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☐ Marsy's Law CVI FL. Const. Art.1 § 16(b)

ARREST/NOTICE TO APPEAR
Juvenile Referral Report

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

OBTS Number | 1. | Juvenile: N

ADMINISTRATIVE

Agency ORI Number	Agency Name	Agency Report Number
FLO 500000	PALM BEACH COUNTY SHERIFF'S OFFICE	06- 22-062725

Charge Type: Check as many as apply: [X] 1. Felony [ ] 2. Traffic Felony [ ] 3. Misdemeanor [ ] 4. Traffic Misdemeanor [ ] 5. Ordinance [ ] 6. Other

Weapon Seized / Type: 2. (1. Yes 2. No) | Multiple Clearance Indicator: 01

Location of Arrest (Including Name of Business)	Location of Offense (Business Name, Address)
229 Via D Este #1704 Delray Beach, FL 33445	5520 Wishing Star Ln Greenacres, FL 33463

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
11/23/22	0839					N/A

DEFENDANT

Name (Last) Poage, (First) Mason, (Middle) Nicklaus | Alias (Name, DOB, Soc. Sec. #, Etc.)

Race (W - White I - American Indian, B - Black 0- Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	M	6-16-89	6-01	180	Brn	Brn	Med	Med

Scars, Marks, Tatoos, Unique Physcal Features (Location, Type, Description) | Marital Status | Religion | Indication of: Alcohol Influence, Drug Influence (Y / N / Unk.)

Local Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Residence Type: 1. City 2. County 3. Florida 4. Out of State
229 Via D Este #1704	Delray Beach, FL 33445			573-268-5724	2.

Permanent Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Address Source
					DAVID

Business Address (Name, Street)	(City)	(State)	(Zip)	Phone	Occupation

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth (City, State)	Citizenship
P200-554-89-216-0	[redacted]		Missouri Columbia	USA

CO-DEF

Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	1. Arrested 2. At Large	3. Felony 4. Misdemeanor 5. Juvenile
				☐ 1. Arrested ☐ 2. At Large	☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile
Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	1. Arrested 2. At Large	3. Felony 4. Misdemeanor 5. Juvenile
				☐ 1. Arrested ☐ 2. At Large	☐ 3. Felony ☐ 4. Misdemeanor ☐ 5. Juvenile

JUVENILE

☐ Parent ☐ Legal ☐ Other: (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 provided by ☐ defendant and / or ☐ 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. ☐ Yes, by: (Name) ☐ No: (Reason) | School Attended | Grade

Property Crime? ☐ Yes ☐ No | Description of Property | Value of Property

CODE

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

Drug Type: N. N/A, A. Amphetamine, B. Barbiturate, C. Cocaine, E. Heroin, H. Hallucinogen, M. Marijuana, O. Opium/Deriv., P. Paraphernalia/ Equipment, S. Synthetics, U. Unknown, Z. Other

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
Organized Fraud	01	☐Y ☒N	817.034 (4)(A)(3	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant I Capias Number	Bond
N	N	N/A	22-062725		

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
Grand Theft	01	☐Y ☒N	812.014(2)(C)(1)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond
N	N	N/A	22-062725		

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐Y ☐N		

Drug Activity	Drug Type	Amount I Unit	Offense #	Warrant / Capias Number	Bond

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐Y ☐N		

Drug Activity	Drug Type	Amount / Unit	Offense #	Warrant / Capias Number	Bond

NOTICE TO APPEAR

Location (Court, Room Number, Address): Set By Judge

Court Date and Time: Month Day Year Time AM ☐ PM ☐

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: 11/23/22

ADMIN

HOLD for other Agency Name:	Signature of Arresting Officer: X	Name Verification (Printed by Arrestee)
☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other:	Arresting Officer (Print): Det. J. D'Angelo I.D. #: 24982	(PRINT)
Intake Deputy I.D. # 7969 Pouch #	Transporting Officer [redacted] I.D. # [redacted] Agency: Agent PBSO	Witness here if subject signed with an "X"

