

19CF 7768
Rough Arrest Only

ARREST / NOTICE TO APPEAR Juvenile Referral Report

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

ADMINISTRATION	OBTS Number		Agency ORI Number FLO 133000		Agency Name FLORIDA DEPT. OF LAW ENFORCEMENT		Agency Report Number MI-12-0013	
	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	
	Location of Arrest (Including Name of Business)				Location of Offense (Business Name, Address)			
	Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle	

DEFENDANT	Name (Last, First, Middle) Zuniga, Catalina Alejandra								Alias (Name, DOB, Soc. Sec. #, Etc.)			
	Race W - White B - Black I - American Indian O - Oriental/Asian W		Sex F	Date of Birth 01/30/1980		Height 5'06	Weight 145	Eye Color unk	Hair Color blk	Complexion	Build med	
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)						Marital Status No		Religion unk		Indication of: Alcohol Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Unk. Drug Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Unk.	
	Local Address (Street, Apt. Number) 4058 Arthurium Ave.			(City) Boynton Beach	(State) FL	(Zip) 33462	Phone ()		Residence Type 1. City 3. Florida 2. County 4. Out of State 2			
	Permanent Address (Street, Apt. Number)			(City)	(State)	(Zip)	Phone ()		Address Source			
	Business Address (Street, Apt. Number)			(City)	(State)	(Zip)	Phone ()		Occupation			

CO-DEF	D/L Number, State Z520-101-80-530-0		Soc. Sec. Number		INS Number		Place of Birth Chile		Citizenship US	
	Co-Defendant Name (Last, First, Middle)			Race	Sex	Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 3. Felony <input type="checkbox"/> 5. Juvenile <input type="checkbox"/> 2. At Large <input type="checkbox"/> 4. Misdemeanor		

JUVENILE	Parent Name (Last) (First) (Middle)		Residence Phone				
	Legal Custodian		Business Phone				
	Other						
	Address (Street, Apt. Number) (City) (State) (Zip)						
Notified by: (Name)			Date	Time	Juvenile Disposition 1. Handled/Processed within Dept. and Released 2. TOT HRS/CYF 3. Incarcerated		
Released To: (Name)			Relationship	FCIC/CIC	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: <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> 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 N. N/A P. Possess		R. Smuggle D. Deliver T. Traffic		K. Dispense/Distribute 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 Grand Theft			Counts 1	Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No	Statute Violation Number 812.011		Violation of ORD #
	Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number		Bond	

CHARGE	Charge Description Uttering a Forgery (Checks)			Counts 4	Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No	Statute Violation Number 831.02		Violation of ORD #
	Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number		Bond	

CHARGE	Charge Description Scheme to Defraud			Counts 1	Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No	Statute Violation Number 817.034 (4) (a) 1		Violation of ORD #
	Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number		Bond	

CHARGE	Charge Description			Counts	Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No	Statute Violation Number		Violation of ORD #
	Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number		Bond	

NOTICE TO APPEAR	<input type="checkbox"/> Instruction No. 1 Mandatory Appearance in Court		Location (Court, Room Number, Address)				
	<input type="checkbox"/> Instruction No. 2 You need not appear in Court but must Comply with instructions on reverse side.		Court Date and Time				
			Month	Day	Year	Time	

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.

ADMIN.	Signature of Defendant (or Juvenile and Parent/Custodian)		Date Signed	
	HOLD for other Agency Name: X		Name Verification (Printed by Arrestee) (PRINT)	
	<input type="checkbox"/> Dangerous <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Suicidal <input type="checkbox"/> Other:		Name of Arresting Officer (Print) Antonio L Mathews Badge 913	
Intake Deputy I.D. #		Pouch #	Transporting Officer I.D. #	Agency
Witness here is subject signed with an "X".				PAGE OF

INVESTIGATIVE SUMMARY

Predication

This investigation was predicated upon an embezzlement investigation in which a former employee of Shapes Franchising LLC-Boca Raton, Catalina Zuniga, made illegal and unlawful electronic/ACH payments (deposits) into her personal SunTrust Essential checking and Wells Fargo Opportunity checking account from Shapes Franchising LLC., BOA operations bank account. The amount reported embezzled is over \$159,000.00. ACH is an electronic funds-transfer system that deals with payroll, direct deposit, tax refunds and many more payment services and provides electronic payment from one account to another. Special Agent (SA) Tony Mathews' investigation included a review of the following documents: Catalina Zuniga's SunTrust Essential Checking and Wells Fargo Opportunity Checking account records. Shapes Franchising LLC, Bank of America (BOA) Bank records, Shapes Franchising LLC., QuickBooks reports and witness interviews of the victim.

