

0519694

20CF 9361

3401

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

Juvenile

N

ADMINISTRATIVE	OBTS Number	Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06- 20-125809		
	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 2 1. Yes 2. No N/A		Multiple Clearance Indicator 1			
	Location of Arrest (Including Name of Business) 10020 COUNTRY BROOK RD BOCA RATON FL 33428				Location of Offense (Business Name, Address) 10020 COUNTRY CREEK RD BOCA RATON FL 33428			
	Date of Arrest 11/17/20	Time of Arrest 11:30AM	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle	
DEFENDANT	Name (Last, First, Middle) Aburto, Patzy, N Alias (Name, DOB, Soc. Sec. #, Etc.)							
	Race W - White I - American Indian B - Black O - Oriental/Asian W	Sex F	Date of Birth 01/11/1979	Height 5'05	Weight 130	Eye Color BRO	Hair Color BLONDE	
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)			Martial Status MARRIED	Religion UNK	Indication of: Alcohol Influence Drug Influence Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Unk. <input type="checkbox"/>		
	Local Address (Street, Apt. Number) 10020 COUNTRY BROOK RD BOCA RATON FL 33428			Phone 9543944504		Residence Type: 1. City 2. County 3. Florida 4. Out of State 2		
CO-DEF	Permanent Address (Street, Apt. Number) (City) (State) (Zip)			Phone		Address Source VERBAL		
	Business Address (Name, Street) (City) (State) (Zip)			Phone		Occupation SALESMAN		
	D/L Number, State A163674795110, FL		INS Number		Place of Birth (City, State) LIMA, PERU		Citizenship U.S.	
	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	
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	
	Parent Legal Other: (Last) (First) (Middle)			Residence Phone			Business Phone	
	Address (Street, Apt. Number) (City) (State) (Zip)			Notified by: (Name) Date Time			Juv. Disposition 1. Handled/processed within Dept. and Released. 2. TOT HRS / DYS 3. Incarcerated	
	Released To: (Name) Relationship			Date Time			The above address 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 (Phone 355-2526) informed of any change of address. <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No: (Reason)	
CHARGE	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. Dispense/ Distribute	M. Manufacture/ Produce/ Cultivate	Z. Other
	Charge Description SELL COUNTERFEIT > \$20,000			Counts 1	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number 831.032(3A2)		
	Drug Activity Drug Type Amount / Unit			Offense # 20-125809	Warrant / Capias Number			Bond
CHARGE	Charge Description			Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number		
	Drug Activity Drug Type Amount / Unit			Offense # 20-125809	Warrant / Capias Number			Bond
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	Charge Description			Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number		
	Drug Activity Drug Type Amount / Unit			Offense # 20-125809	Warrant / Capias Number			Bond
NOTICE TO APPEAR	Location (Court, Room Number, Address)							
	Court Date and Time Month Day Year Time AM <input type="checkbox"/> PM <input type="checkbox"/>							
	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) 11/17/20							
ADMIN	HOLD for other Agency Name			Signature of Arresting Officer X			Name Verification (Printed by Arrestee)	
	<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other			Arresting Officer (Print) [REDACTED]			(PRINT)	
	Intake Date # Pouch #			Transporting Officer D/S VASCONCELOS			ID # 23113	
	DISTRIBUTION: WHITE - COURT COPY GREEN - STATE ATTORNEY YELLOW - AGENCY PINK - AGENCY GOLD - DEFENDANT (N.T.A.'s ONLY)			Agency PBSO			PAGE 1 OF 1	

PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Copies		Juvenile	
OBTS Number		Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06- 20-125809	
Charge Type: Check as many as apply.		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 <input type="checkbox"/>		Special Notes:			
Name (Last, First, Middle) Aburto		Patzy		N		Alias	
Race W		Sex F		Date of Birth 01/11/1979			
CHARGES		SELL COUNTERFEIT > \$20,000		831.032(3A2)			
VICTIM		Victim's Name (Last, First, Middle)		Race		Sex	
		Local Address (Street, Apt. Number)		(City)		(State) (zip)	
		Business Address (Name, Street)		(City)		(State) (zip)	
				Phone		Address Source	
				Phone		Occupation	
<p>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.</p> <p><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.</p> <p><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.</p> <p>On the 17TH day of NOVEMBER 2020 at 10:00 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M. (Specifically include facts constituting cause for arrest.)</p> <p>Through investigative means, it has been determined that the suspect, Patzy Aburto, utilizes the social media application, "INSTAGRAM" to advertise and arrange the distribution of the counterfeit items.</p> <p>Aburto's Instagram has 379 "posts" of luxury branded items. Various photographs have a large font including the price of the item. I contacted Investigator J. Berger of "A ACTION INVESTIGATIONS & SECURITY INC." who is trained and hired by luxury brands, such as Chanel and Louis Vuitton, to identify counterfeit luxury items. I notified Berger of an item I intended to purchase (counterfeit black Chanel purse) and he stated that depending on the size, the item is sold at true retail value for over \$5,000. I also informed Berger that I planned to purchase a counterfeit mens Louis Vuitton belt which is sold at a true retail value of over \$550. Berger stated that he will be able to determine if the items are counterfeit and will provide a sworn affidavit stating the same if it is. Berger provided me with \$300 of cash from "A ACTION INVESTIGATIONS & SECURITY INC." funds for the purchase of the item(s).</p> <p>The funds provided by "A. ACTION INVESTIGATIONS & SECURITY INC." are two \$100 bills and five \$20 bills. The serial numbers are as follows:</p> <p>\$100 - [REDACTED] // \$20 - [REDACTED]</p> <p>On 11/08/2020 I sent a message through INSTAGRAM to account, "@LUXURYCLOSETFLORIDA" inquiring about a black "Chanel" purse that was advertised through the account. On 11/09/2020 the account holder responded that the purse is available for purchase for \$175.00. The account holder also provided their phone number through the INSTAGRAM application as 954-394-4504. This phone number has been previously associated with the suspect, Patzy Aburto (01/11/1979) of 10020 Country Brook Rd, unincorporated Boca Raton FL 33428. Myself and the seller agreed to meet after 6:30 PM in Boca Raton on</p> <p>11/10/2020 to make the deal. On 11/10/2020 at 1800 a briefing was held at a predetermined location and all members of the District 7 Street Team were present. Other members of the District 7 Street Team were assigned as security/surveillance and I was assigned to conduct the undercover buy. I texted Aburto and asked her where I should meet her and requested to purchase a mens "Louis" (Louis Vuitton) belt which she has advertised on her INSTAGRAM page. Aburto then provided the address of Cumberland Farms (23077 S. State Rd. 7, Boca Raton FL 33428) for the meeting location and stated that the belt would cost \$85. Aburto agreed on meeting at approximately 1840hrs (see photographs of texts for further information). Prior to my arrival at Cumberland Farms, D/S R. Oragene #7760 maintained surveillance at Aburto's residence where he saw her 2018 Volkswagen Atlas parked in the driveway. I arrived at Cumberland Farms at 1834hrs and texted Aburto that I arrived and at 1841hrs she responded, "coming". D/S Oragene advised that he observed Aburto loading the front passenger seat of her vehicle with unknown items moments prior to entering her vehicle and leaving the residence. Aburto left the house at 1843hrs. Aburto drove straight to the Cumberland Farms constant surveillance was kept on Aburto and her vehicle from her house to the Cumberland Farms shedid not stop or make contact with anyone else prior to the sale. Aburto's arrived at Cumberland Farms at 1846hrs and texted me that she was at Pump #1. I made contact with Aburto at 1847 hours. Aburto was the sole occupant of the vehicle. Aburto handed me a white "Chanel" cloth bag containing a black "Chanel" purse which was the same one advertised on her Instagram, along with a brown paper "Louis Vuitton" box containing a black/grey "Louis Vuitton" belt which was also appeared to be the same belt advertised on her Instagram. Aburto retrieved these items from the front passenger seat, the same area where D/S Oragene observed her loading the items into the vehicle. I then handed Aburto \$260.00 (\$175 for the purse and \$85 for the belt). The investigative funds given to Aburto were (2) \$100 Bills (SN#'s [REDACTED]) and (3) \$20 Bills (SN#'s [REDACTED]). The deal was complete at 1848hrs and I left the parking lot at 1849hrs. Aburto was seen leaving the parking lot at 1851hrs and driving north through the parking lot and re-entered her neighborhood. I then met with investigator Justin Berger at District 7. I returned (2) \$20 Bills of unspent investigative funds were returned to Justin Berger (SN#'s [REDACTED]). Justin Berger, acting as an agent/expert witness for both Chanel and Louis Vuitton, photographed and inspected the counterfeit items. Berger, who has been trained by Chanel and Louis Vuitton with over 14 years of experience, immediately identified that the items were counterfeit. Berger took in depth photographs and sent them the manufacturer's. Berger informed me that the manufacturer's security team would send back an affidavit in a few days.</p>							
STATE OF FLORIDA COUNTY OF PALM BEACH		(Signature of Arresting/Investigative Officer)		(ID #)			
ADMINISTRATIVE		The foregoing instrument was sworn to or affirmed and subscribed before me this 17 day of NOVEMBER 20 20 by _____		(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced			
		23113		Notary Public, Clerk of Court, Officer (F.S.S. 117.10)			
						PAGE 1 OF 3	

