50-2023-MM-000426AMB

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

ARREST / NOTICE TO APPEAR
Juvenile Referral Report

1 Arrest 3 Request for Warrant 2 NTA 4 Request for Capias | Juvenile: 1

ADMINISTRATION

OBTS Number	Agency ORI Number	Agency Name	Agency Report Number
"	FL0500000	PALM BEACH COUNTY SHERIFF'S OFFICE	06- 23-026247

Charge Type: Check as many as apply: ☐ 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)
105 GIBRALTAR ST, ROYAL PALM BEACH, FL 33411	105 GILBRALTAR ST, ROYAL PALM BEACH, FL 33411

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
01/15/2023	2359					

DEFENDANT

Name (Last, First, Middle): MENDEZ BERNAL, LINDA | Alias (Name, DOB, Soc Sec #, Etc.)

Race (W - White, B - Black, I - American Indian, O - Oriental/Asian)	Sex	Date of Birth	Height	Weight	Eye Color	Hair Color	Complexion	Build
W	F	11/19/1993	5'01	110	BROWN	BLACK	MEDIUM	SMALL

Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description) | Marital Status: MARRIED | Religion: NONE | Indication of: Alcohol Influence ☐ Y ☒ N ☐ Unk; 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)
105 GIBRALTAR ST	ROYAL PALM BEACH, FL		33411	( )	1
Permanent Address (Street, Apt. Number)	**(City)**	**(State)**	**(Zip)**	**Phone**	**Address Source**
105 GIBRALTAR ST	ROYAL PALM BEACH, FL		33411	( )	FL DL
Business Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Occupation
				( )	

D/L Number, State	Soc. Sec. Number	INS Number	Place of Birth	Citizenship
M532537939190, FL	[redacted]		COLOMBIA	USA

CO-DEF

Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	
MENDEZ BERNAL, FREDY, JADER	W	M	03/09/1992	☒ 1. Arrested ☐ 2. At Large ☐ 3. Felony ☒ 4. Misdemeanor ☐ 5. Juvenile
MENDEZ BERNAL, LINNEA	W	F	10/23/1994	☒ 1. Arrested ☐ 2. At Large ☐ 3 Felony ☒ 4. Misdemeanor ☐ 5. Juvenile

JUVENILE

☐ Parent ☐ Legal Custodian ☐ Other | Name (Last) (First) (Middle) | Residence Phone

Address (Street, Apt. Number) (City) (State) (Zip) | Business Phone

Notified by: (Name) TIM NOTIFICATION REQUIRED | Date [illegible] | Time [illegible] | 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: ☐ Yes, by: (Name) ☐ No. (Reason) | School Attended | Grade

CODE

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, B. Buy, P. Possess, R Smuggle, D Deliver, T. Traffic, K. Dispense/ Distribute, E. Use, M. Manufacture Produce/ Cultivate, Z Other

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

CHARGE

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
BATTERY (DOMESTIC)	1	☒ Yes ☐ No	784.03(1)(A)(1)	

Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number	Bond
N	N	NA	23-026247		NO BOND

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐ Yes ☐ No		

Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number	Bond
			23-026247		

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐ Yes ☐ No		

Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number	Bond
			23-026247		

Charge Description	Counts	Domestic Violence	Statute Violation Number	Violation of ORD #
		☐ Yes ☐ No		

Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number	Bond
			23-026247		

NOTICE TO APPEAR

☐ Instruction No. 1 Mandatory Appearance in Court

☐ Instruction No. 2 You need not appear in Court but must Comply with instructions on reverse side

Location (Court, Room Number, Address): North County Courtroom #2, 3188 PGA Blvd., Palm Beach Gardens, FL 33410 - Ph: (561) 624-6608

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/Custodian) Date Signed

ADMIN

HOLD for other Agency Name:	Signature of Arresting Officer: X [signature]	Name Verification (Printed by Arrestee) (PRINT)	
☐ Dangerous ☐ Resisted Arrest ☐ Suicidal ☐ Other	Name of Arresting Officer (Print): D/S P. DUNCAN	I.D. #: 33744	PAGE 1 OF 1
Intake Deputy I.D. #: J. Dunn 36102 Pouch #	Transporting Officer: D/S P. DUNCAN	I.D. #: 33744 Agency: PBSO	Witness here is subject signed with an "X".

DISTRIBUTION: 1st WHITE - COURT 2nd WHITE - RECORDS GREEN - STATE ATTY. YELLOW - CID PINK - JAIL (Rough Arrest) GOLD - DEFENDANT (Misd.) or BLOTTER (Felony)

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

Agency ORI Number	Agency Name	Agency Report Number
FLO 5 0 0 0 0 0	PALM BEACH COUNTY SHERIFF'S OFFICE	06 – 23-026247

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

Special Notes:

Defendant's Name (Last, First, Middle)	Race	Sex	Date of Birth
MENDEZ BERNAL, LINDA	W	F	11/19/1993

Charge Description	Charge Description
BATTERY (DOMESTIC)	
Charge Description	Charge Description

[redacted]

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.
☐ confessed to _____ admitting to the below facts.
☐ was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.
☒ was found to have committed the below acts, resulting from my (described) investigation.