A criminal history inquiry of Zuniga revealed 2 prior arrests and no criminal convictions from 2010 through 2018 consisting of the following crimes:

Theft
Scheme to Defraud
Uttering a Forgery

It was determined during this investigation that Zuniga was hired by Shapes Franchising LLC owner Rory O'Dwyer as a bookkeeper/accountant and that she embezzled funds from the aforementioned franchise by placing large unauthorized electronic/ACH deposits into her personal bank accounts.

As a result of this, The Florida Department of Law Enforcement (FDLE) opened an investigation in order to gather information and further investigate these crimes of theft.

Through analysis and research, the FDLE found a pattern that Zuniga created while employed by Shapes. These fraudulent transactions (electronic/ACH) deposits started in December 2017 and continued through October 2018.

Investigation

On Wednesday, December 12, 2018, SA Mathews received the complaint information and began his investigation.

Rory O'Dwyer, the current owner of Shapes Franchising LLC. (Shapes) alleged Shapes ex-employee, Zuniga, stole over \$159,000.00 from the company and deposited those funds electronically into her personal SunTrust Essential Checking account (██████) and Wells Fargo Bank Checking account (██████) utilizing electronic/ACH deposits. Zuniga was hired part-time (\$20.00 an hour) by Shapes in November 2017 as the bookkeeper/accountant and had access to Shapes bank accounts through BOA utilizing QuickBooks. QuickBooks is described as a small business management secured database that offers payroll, payments and time-tracking tools online. Zuniga's primary duties for Shapes included printing business checks and invoices related to Shapes vendors, payroll checks for employees of Shapes and other miscellaneous accounting duties.

O'Dwyer said that sometime in November 2018, Shapes QuickBooks were audited by Anna Luz (new bookkeeper) and it was discovered that Zuniga had utilized the QuickBooks database to pay herself illegally as a contractor in addition to her regular salary. In particular, Zuniga's regular salary would be deposited electronically/ACH into her personal SunTrust Essential checking account every two weeks and that same day, or within a few days, Zuniga portraying herself as a contractor for Shapes, would make unauthorized electronic/ACH payments into her same SunTrust Essential checking account. Prior to Zuniga closing her SunTrust Essential checking account in October 2018, she opened a Wells Fargo Opportunity checking account in her name in September 2018. Zuniga also utilized the Wells Fargo Opportunity checking account to deposit large sums of money utilizing unauthorized electronic/ACH deposits from Shapes Franchising LLC.

The inconsistencies were documented by Luz in excel spreadsheets. Luz created the spreadsheets from Shapes QuickBooks reports detailing unauthorized electronic/ACH payments and other unauthorized charges by Zuniga.

During a recorded, sworn interview with O'Dwyer, he stated that in October 2018, Zuniga was "let go" the second to last day of October prior to bringing in a new bookkeeper. When asked why Zuniga was "let go", O'Dwyer stated that Shapes was in the process of moving from Boca to their Tampa area office and would not have a need for a bookkeeper. O'Dwyer stated that Zuniga was contacted soon after she was "let go" and Zuniga would not provide the new bookkeeper (Ana Luz) with the passwords for QuickBooks. O'Dwyer stated it took "a week to break into them with new passwords".

O'Dwyer stated that after Luz got into the QuickBooks database it was discovered that Zuniga had committed fraud. O'Dwyer did not do a background check prior to hiring Zuniga. Zuniga only completed a one page application with details that she was hired in the accounting department. Other information on the application included Zuniga's home address and emergency contact information. Zuniga also provided a voided check for direct deposit for SunTrust Bank.

O'Dwyer stated that Zuniga was not authorized to pay herself as a contractor or get reimbursements for mileage. O'Dwyer was asked if Zuniga was allowed to deposit any checks into her personal accounts on behalf of Shapes. O'Dwyer stated "no".

O'Dwyer also stated that Zuniga was not granted access to pay her petty cash or get any loans from Shapes accounts utilizing BOA as a source through QuickBooks.

Financial Transaction(s) Review

Between January and April 2019, SA Mathews received certified bank records and other documents related to this investigation. The records and documents included Zuniga's bank account records from SunTrust Bank, BOA (Shapes Franchising) and Wells Fargo (Zuniga) bank records, and QuickBooks printouts for Shapes Franchising from January 2018 through December 2018. There were no video recordings recovered from any transactions.