ADMIN	Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06- 20-125809	
	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:			
DEF	Name (Last, First, Middle) Aburto Patzy N				Race W	Sex F
	Date of Birth 01/11/1979					
CHARGES	SELL COUNTERFEIT > \$20,000 831.032(3A2)					
VICTIM	Victim's Name (Last, First, Middle)				Race	Sex
	Local Address (Street, Apt. Number) (City) (State) (zip)				Phone	Address Source
	Business Address (Name, Street) (City) (State) (zip)				Phone	Occupation
PROBABLE CAUSE STATEMENT	<p>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.</p> <p><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.</p> <p><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.</p> <p>On the <u>17TH</u> day of <u>NOVEMBER</u> 20<u>20</u> at <u>10:00</u> <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M. (Specifically include facts constituting cause for arrest.)</p>					
	<p>On 11/12/2020 Investigator Berger forwarded me an affidavit from the Chanel corporation and an affidavit from Louis Vuitton corporation. The affidavits provided the following information which certifies that the items sold by Patzy are counterfeit and provides a true retail price for the actual item:</p> <p>CHANEL: Representative ADRIENNE HAHN provided the following signed and sworn statement (see full 9 page affidavit for complete information):</p> <p>"....</p> <p>On November 11, 2020, Chanel received an email from Justin Berger of A Action investigation's & Security, Inc., containing photos of a handbag bearing the Chanel trademarks that was purchased as evidence from Patzy N. Aburto located in Palm Beach, Florida. After reviewing the photos, I determined that the handbag is not a genuine Chanel product. I reached this conclusion based on observations that include the following:</p> <p>a) Numerous hardware, labeling, and other features differ from those used in connection with genuine Chanel products,</p> <p>b) The packaging differs from packaging used in connection with Chanel handbags,</p> <p>c) The serial number shown does not match the style of the handbag, and</p> <p>d) The workmanship and materials appear to be dissimilar from that of genuine Chanel products.</p> <p>10. The approximate Manufacturer Suggested Retail Price (MSRP) for similar genuine Chanel handbags starts at \$5,800 USD.</p> <p>11. Patzy N. Aburto, or any entity connected to Patzy N. Aburto, does not have, nor has ever had, the right or authority to use the CHANEL, Monogram or other Chanel trademarks for any purpose.</p> <p>12. As a result of the availability of the counterfeit products discussed above, Chanel is highly likely to experience irreparable damage to its reputation among consumers unless the infringing activity is stopped.</p> <p>DocuSign Envelope ID: 1BEBDB64-D09C-4AD2-BAA9-19F0B6D0337E</p> <p>I DECLARE the foregoing statements to be true and correct under penalty of perjury under the laws of the United States of America."</p>					
	<p>LOUIS VUITTON: Representative ERIC P. LACOMA swore to the following:</p> <p>"I am the Senior Manager of Criminal Enforcement for Louis Vuitton Malletier (hereinafter "Louis Vuitton") North America based in New York, NY. I have been employed in this capacity since October 2013, and I am familiar with its trademarks and anti-counterfeiting program. I am in receipt of photographs, attached as EXHIBIT A, of a Louis Vuitton trademarked belt ("the item").</p>					
	<p>STATE OF FLORIDA COUNTY OF PALM BEACH</p> <p>(Signature of Arresting/Investigative Officer) _____ (ID #) _____</p>					
	<p>The foregoing instrument was sworn to or affirmed and subscribed before me this <u>17</u> day of <u>NOVEMBER</u> 20<u>20</u> by _____</p> <p>(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced _____</p>					
	<p>Notary Public, Clerk of Court, Officer (F.S.S. 117.10)</p>					
	<p>PAGE <u>23</u></p>					

