, First, Middle) STATE				Race	Sex	Date of Birth	
Victim's Local Address (Street, Apt. Number)		(City)	(State)	(Zip)	Phone	Address Source	
Victim's 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 1 st day of June, 2020 at 7:00 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M. (Specifically include facts constituting cause for arrest).							

NARRATIVE:

I am part of a National Task Force known as the South Florida Internet Crimes against Children (ICAC). This task force investigates internet crimes against children, child exploitation, and related cases.

On April 27, 2020, I was assigned to further investigate Cyber Tip (CT) report #62306450 received from the National Center of Missing and Exploited Children (NCMEC) concerning images of child pornography. Cyber tips are investigative leads generated by NCMEC in the prevention of abducted, endangered, and sexually exploited children. NCMEC works with law enforcement, Internet Service Providers, electronic payment service providers, and others to reduce the distribution of child sexual exploitation images and videos over the Internet.

On January 2, 2020, Google reported one of their subscribers had images depicting the sexual exploitation of children in their Gmail account of LaAponte75@gmail.com. Two additional CT numbers of 623074647 & 62304260 were also received from Google for the same Gmail account. The reported user, Louis Aponte, verified his Gmail address and phone number of (561) 449-9075. The Gmail account was last logged into from Internet Protocol (IP) Address 2601:581:4380:b5d0:6d16:2cde:561e:4642 on January 1, 2020. Google is a technology company specializing in Internet related services and products.

On April 28, 2020, a subpoena was served to Google and T-Mobile to obtain basic subscriber information for Gmail address LaAponte75@gmail.com and phone number (561) 449-9075.

On May 6, 2020, Google returned subpoena results that indicated the subscriber for Gmail account LaAponte75@gmail.com is Louis Aponte. On May 21, 2020, T-Mobile returned subscriber information on (561) 449-9075 verifying that the phone belongs to Louis Aponte (DOB 04.23.1975). His social security number was also confirmed.

NARRATIVE CONTINUATION

On May 21, 2020, the Honorable Judge Sara Alijewicz granted a Search Warrant for Aponte's Gmail account.

On June 5, 2020, Google returned results identifying the owner of the Gmail account LaAponte75@gmail.com to be Louis Aponte (04.23.1975). Your Affiant reviewed the returned files. Included in the returned files were the original reported images (deemed to be child sexual abuse material of children ages 4+) described as follows:

- 1) CT 62306450 FILE NAME: Google-CT-RPT-d04b051f152050aede93b6dac460327e-56027740421746462850.0.jpg this image depicts two naked prepubescent females estimated to be 4-7 years old. There are two poses within one photo. The first pose is of the girls bent over exposing their anus and vaginas. The second pose is of one girl holding the second girls hand while she is posing with the focus of the image on her anus and vagina.
- 2) CT 62307467 FILE NAME: 4e451318fb0ffd79d7c-53290341756673341290.0.jpg Same image as described in CT 62306450 above.
- 3) CT 62304260 FILENAME: 906c3006d0aac49f861e31e549353d6e-68220893020087215480.0.jpg AND b955208321aed46b4aceca74db6125ee-65283668000459293280.0.jpg Duplicate images of a prepubescent female 4-6 years old. The girl has her pants pulled down and the image focuses on her vagina.

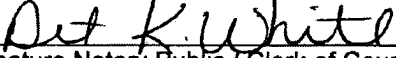
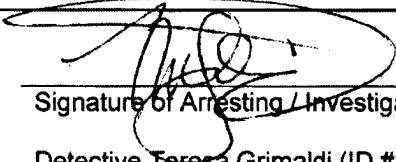
Utilizing Law Enforcement Database(s), your Affiant confirmed that Louis Aponte resides at 5056 Ashley Lake Drive Apt. 526, Boynton Beach, FL with his wife, Delia Cortes. Also, that Aponte is a Registered Sexual Offender.

On June 23, 2020, a subpoena was served to Comcast Internet to obtain basic subscriber information for the IP address (2601:581:4380:b5d0:6d16:2cde:561e:4642) used to last log in to Aponte's Gmail account. Comcast returned subpoena results that indicated that the subscriber for suspect IP address was Delia Cortes with an address of 5056 Ashley Lake Drive Apt. 526 in unincorporated Boynton Beach, FL (Palm Beach County). The Comcast account is still active. Cortes is Aponte's wife.

On June 24, 2020, The Honorable Judge Cheryl Caracuzzo signed a residential search warrant for Aponte's residence. On July 1, 2020, the search warrant was executed by members of the PBSO Tactical Unit.

While on scene, contact was made with Louis Aponte. Post Miranda Aponte denied uploading child pornography but confirmed that the information provided by Google (LaAponte75@gmail.com and phone number of 561-449-9075) were in fact his accounts. Further, that his accounts are password protected and that he is the only one who uses them and does not share his password. Aponte said that Google cancelled his account in January 2020. Aponte then requested an attorney.

Based on the totality of my investigation and evidence gathered, I find probable cause that Louis Aponte did unlawfully and knowingly possess and intentionally view images of child pornography/sexual conduct by a child under 18 years of age in violation of F.S.S. 827.071(5)(a). Aponte was taken into custody without incident and transported to the PBSO Main Jail.

Sworn and Subscribed before me:  _____ Signature Notary Public / Clerk of Court / Officer Detective Kelli White (ID #8718) _____ Name of Notary Public / Clerk of Court / Officer July 1, 2020 _____ Date	 _____ Signature of Arresting / Investigating Officer Detective Teresa Grimaldi (ID #24094) _____ Name of Officer (Please Print) July 1, 2020 _____ Date
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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: 2020015970	Date: 07/02/2020
	Specialist Name/ID: T Howard/7185