PAGE 1 OF 1

DISTRIBUTION: WHITE - COURT COPY GREEN - STATE ATTORNEY YELLOW - AGENCY PINK - AGENCY GOLD - DEFENDANT (N.T.A.'s ONLY)

PBSO #0148 REV. 04/22

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OBTS Number	**PROBABLE CAUSE AFFIDAVIT** 1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias	1	
	Agency Name **PALM BEACH COUNTY SHERIFF'S OFFICE**	Agency Report Number **06 – 22-062725**	

Charge Type: ☒ 1. Felony ☐ 3. Misdemeanor ☐ 5. Ordinance
Check as many: ☐ 2. Traffic Felony ☐ 4. Traffic Misdemeanor ☐ 6. Other
as apply.

Special Notes:

Defendant's Name (Last, First, Middle)	Race	Sex	Date of Birth
Poage, Mason, Nicklaus	W	M	6-16-89

Charge Description	Charge Description
Organized Fraud	Grand Theft
Charge Description	Charge Description

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
Gallo, Laura	W	F	8-28-67

Victim's Local Address (Street, Apt. Number) (City) (State) (Zip)	Phone	Address Source
5520 Wishing Star Lane, Greenacres, FL 33463	203-470-6226	Victim
Victim's Business Address (Name, Street) (City) (State) (Zip)	Phone	Occupation
	561-254-3890	

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

☐ was observed by _____ who told _____ that he/she saw the arrested person commit the below acts

☐ confessed to admitting to the below facts.

☒ was found to have committed the below acts, resulting from my (described) investigation.

On the 1st day of May, 2022 at 9:37 ☐ A.M. ☐ P.M. (Specifically include facts constituting cause for arrest).

☐ **Marsy's Law CVI**
FL. Const. Art.1 § 16(b)

NARRATIVE:

On May 1, 2022, W/F Laura Gallo, 8-28-67, contacted PBSO to report a Fraud. Gallo advised that on April 30, 2022 at around 11:00am, she and her husband, W/M Christopher Gallo, 11-8-66, discovered that their son's lacrosse coach, W/M Mason Nicholas Poage, 6-16-89, was fired from "True Lacrosse" back on October 5, 2021. Laura said their son, Tanner Gallo, tried out for the local lacrosse team and was placed on the State Travel team for True Lacrosse by Poage. Gallo advised that Poage told them that due to Tanner being placed on the team later in the season, they would need to Venmo him $1,500.00 for Tanner's participation on the travel team. Laura said she had her daughter, W/F Kayleigh Gallo, 7-7-03, Venmo the funds to Poage. The transfers were as follows:

1. April 18, 2021 at 3:21pm in the amount of $50.00
2. July 27, 2021 at 9:51pm in the amount of $700.00
3. September 15, 2021 at 8:58pm in the amount of $750.00.

Even though all funds were to be posted to True Lacrosse for Tanner to be on the state travel team, Gallo explained that they did not think anything was suspicious about sending Poage the money directly as he was the coach and allegedly had the authority through True Lacrosse. The funds were never intended to post to Poage's personal account. Gallo also explained that because her husband Christopher Gallo was coaching as well, they were not supposed to have any fees in the first place. Therefore, Poage used his guise as a coach to fraudulently steal her money. Gallo stated that she wanted to make a police report when she learned that Poage was fired from True Lacrosse for similar transactions from other parents. Gallo was provided with her case number for her records.

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NARRATIVE CONTINUATION

This case was later assigned to me for further investigation. Upon reviewing the report, I contacted Gallo who provided me with copies of the Venmo transactions and emails that showed communication between Mr. Christopher Gallo and Poage; there was no True Lacrosse contract though. Upon viewing the emails, I observed that Poage wrote an email to Christopher Gallo on Monday, May 2, 2021 at 4:39pm. In that email, Poage wrote that he would like to have Tanner on the 2023 team and provided team sign up information. Poage provided an "email signature" designating himself, Mason Poage, as the True Lacrosse Florida State Co-Director of Product and Development and provided the cell phone number of 573-268-5724 and email address of mpoage@truelacrosse.com. Mr. Gallo received this email and replied shortly after at 4:44pm requesting a payment schedule for the $1,800.00 team fee. The last email was sent by Poage to Christopher Gallo on October 5, 2021 at 2:10pm. In that email, Poage provided information about a webinar that he and his athlete could attend via zoom. Poage's first email did have a link to register and sign Tanner up for the team; however, neither email demonstrated Poage directly asking for money. The emails did; however, identify that Christopher Gallo would be coaching the State Team as well.