ADMIN	Agency ORI Number FLO 500000	Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE	Agency Report Number 06- 20-125809	
	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			
DEF	Name (Last, First, Middle) Aburto Patzy N		Alias	Race W
			Sex F	Date of Birth 01/11/1979
CHARGES	SELL COUNTERFEIT > \$20,000 831.032(3A2)			
VICTIM	Victim's Name (Last, First, Middle)			
	Local Address (Street, Apt. Number)		(City)	(State) (zip) Phone
	Business Address (Name, Street)		(City)	(State) (zip) Phone
				Address Source
PROBABLE CAUSE STATEMENT	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>17TH</u> day of <u>NOVEMBER</u> 20 <u>20</u> at <u>10:00</u> <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M. (Specifically include facts constituting cause for arrest.)			
	<p>Based on the statements in the affidavits, there is evidence that Patzy intentionally sold a counterfeit Chanel purse with a true retail value of \$5,800 at a price of \$175 and a Louis Vuitton Belt with a true retail value of \$775.00 at a price of \$85. Both companies advised that the items are counterfeit and that the suspect did not have permission to sell their respective trademarks.</p> <p>On 11/12/2020 I drafted a residential search warrant for the residence of 10020 Country Brook Rd, and the honorable judge James Nutt signed off on the search warrant.</p> <p>On 11/17/2020 at 1030hrs the search warrant was executed and thousands of counterfeit items were seized (see full report for detailed list/photos), along with cash profits derived from the sale of illegal items, and correspondence of Patzy Aburto with the residence. Also, a certified letter from Louis Vuitton's criminal enforcement division was found on Patzy's dresser, addressed to her at 10020 Country Brook Rd, dated December 2019, in which the letter states that Louis Vuitton and U.S. Customs and Border Protection intercepted counterfeit items that were being shipped to her residence. In the detailed letter Louis Vuitton representative, Kenneth King, clearly informs the defendant that selling counterfeit items is illegal and forbidden.</p> <p>Investigator/Authenticator Justin Berger responded, identified several of the items as counterfeit, and advised that based on his extensive training and numerous years of experience, the items seized from Patzy's home are counterfeit and have a true retail value well above \$100,000. The complete inventory, processing, and totaling of the counterfeit items will take place 11/18/2020 at the PBSO evidence unit. See full report for further details.</p> <p>Patzy was taken into custody without incident and transported to PBSO main jail.</p> <p>Based on the above information, I have probable cause to charge Patzy with sale of counterfeit items totaling over \$20,000.00 in true retail value in violation of F.S.S. 831.032(3A2).</p>			
	STATE OF FLORIDA COUNTY OF PALM BEACH <div style="text-align: right;"> (Signature of Arresting/Investigative Officer) </div>			
	The foregoing instrument was sworn to or affirmed and subscribed before me this <u>17</u> day of <u>NOVEMBER</u> 20 <u>20</u> by _____ (Print name of Arresting/Investigative Officer, who is personally known to me and/or produced identification. Type of identification produced _____)			
	Notary Public, Clerk of Court, Officer (F.S.S. 17.10)			
	<div style="text-align: right;"> 23113 </div>			
	<div style="text-align: right;"> PAGE <div style="font-size: 2em;">3 3</div> </div>			

ADMINISTRATIVE



**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 checked="" 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.	3
	<input type="checkbox"/>	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	<input checked="" type="checkbox"/>	119.071(4)(c)	Undercover personnel.	1-5
	<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: 2020027066

Date: 11/18/2020

Specialist Name/ID: T Howard/7185