

CRIMINAL REPORT AFFIDAVIT/HILLSBOROUGH COUNTY, FLORIDA

Probable Cause Determined

☐ Supplemental Page		☐ Plant City Courthouse		☐ Notice To Appear		CRA #: HS21021488	
☒ Fel ☐ Misd ☐ (APAD) Adult Pre-Arrest Div ☐ Traffic ☐ Tampa Ord ☐ Juv Delinq ☐ JAAP						Booking #: 2021-24324	
Arrest Type: ☒ PC ☐ Warrant ☐ PC VOP/VOCC				Request: ☐ Warrant ☐ SAO Review Direct File ☐ JUV Pick-Up Order			
Court Case #		Family #		SOID #			
21-11784							
Agency: ☒ HCSO ☐ TPD ☐ PCPD ☐ TTPD ☐ FHP ☐ Other:				Report # 21-0606529		Report Written ☒ Yes ☐ No	
Offense Location: 5130 SUNFOREST DRIVE # 180, TAMPA, FL 33634				Offense Date: 09/08/2021		Offense Time: 0800	
Arrest Location: 4703 PEBBLEPOINTE PL, TAMPA, FL 33634				Arrest Date: 09/28/2021		Arrest Time: 0930	
Defendant: Last Name		First Name		Middle Name		☐ Gang Name:	
MENENDEZ		YAMIRKA					
Race	Gender	DOB	DL#	State	POB (City, State)		
White	☐ M ☒ F	11/05/1969	M553960699050	FLORIDA	CUBA, REPUBLIC OF		
Address Street: 4703 PEBBLEPOINTE PLACE		City:	TAMPA		State:	FLORIDA	Zip: 33634
School (JUV)				Parent/Guardian (JUV)			
No Co-defendants Found							
Statute	Level	Degree	Charge	Count	Citation #	DV	
784.03(1)(A)1	Misd	F	BATTERY (BATT1100)	1		☐	
827.03(2)(A)	Fel	F	AGGRAVATED CHILD ABUSE (ABUSE WITH GREAT BODILY HARM) (CHAB1504)	1		☐	
827.03(2)(C)	Fel	T	CHILD ABUSE (CHAB1602)	1		☐	

The undersigned swears there are reasonable grounds to believe that the above named defendant in Hillsborough County, Florida, did

On the listed date and time the defendant removed the confidential victim (one year-old [REDACTED]) from a mechanical type swing by [REDACTED] wrists, swung [REDACTED] approximately three feet over a retaining wall and dropped [REDACTED] to the floor. The confidential victim immediately began crying and was unable to stand upright and place weight on [REDACTED] left foot/leg.

At approximately 1210 hours, on the same day, the victim was again seated in the swing and the defendant struck [REDACTED] in the face with an open hand with enough force to cause [REDACTED] head to move backwards. At the time of this offense the defendant was employed by the Time of Wonder Daycare and was assigned to care for the victim.

At approximately 1308 hours, on the same day, the defendant was feeding another confidential victim (four-month old [REDACTED]) who is placed on her lap. The defendant forcefully grabbed and yanked the victim's right leg and slapped [REDACTED] left leg several times. At the time of this offense the defendant was employed by the Time of Wonder Daycare and was assigned to care for the victim.

All of these offenses were captured by the Daycare facilities surveillance camera.

On September 09, 2021, the mother of the one year-old confidential victim transported him to St. Joseph's Hospital after observing pain/tenderness to [REDACTED] left foot/ankle. [REDACTED] was diagnosed with a fracture to [REDACTED] left tibia and fibula and placed in a cast.

On September 23, 2021, the 1 year-old victim was examined by APRN J. Santana of the University of South Florida Child Protection Team (report 2021-276168). APRN Santana noted positive findings for physical abuse, noting the fracture to the left tibia and fibula are consistent with the physical abuse seen on the surveillance video in which the victim was dropped onto the floor.

The defendant was identified by her employer and was further identified via DHSMV records.

Clerk of Court

(SERVICE OF COURT DOCUMENTS may be served on the State Attorney's office at !MailProcessingStaff@sao13th.com)

Agency
Report #

21-0606529

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HILLSBOROUGH COUNTY, FLORIDA

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Pursuant to Florida Statute §92.525 and under penalties of perjury, I declare that I have read the foregoing document and the facts stated in it are true to the best of my knowledge. For Notices to Appear, I also certify that a complete list of witnesses and evidence known to me is attached.

Affiant:	DET M Dutton Digitally signed on 2021.09.28 10:34:49	Officer # 4216	DIST:	CID	SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE SGT K Bateman Digitally signed on 2021.09.28 10:40:34	Officer # 189190
			SQD:	560		

Judgment requested against defendant for agency investigative cost per Florida Statute 938.27: \$155.52

CLERK OF
CIRCUIT COURT
2021 SEP 29 AM 6:42
COURTS

Clerk of Court

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