On the 15TH day of JANUARY, 2023 at 2321 ☐ A.M. ☒ P.M. (Specifically include facts constituting cause for arrest).

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

NARRATIVE:

On 01/15/2023 at approximately 2321 hours, I was dispatched to [redacted] in reference to a domestic disturbance.

Upon arrival, I made contact with one of the callers, Fredy Mendez Bernal, who stated the following (summary, not verbatim): his sister, Linda Mendez Bernal, arrived home around 2200 hours, He had given her an eviction notice, which angred her. She ripped up the letter and took his phone, because she said she pays for it. They had a verbal dispute regarding this and he took her phone, and in return, Linda took [redacted] phone. While arguing, his wife, [redacted] located the cell phones in Linda's purse in Linda's bedroom. A physical confrontation occurred between Linda and [redacted] over the purse. Both [redacted] and Linda were on the ground, fighting over the phones and the purse. He intervened and tried to grab the phones. Linda kicked his wife in the stomach during the tussle. He retreated and Linda threw his phone back to him. They continued to argue until he and Linda called 911.

Fredy provided a sworn written statement of his account.

I then made contact with the other caller, Linda Mendez Bernal, who stated the following (summary, not verbatim): Fredy gave her an eviction notice. They got into an argument and she took Fredy's phone because she paid for the phone and the plan. Fredy took her phone and as a result she took [redacted]'s phone and hid them in her room. While she was arguing with Fredy, [redacted] snuck into her room and started grabbing her purse. [redacted] yanked the purse and "slammed" her into the ground. [redacted] called from Fredy and they both "attacked" her on the ground, causing the injuries to her forearms. She kicked [redacted] in the stomach defensively. She then called 911.

Linda provided a sworn written statement of her account.

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NARRATIVE CONTINUATION

I then made contact with another involved party, [redacted] who stated the following (summary, not verbatim): she was sleeping on the couch and was awoken by Linda screaming that Fredy was a "fucking idiot" and ripping up the eviction notice. Fredy and Linda got into an argument about the cell phones. While they were arguing, she located the cell phones in Linda's room. She and Linda both fought over the purse, and Linda fell accidentally during the fight. Linda was on the ground and kicked her in the stomach. After the parties separated, Linda called 911.

[redacted] provided a sworn written statement of her account.

I then made contact with the roommate and witness, Ramphys Motta Dorta, who stated the following (summary, not verbatim): Fredy and Linda were in a dispute regarding the eviction and phones. He was in between them to prevent violence. Linnea went into Linda's room. Linda then went into the room while he was still in living room with Fredy. He heard a loud bang and saw Linda on the floor and [redacted] over her, each pulling the purse. Fredy went into the room and also tried to take the purse. He described their actions as "wrestling" and "pulling" and noted that there was no striking involved. He broke the fight up and Fredy threw Linda's phone on the kitchen counter. Linda then called 911 and Fredy called shortly thereafter.

Motta Dorta provided a sworn written statement of his account.

I observed mild abrasions and contusions on both Linda and [redacted]'s forearms. I did not observe any injuries on Fredy. I observed a paper torn into shreds in the living room. Further, I observed Linda's room to be in disarray, consistent with a physical fight occurring in there. I also observed Linda's purse to be ripped as if two people were violently struggling over it.

Based on my investigation, which included sworn statements of all three (3) involved parties and one (1) witness, the injuries visible on both [redacted] and Linda, and the evidence left on scene, I was unable to determine the primary aggressor in this domestic violence incident. However, due to the above, I determined that Fredy, [redacted], and Linda all engaged in behavior which escalated the dispute from verbal to physical in nature and Fredy and [redacted] commited a battery against Linda and Linda also committed a battery against Fredy and Linea. Additionally, due to Fredy and Linda being siblings and Linda and [redacted] being in-laws and cohabitating as a family unit, the battery committed by all three was domestic in nature.

Therefore, I determined probable cause exists to charge Linda Mendez Bernal with Battery (Domestic), for actually and willfully touching Linda against her will, pursuant to FSS 784.03(1)(a)(1).

The victim invoked Marcy's Law.