Using the Venmo information provided by Gallo, I obtained a subpoena for Venmo records.

On June 7, 2022, I received the Venmo's records. Upon reviewing the records, I confirmed that Kayleigh Gallo's Venmo transfers did successfully transfer into Poage's account. The transaction details were as follows:

1. April 18, 2021 at 3:21pm in the amount of $50.00 - "True VIP Academy Tanner Gallo"
2. July 27, 2021 at 9:51pm in the amount of $700.00 - "Tanner's State Fee"
3. September 15, 2021 at 8:58pm in the amount of $750.00. - "Tanner Gallo State Team"

Upon further review, I observed that there were several more "approved" lacrosse related money transfers from other people for "training", "try out", "Lax", "True Lax Orlando Practice" and many "lessons".

Next, I compared the Venmo transactions to the series of text messages provided by the Gallos which were between Mason Poage and them. Upon reviewing the text messages, I observed that on May 17, 2021, one month after the $50.00 payment for the VIP academy, Poage reached out to the Gallos confirming that Tanner would be on the team "fully" and that he would email them the sign-up and payment information. On July 27, 2021, Poage reached out to Christopher Gallo and referred to him as "Coach". Poage then asked if the Gallos ever made any payments for the State Team. Christopher responded saying that he has not paid yet and asked what he owed for "Maryland and Pennsylvania". Poage then stated that "I'm sure we can work out a better deal for Tanner this upcoming year." On this date, the Gallos sent $700.00 via Venmo for "Tanner's State Fee". Next, on August 24, 2021, The Gallos asked Poage, "What is my fee for Tanner?" Poage responded with:

> Tryouts is $50. For the year we can work something out like $1,200.00 for the year since you will help coach I'm sure.
> That make sense?

The phrase "we can work something out like...." Was not explained in any more detail other that Poage asking for the $1,200.00.
The next series of text messages show that the Gallos were trying to register Tanner for the team but had to use a different online link. The Gallos then paid $50.00 to register Tanner; this appeared to be

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on the new link. Next, on September 12, 2021, Poage stated to the Gallos that they can pay by check or Venmo "between me and you"; this phrase is not further elaborated on. Poage then texted:

> Since you are helping Coach, Let's just say $1,500.00. Save you some money. (A clear increase from $1,200.00 previously mentioned.)

The next day, while talking about Tanner's registration, Poage texted the Gallos:

> Send $1500 however you would like. Tanner will be set for the year and you will be signed up online when you do that tomorrow."

The next day, on September 14, 2021, the Gallos texted Poage that Tanner was registered. Poage responded with, "Love! Send $750.00 to me and rest by check at the camp." Poage then sent a photo of his Venmo information. On September 15, 2021, Poage sent a reminder text to the Gallos for the money. It was later that night when the Gallos sent Poage $750.00 via Venmo for "Tanner Gallo State Team". Last, the next day, the Gallos followed up with Poage to confirm he received the $750.00 payment. Poage replied with:

> Yes! Also since you are helping coach and all that. Let's just call it good there! No more need for payments. Let's have a great season.

No further elaboration on "Let's call it good there! No more 'need' for payments" either. In totality of all of the phrases and comments made by Poage, he makes it appear as if he, the coach, had full discretion and decided on player payments and not the True Lacrosse Organization which he was employed by.

With this information, I contacted True Lacrosse via email. Over the course of my investigation, I made contact with Mike Gabel, the Co-Founder and Owner; Kevin Finn, Executive Manager; and Chris Koerner, CFO. Upon discussing my investigation, and reviewing Poage's Venmo records, it was determined that Poage may have been stealing additional funds from True Lacrosse. In response to that potential, Mike Gabel explained:

> After reviewing this with our CFO we have decided that due to the amount of money Mason supposedly took on our behalf is not really worth the work to continue with pressing charges or pursuing a legal battle.