SunTrust Bank

A review of Zuniga's certified bank records indicated that on December 26, 2017, Zuniga opened a SunTrust Essential Checking account (██████), utilizing her issued Florida Driver License. Zuniga was the only signatory on this SunTrust Essential Checking account.

The activity summary showed a beginning balance of \$0.00 on December 26, 2017 and an ending balance of \$1,231.22 on January 22, 2018. During this first cycle Zuniga made four (4) unauthorized deposits.

Zuniga made an unauthorized mobile check deposit utilizing Shapes check number ██████ in the amount of \$540.00 on December 29, 2017. On January 4, 2018, there was a Shapes unauthorized electronic/ACH deposit of \$2,112.98. On January 12, 2018 Zuniga made another unauthorized Shapes electronic/ACH deposit of \$3,000.00. On January 16, 2018, Zuniga made an unauthorized mobile check deposit utilizing Shapes check number ██████ in the amount of \$243.10. During this monthly cycle Zuniga had a total of \$5,896.08 in unauthorized mobile check and electronic/ACH deposits from Shapes.

The next monthly cycle began on January 23, 2018. Zuniga made one (1) Shapes unauthorized electronic/ACH deposit in the amount of \$250.00 on February 2, 2018. During this monthly cycle Zuniga had a total of \$250.00 in unauthorized deposits from Shapes. This monthly cycle ended on February 20, 2019 with only one (1) Shapes' authorized electronic/ACH payroll check deposit.

The next cycle began on February 21, 2019 and ended on March 21, 2018. During this cycle Zuniga made four (4) unauthorized deposits. On March 2, 2018, Zuniga made a Shapes unauthorized electronic/ACH deposit in the amount of \$3,000.00. On March 9, 2018, Zuniga made a second Shapes unauthorized electronic/ACH deposit in the amount of \$3,000.00. On March 12, 2018, Zuniga conducted an ATM deposit into her personal account utilizing a check from Shapes, pay to the order of We Love Logos in the amount of \$483.02. Subsequent research was conducted by SA Mathews and determined that Zuniga was not listed as an owner or partner with We Love Logos. Therefore, Zuniga uttered Shapes check number 1360 from Shapes to We Love Logos and deposited said check into her personal SunTrust Essential checking account. The check was originally printed on February 23, 2018. The check showed O'Dwyer's signature but O'Dwyer stated he did not sign this check. On March 16, 2018, Zuniga made a third Shapes unauthorized electronic/ACH deposit in the amount of \$3,000.00.

During this monthly cycle Zuniga had a total of \$9,483.02 in unauthorized deposits from Shapes into her SunTrust Essential Checking account. This monthly cycle ended on March 21, 2018.

The next statement period reviewed by SA Mathews was from March 22, through April 19, 2018. During this cycle Zuniga made seven (7) unauthorized deposits. On March 23, 2018, Zuniga made a Shapes unauthorized electronic/ACH deposit in the amount of \$3,000.00. The second Shapes unauthorized electronic/ACH deposit in the amount of \$4,000.00 was conducted on March 29, 2018. The third Shapes unauthorized electronic/ACH deposit in the amount of \$2,000.00 was conducted on April 4, 2018. The fourth Shapes unauthorized electronic/ACH deposit in the amount of \$3,000.00 was conducted on April 11, 2018. The fifth Shapes unauthorized mobile check deposit occurred on April 12, 2018, Zuniga utilized Shapes check 1468 payable to Mascot Printing in the amount of \$561.00 and deposited this check into her Essential Checking account. Subsequent research was conducted by SA Mathews and determined that Zuniga is not listed as an owner or partner with Mascot Printing. Therefore, Zuniga uttered Shapes check number 1468 from Shapes to Mascot Printing and deposited said check into her personal SunTrust Essential checking account. This check was printed on April 3, 2018. The check showed O'Dwyer's signature but O'Dwyer stated he did not sign this check. The sixth Shapes unauthorized electronic/ACH deposit occurred on April 13, 2018. Zuniga deposited \$10,000.00 in her Essential Checking account. The seventh and final transaction for this monthly cycle occurred on April 19, 2018. Zuniga made an unauthorized Shapes electronic/ACH deposit in the amount of \$2,000.00 into her Essential Checking account. During this monthly cycle Zuniga had a total of \$24,561.00 in unauthorized electronic/ACH and mobile check deposits from Shapes into her SunTrust Essential Checking account. This monthly cycle ended on March 21, 2018.

