0480180 23CF 2353MB 1272

ARREST / NOTICE TO APPEAR

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

1 JUVENILE

ADMINISTRATION

OBTS Number

Agency ORI Number: 0502300

Agency Name: North Palm Beach Police Department

Agency Report Number (N T A 's only): 7 0 23-000090

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

If Weapon Seized: Enter Type UNARMED

Multiple Clearance Indicator

Location of Arrest (Including Name of Business): SAME, 356 GOLFVIEW DR 601, NORTH PALM BEACH, FL

Location of Offense (Business Name, Address): 356 GOLFVIEW DR 601, NORTH PALM BEACH, FL 33408

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
03/15/2023	21:04					

DEFENDANT

Name (Last, First, Middle): MALONEY, JOSEPH ALOYSIUS

Alias (Name, DOB, Soc. Sec. #, Etc.): Alias:

Race (W - White, B - Black, I - American Indian, O - Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	M	01/13/1972	6'00	200	HAZEL	GRAY	MEDIUM	Medium

Scars, Marks, Tatoos, Unique Physical Features (Location, Type, Description):

Marital Status: M Religion: Christian

Indication of: Alcohol Influence [ ] Yes [ ] No [ ] Unk. [X] Drug Influence

Local Address (Street, Apt. Number) (City) (State) (Zip): 4230 DESTE CT 106, LAKE WORTH, FL 33404

Phone: (954) 501-9326

Residence Type: 1. City 2. County 3. Florida 4. Out of State

Permanent Address (Street, Apt. Number) (City) (State) (Zip): 4230 DESTE CT 106, LAKE WORTH, FL 33404

Phone: (954) 501-9326

Address Source: Verbal

Business Address (Name, Street) (City) (State) (Zip):

Phone:

Occupation: Construction

D/L Number, State: /

Soc. Sec. Number: [redacted]

INS Number:

Place of Birth (City, State): Philadelphia, PA

Citizenship: US

CO-DEF

Co-Defendant Name (Last, First, Middle) | Race | Sex | Date of Birth | [ ] 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

JUVENILE

[ ] Parent [ ] Other: [ ] Legal Custodian

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 Department and Released 2. TOT JAC 3. Incarcerated

Released To: (Name) Relationship | 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 (Phone 355-2526) informed of any change of address.
[ ] Yes, by: [ ] No:

School Attended | Grade

Property Crime? [ ] Yes [X] 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. Disperses/ 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. Synthetic U. Unknown Z. Other

15,000

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #
SCHEME TO DEFRAUD	817.034(3)(B) 4A1	

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N	/	23000090	1	[ ] Y [X] N		$

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #
ENGAGE IN CONTRACTOR BUSINESS W/O CERTIFICATE	489.127(1)(F)	1496

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N	/	23000090	1	[ ] Y [X] N		OR

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #
USE/ATTEMPT USE SUSPENDE/REVOKED ELECTRICAL CONTRACTOR LIC	489.531(1)(D)	1499

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N	/	23000090	1	[ ] Y [X] N		OR

INTAKE

Health / Apparent Physical Condition of Defendant:

Any knowledge of the following: [ ] Mental [ ] Escape Risk [ ] Medication [ ] Deformities [ ] Injuries
Explain:

Check which applies: [ ] Released O.R. [ ] Released to Parent/Guardian [ ] T.O.T. County Jail [ ] Posted Bond [ ] South County Mental Health

PROPERTY - Received By | Released By | Released To

Transported By | Date Transported | Time Transported | Other

NOTICE TO APPEAR

[ ] INSTRUCTION NO. 1 - Mandatory appearance in court
[X] INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.

Location (Court, Room):

Court Date and Time:

No Photo Available

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 COMTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.

Signature of Defendant (or Juvenile and Parent/Custodian) | Date Signed

ADMIN

HOLD for Other Agencies: NO DETAINER

[ ] Dangerous [ ] Resisted Arrest [ ] Suicidal [ ] Other

Signature of Arresting Officer:

Name of Arresting Officer (Print): MIZE, M. I.D. # 9762

Name Verification (Printed by Arrestee) (PRINT):

FILED PBC - GUN CLUB '23 MAR 10 AM 5:51

Intake Deputy: DS MAR 2023 Pouch #

Transporting Officer: WILKINSON, K 9901 NPBPD

Witness here if subject signed with an "X"

1 OF 1

[ ] COURT [X] STATE ATTORNEY [ ] AGENCY [ ] CENTRAL RECORDS [ ] JAIL [ ] CRIME ANALYSIS [ ] P. I. O. [ ] DEFENDANT

NOT CERTIFIED COPY

PROBABLE CAUSE AFFIDAVIT

OBTS Number:

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

JUVENILE:

ADMIN

Agency ORI Number	Agency Name	Agency Report Number
FL FL0502300	NORTH PALM BEACH POLICE	7 | 0 | 23-000090

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

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
MALONEY, JOSEPH ALOYSIUS		W	M	01/13/1972

CHARGES

Charge Description	Charge Description
489.127 (1)(F) OP AS GENERAL CONTRACTOR W/OUT LIC	489.530(8) OP AS A ELECTRIC CONTRACTOR W/OUT LIC
Charge Description: 817.034(3)(D) SCHEME TO DEFRAUD	Charge Description

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
GEIGER, JEAN M	W	F	05/09/1954

Local Address (Street, Apt. Number) (City) (State) (Zip)	Phone	Address Source
356 GOLFVIEW RD 601, NORTH PALM BEACH, FL 33408	(215) 920-2219	
Business Address (Name, Street) (City) (State) (Zip)	Phone	Occupation

PROBABLE CAUSE STATEMENT

The undersigned certifies and swears that he/she has just and resonable grounds to believe, and does believe that the above named Defendant committed the following violation of law.