When asked about the cost of Tanner Gallo's season, Mike Gabel explained:

> For the 2022 Summer season, Mr. Gallo did work for the Florida program. In doing so, I believe Tanners tuition was comped.

Kevin Finn also confirmed that "his tuition was comped for this past year".

Chris Koerner stated that Poage began working for True Lacrosse in Florida in January of 2020 and then resigned in October of 2021. In regards to the Gallo's fees. Koerner stated:

> I can see that the Gallo family's account had a 100% discount code. This is an old method we used when a family may decide to pay by check. We have since updated our practices here but this was an opportunity Mason (Poage) may have had to collect an offline payment and give them the discount.

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This suggests that Poage would have collected payment from the Gallos, which he did but not by a check made out to True Lacrosse. In addition, Poage would allegedly have had to submit the payment to True Lacrosse to enact the "100% discount code"; however, as a coach, the season was comped and the Gallos should not have had to pay at all. Copies of the emails were printed and later placed into evidence along with the copies of the text messages.

On Thursday, November 10, 2022, I attempted to make contact with Poage at his residence. There was no answer; therefore, I left a business card. At around 1515 hours, I received a phone call from Poage (573-268-5724). I explained to him that I wanted to discuss some of payments made by some of his players. In response, Poage stated two things. First that he has already given refunds to several parents. Second, he stated, "I don't think I stole any money". I explained that I would like to show him the transactions in question and give him the opportunity to explain his side of the story. Poage however stated that he was unable to see me today but advised that he would contact me next week between Monday, November 14 and Thursday, November 17, 2022.

As of Tuesday, November 22, 2022, Poage has made no effort to reach out to me as he agreed.

On Wednesday, November 23, 2022 at around 0800 hours, the District 16 Street Team located and apprehended Poage without incident. Poage was then transported to the District.

At the district, I attempted to conducted a recorded interview with Poage. I first explained to him my investigation and showed him the transactions and text messages. I explained how I wanted to advise him his rights and hear his side of the story. Poage volunteered that he does know Mr. Gallo and believed that the money he received was for private coaching. He then stated that he would not like to answer any questions without his attorney present. Poage was therefore transported to the PBC jail without incident.

In conclusion, Laura and Christopher Gallo signed up their son, Tanner, to play on the True Lacrosse state team coached by Mason Poage. Tanner's father, Christopher Gallo, also signed up to be a coach. By being a True Lacrosse coach, Tanner's fees were waived. Poage; however, willfully and knowingly negotiated payment plans with the Gallos to have them pay him directly via Venmo into his personal account, all while knowing that Christopher Gallo was a coach as well. First, Poage negotiated a payment of $1,200.00. This amount was then later increased to $1,500.00; which Poage did fraudulently receive into his personal account after all three transactions were completed.

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Sworn and Subscribed before me:	
Signature Notary Public / Clerk of Court / Officer	Signature of Arresting / Investigating Officer
Detective [redacted]	Detective J. D'Angelo, #24982
Name of Notary Public / Clerk of Court / Officer	Name of Officer (Please Print)
11/22/2022	11/22/2022
Date	Date

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	☐	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	☐	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	☒	119.071(4)(c)	Undercover personnel.	1-2 & 6
	☐	119.071(2)(f)	Confidential informants (CIs).	
	☐	119.071(2)(e)	Confession.	
Public Info. Exemptions	☐	985.04(1)	Juvenile offender records.	
	☐	119.071(h)(i)	Assets of a crime victim.	
	☐	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	☐	394.4615(7)	Mental health information.	
	☐	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)	☒	(iii) 119.0714(1)(i)-(j), (2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	☐	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	☐	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	☐	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	☐			
	☐			
	☐			
	☐			
	☐			
Other	☐		Other:	
	☐		Other:	

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REVIEW COMPLETED BY

Booking Number: 2022030345	**Date:** 11/23/2022
	Specialist Name/ID: T.Howard/7185