Sworn and Subscribed before me	
Signature Notary Public / Clerk of Court / Officer (F.S.S 117.10)	Signature of Arresting / Investigating Officer
D/S G. McMahon	**D/S P. DUNCAN 33744**
Name of Notary Public / Clerk of Court / Officer (F.S.S 117.10)	Name of Officer (Please Print)
01/15/2023	**01/15/2023**
Date	Date

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Palm Beach County Sheriff's Office

DOMESTIC VIOLENCE/DATING VIOLENCESUPPLEMENTAL PROBABLE CAUSE FORM

(Submit this form with the original Probable Cause affidavit)

Suspect: LINDA MENDEZ BERNAL **DOB:** 01 / 19 / 1993 **Case #:** 23-026247

Victim: [redacted] **Race:** WHITE **Sex:** FEMALE

Relationship between Victim and Defendant: [redacted]

Photographs: Scene ☑ Yes ☐ No Victim ☐ Yes ☑ No Defendant ☑ Yes ☐ No

911 Call: ☑ Yes ☐ No **Caller:** _____

Weapon Used: ☐ Yes ☑ No **Type:** _____

Witness: ☑ Yes ☐ No **Name:** RAMIRO'S MOTA DORTA

Victim Pregnant: ☐ Yes ☑ No **If yes,** _____ **weeks** _____ **months**

Injuries: ☐ Yes ☑ No **Description:** _____

Medical Treatment: ☐ Yes ☑ No

At Scene: ☐ Yes ☑ No **Paramedics:** _____

At Hospital: ☐ Yes ☑ No **Hospital:** _____ **Physician:** _____

Are Children Living in Home? ☐ Yes ☑ No **DCF Notified?** ☐ Yes ☑ No

Name: _____ **DOB:** __/__/____

Name: _____ **DOB:** __/__/____

Name: _____ **DOB:** __/__/____

Injunction ☐ Yes ☑ No **Case #:** _____

No Contact Order ☐ Yes ☑ No **Case #:** _____

Alcohol or Drugs ☐ Yes ☑ No ☐ Unknown

Prior History of Domestic/Dating Violence ☐ Yes ☑ No

Defendant's Statements ☑ Yes ☐ No **If yes,** ☑written ☐recorded ☐oral

First words Defendant said when you responded to scene: THEY ATTACKED ME

Victim's Statements ☑ Yes ☐ No **If yes,** ☑written ☐recorded ☐oral

First words Victim said when you responded to scene: SHE WENT CRAZY

Did the Victim contact anyone other than police within an hour of the incident regarding the incident?

☐ Yes ☑ No **If yes, name:** _____ **phone** (___)____-____

Observations of Victim (Physical & Emotional): _____

☐ Upset ☐ Crying ☐ Fearful ☐ Hysterical ☐ Afraid ☑ Calm ☐ Nervous

☐ Complained of pain ☐ Other _____

Victim Contact Information:

Local Address: [redacted]

Phone: Home (___)____-____ Work (___)____-____ Cell [redacted]

Employer: _____

Name of Relative: _____ **Phone** (___)____-____

Address: _____

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Palm Beach County Sheriff's Office

DOMESTIC VIOLENCE/DATING VIOLENCESUPPLEMENTAL PROBABLE CAUSE FORM

(Submit this form with the original Probable Cause affidavit)

Suspect: LINDA MENDEZ BERNAL **DOB:** 01 / 19 / 1993 **Case #:** 23-026247

Victim: FREDY MENDEZ BERNAL **DOB:** 03 / 09 / 1992 **Race:** WHITE **Sex:** FEMALE

Relationship between Victim and Defendant: [redacted]

Photographs: Scene ☑ Yes ☐ No Victim ☐ Yes ☑ No Defendant ☑ Yes ☐ No

911 Call: ☑ Yes ☐ No **Caller:** _____

Weapon Used: ☐ Yes ☑ No **Type:** _____

Witness: ☑ Yes ☐ No **Name:** RAMPHIS MOTA DUARTE

Victim Pregnant: ☐ Yes ☑ No **If yes,** _____ **weeks** _____ **months**

Injuries: ☐ Yes ☑ No **Description:** _____

Medical Treatment: ☐ Yes ☑ No

At Scene: ☐ Yes ☑ No **Paramedics:** _____

At Hospital: ☐ Yes ☑ No **Hospital:** _____ **Physician:** _____

Are Children Living in Home? ☐ Yes ☑ No **DCF Notified?** ☐ Yes ☑ No

Name: _____ **DOB:** __/__/____

Name: _____ **DOB:** __/__/____

Name: _____ **DOB:** __/__/____

Injunction ☐ Yes ☑ No **Case #:** _____

No Contact Order ☐ Yes ☑ No **Case #:** _____

Alcohol or Drugs ☐ Yes ☑ No ☐ Unknown

Prior History of Domestic/Dating Violence ☐ Yes ☑ No

Defendant's Statements ☑ Yes ☐ No **If yes,** ☑written ☐recorded ☐oral

First words Defendant said when you responded to scene: THEY ATTACKED ME

Victim's Statements ☑ Yes ☐ No **If yes,** ☑written ☐recorded ☐oral

First words Victim said when you responded to scene: SHE WENT CRAZY

Did the Victim contact anyone other than police within an hour of the incident regarding the incident?