The Person taken into custody . . .

[X] committed the below acts in my presence.

[X] confessed to ME admitting to the below facts.

[ ] was observed by _____ who told _____ that he/she saw the arrested person committ the below acts.

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

On the 15 day of March, 2023 at 20:18 (Specifically include facts constituting cause for arrest.)

On 01/31/2023, I was informed by Jean Geiger (DOB:05/09/1954) (victim) informed me that she entered into a contract to have her apartment remodeled in February of 2021.
At the time she believed she was entering into this contract with a licensed contractor. Joseph A. Maloney (the alleged contractor) told Mrs. Geiger he had his own construction company and crew and presented her with a contract under "JAM CUSTOM" for $120,000 for the renovation of her apartment. "JAM CUSTOM" and "JM CUSTOM CREATIONS" were confirmed through "Sunbiz" as being owned and operated by Joseph A. Maloney.

Upon speaking to Geiger she told me that on the 4th of December after paying Maloney $108,000, he wanted another installment of $9,800 to continue on with the renovation. Maloney claimed he did not have funds to buy the remaining materials, (sinks toilets) and it was owed per the contract, stating the job was 75% complete.
When she refused to pay him additional monies, he got angry, grabbed the permits off the wall and stormed out. Geiger stated she went to The Village of North Palm Beach Building Department to obtain copies of the permits Maloney had taken out. To her surprise when she got copies of the permits from the building dept. Meloney`s name was not on them.

The permits were pulled under the name of Thomas Harrison of (Nulite Sliding Windows & Doors), accompanied with a contract from "Nulite" for $60,000.00 describing the same scope of work as depicted in the contract she signed with Maloney. She informed me she had never had any relations with this company, nor had signed any contracts with them. Geiger provided me with copies of both contracts, the permits and copies of cashed checks paid to Maloney in exceeding $108,000.00
By presenting himself as "General Contractor", entering into a contract, and taking payment directly from Geiger for the renovations and electrical work.

NOT A CERTIFIED COPY

ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) #9901

03/15/23
DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

MIZE, MICHAEL (9762)
NAME OF OFFICER (PLEASE PRINT)

03/15/2023
DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

ADMIN

OBTS Number	PROBABLE CAUSE AFFIDAVIT SUPPLEMENT	1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias	1	JUVENILE

Agency ORI Number	Agency Name	Agency Report Number
FL FL0502300	NORTH PALM BEACH POLICE	7 | 0 | 23-000090

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

Special Notes:

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
MALONEY, JOSEPH ALOYSIUS		W	M	01/13/1972

PROBABLE CAUSE STATEMENT

Maloney was in violation of Florida State Statute 489.127 (1)(f) Operating/Engaging in Business in the Capacity of General Contractor Without a License, and F.S.S.489.530(8) Operating as an Electrical Contractor Without a License.

On 03/15/2023, I had Geiger arrange a meeting with Maloney and I went in her place to her apartment under construction, posing as her concerned nephew.
When Maloney arrived, I asked if he was the General Contractor and he stated "yes". I asked him several more times in different ways if he was a "General Contractor" a "GC" and he continued to present himself as one.

At which point I identified myself as a Police Officer and placed him under arrest. Once at the police station, North Palm Beach Police Detective Lopez and I conducted a taped interview.
During the interview "post Miranda" Maloney confessed to all of the above, except knowledge of the "Nulite" contract. Stating he had never seen it before. He also admitted that the job was only 35% done yet he had been paid 75-80% of the total amount due, stating he felt that`s what expenses he had put into the job at this point. Trying to justify the $108,000.00 had had extracted from Geiger.

Starting 02/10/2022 Geiger paid Maloney $60,000.00, He convinced her on 06/30/2022 that he was 50% done and got paid another $30.000.00, plus some additional add-on expenses of $7,500.00. On 11/14/2022 informed her he was 75% done. So she paid him another $9,000.00 plus $1,750 for a fireplace accent wall.

Upon Maloney`s arrest he was in possession of a briefcase containing multiple file folders. With Maloney`s permission we asked to review the file pertaining to the Geiger project. While reviewing the file, I discovered a copy of his contract with Geiger, a copy of a blank "Nulite" contract, and a filled out and signed Nulite contract. Both identical to the $60,000 "Nulite" contract submitted to the NPB Building Dept.
I also only found roughly $43,000.00 in expense receipts. Maloney was also in possession of two contracts for one job. Which is also an element of violating F.S.S 489.127

Based on my investigation, his false statements of completion in regards to the contract payment schedule, physical evidence, documentation provided by the victim and documents provided by The North Palm Beach Building Department. "Probable Cause" exists to arrest and charge Joseph A. Maloney DOB: 01/13/1972 with the following Florida State Statutes;

F.S.S. 489.127 (1)(f) Operating General Contractor Without a License,
F.S.S.489.530(8) Operating as an Electrical Contractor Without a License.
F.S.S. 817.034(3)(d) Scheme to Defraud

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

#9901

NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)

03/15/23

DATE

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

MIZE, MICHAEL (9762)

NAME OF OFFICER (PLEASE PRINT)

03/15/2023

DATE

COURT STATE ATTORNEY CENTRAL RECORDS JAIL CRIME ANALYSIS P. I. O.

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.	
	☐	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: 2023007065	**Date:** 3/16/2023
	Specialist Name/ID: Chantel Daniels/30347