☐ Yes ☑ No **If yes, name:** _____ **phone** (___)____-____

Observations of Victim (Physical & Emotional): _____

☐ Upset ☐ Crying ☐ Fearful ☐ Hysterical ☐ Afraid ☑ Calm ☐ Nervous

☐ Complained of pain ☐ Other _____

Victim Contact Information:

Local Address: [redacted]

Phone: Home (___)____-____ Work (___)____-____ Cell [redacted]

Employer: _____

Name of Relative: _____ **Phone** (___)____-____

Address: _____

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VICTIM NOTIFICATION FORM

This form must be completed when one of the following crime(s) has been committed:

- **Homicide** (Ch. 782)
- **Attempted Murder**
- **Stalking** (F.S. 784.048)
- **Domestic Violence - (This includes any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking or any criminal offense resulting in physical injury or death of one family member or household member by another, who is or was residing in the same single dwelling.**
- **Sexual Offense** (Ch. 794)
- **Attempted Sexual Offense**
- **Dating Violence**

Upon completion, this form must accompany the booking paperwork.
If applying for a warrant, attach this form to the filing packet.

1. Incident Report #: 23-026247 Agency: PBSO
   Offense: BATTERY (DOMESTIC)
   Suspect/Offender: LINDA MENDEZ BERNAL
   D.O.B. 01/19/1993 Race: WHITE Sex: FEMALE

2. Warrant #(s): _____

[redacted]

b. Victim's next of kin, friend or neighbor: _____
   Address: _____
   City: _____ State: _____ Zip: _____
   Home #: _____ Work #: _____ Other: _____

NOTE: PURSUANT TO F.S. 119.07, THE CONTENTS OF THIS FORM MAY BE SUBJECT TO CONFIDENTIALITY.

Victim/Relation Notification Waiver and Confidential Information Request.

(check applicable boxes)

❑ **Waiver:** **I choose not to be notified when the arrestee is released from custody.**

❑ **Confidential:** **I request the information on this form be kept confidential (applicable only to sexual battery, stalking, child abuse, harassment or domestic violence cases).**

Signature of person waiving notification: _____
Printed name of person waiving notification: _____
Deputy's Name: _____ I.D. # _____ Date: _____

White = Corrections or State Attorney (Warrant Application) Yellow = Warrants Section Pink = Central Records

PBSO #0029A REV. 05/11

SUSPECT/OFFENDER _____ (FOR WARRANTS USE ONLY) COURT CASE/WARRANT #: _____

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VICTIM NOTIFICATION FORM

This form must be completed when one of the following crime(s) has been committed:

- **Homicide** (Ch. 782)
- **Attempted Murder**
- **Stalking** (F.S. 784.048)
- **Sexual Offense** (Ch. 794)
- **Attempted Sexual Offense**
- **Dating Violence**
- **Domestic Violence - (This includes any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking or any criminal offense resulting in physical injury or death of one family member or household member by another, who is or was residing in the same single dwelling.**

Upon completion, this form must accompany the booking paperwork.
If applying for a warrant, attach this form to the filing packet.

1. Incident Report #: 23-026247 Agency: PBSO
   Offense: BATTERY (DOMESTIC)
   Suspect/Offender: LINDA MENDEZ BERNAL
   D.O.B. 01/19/1993 Race: WHITE Sex: FEMALE

2. Warrant #(s): _____

3.a. Victim's name: FREDY MENDEZ BERNAL D.O.B. 03/09/1992 Race: WHITE Sex: MALE
   Address: 105 GIBRALTAR ST
   City: ROYAL PALM BEACH State: FL Zip: 33411
   Home #: 561-506-5901 Work #: _____ Other: _____

b. Victim's next of kin, friend or neighbor: _____
   Address: _____
   City: _____ State: _____ Zip: _____
   Home #: _____ Work #: _____ Other: _____

NOTE: PURSUANT TO F.S. 119.07, THE CONTENTS OF THIS FORM MAY BE SUBJECT TO CONFIDENTIALITY.

Victim/Relation Notification Waiver and Confidential Information Request.

(check applicable boxes)

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Printed name of person waiving notification: _____

Deputy's Name: _____ I.D. #_____ Date: _____

White = Corrections or State Attorney (Warrant Application) Yellow = Warrants Section Pink = Central Records

PBSO #0029A REV. 05/11

SUSPECT/OFFENDER

(FOR WARRANTS USE ONLY) COURT CASE/WARRANT #: _____

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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: 2023001425	**Date:** 01/17/2023
	Specialist Name/ID: T.Howard/7185