The next statement period reviewed by SA Mathews was from April 20, through May 21, 2018. During this cycle Zuniga made four (4) unauthorized deposits. The first deposit occurred on April 27, 2018. Zuniga made an unauthorized Shapes electronic/ACH deposit in the amount of \$4,000.00 into her Essential Checking account. The second unauthorized electronic/ACH deposit occurred on May 8, 2018. On this date Zuniga made an unauthorized Shapes electronic/ACH deposit in the amount of \$4,000.00. The third unauthorized electronic/ACH deposit occurred on May 11, 2018, in which Zuniga deposited \$3,000.00 into her Essential Checking account. The fourth unauthorized electronic/ACH deposit occurred on May 18, 2018. Zuniga deposited \$3,000.00 into her Essential Checking account. During this monthly cycle Zuniga had a total of \$14,000.00 in unauthorized deposits from Shapes into her SunTrust Essential Checking account. This monthly cycle ended on May 21, 2018.

The next statement period reviewed by SA Mathews was from May 22, through June 20, 2018. During this cycle Zuniga made eight (8) unauthorized deposits. On May 23, 2018, Zuniga made an unauthorized Shapes electronic/ACH deposit in the amount of \$3,000.00. On May 23, 2018, Zuniga made an unauthorized Shapes electronic/ACH deposit in the amount of \$6,365.00. On June 1, 2018, Zuniga made an unauthorized Shapes electronic/ACH deposit in the amount of \$3,560.00. On June 5, 2018, Zuniga made an unauthorized Shapes electronic/ACH deposit in the amount of \$2,000.00. On June 8, 2018, Zuniga made an unauthorized Shapes electronic/ACH deposit in the amount of \$2,000.00. On June 11, 2018, Zuniga made an unauthorized Shapes electronic/ACH deposit in the amount of \$2,500.00. On June 18, 2018, Zuniga made an unauthorized electronic/ACH deposit in the amount of \$3,026.00. On June 20, 2018, Zuniga made an unauthorized electronic/ACH deposit in the amount of \$3,000.00. During this monthly cycle Zuniga had a total of \$25,451.00 in unauthorized deposits from Shapes into her SunTrust Essential Checking account. This monthly cycle ended on June 20, 2018.

The next statement period reviewed by SA Mathews was from June 21, through July 19, 2018. During this cycle Zuniga made five (5) unauthorized deposits. On June 27, 2018, Zuniga made an unauthorized Shapes electronic/ACH deposit in the amount of \$2,685.00. On July 2, 2018, Zuniga made an unauthorized Shapes electronic/ACH deposit in the amount of \$6,025.00. On July 11, 2018, Zuniga made an unauthorized Shapes electronic/ACH deposit in the amount of \$6,860.00. On July 16, 2018, Zuniga made an unauthorized Shapes electronic deposit in the amount of \$9,506.00. On July 19, 2018, Zuniga make an unauthorized Shapes electronic/ACH deposit in the amount of \$2,000.00. During this monthly cycle Zuniga had a total of \$27,076.00 in unauthorized deposits from Shapes into her SunTrust Essential Checking account. This monthly cycle ended on July 19, 2018.

The next statement period reviewed by SA Mathews was from July 20, through August 22, 2018. During this cycle Zuniga made six (6) unauthorized deposits. On July 26, 2018, Zuniga made an unauthorized Shapes electronic/ACH deposit in the amount of \$3,381.00. On August 3, 2018, Zuniga made an unauthorized Shapes electronic/ACH deposit in the amount of \$4,132.00. On August 7, 2018, Zuniga made an unauthorized Shapes electronic/ACH deposit in the amount of \$3,056.00. On August 10, 2018, Zuniga made an unauthorized Shapes electronic/ACH deposit in the amount of \$2,340.00. On August 16, 2018, Zuniga made an unauthorized Shapes electronic/ACH deposit in the amount of \$3,500.00. On August 22, 2018, Zuniga made an unauthorized Shapes electronic/ACH deposit in the amount of \$3,462.00. During this monthly cycle Zuniga had a total of \$19,871.00 in unauthorized deposits from Shapes into her SunTrust Essential Checking account. This monthly cycle ended on August 22, 2018.

The next statement period reviewed by SA Mathews were from August 23, through September 20, 2018. During this cycle Zuniga made six (6) unauthorized deposits. On August 29, 2018, Zuniga made an unauthorized Shapes electronic/ACH deposit in the amount of \$3,562.00. On September 5, 2018, Zuniga deposited into her account a check from Seaside National Bank that was remitted to Shapes in the amount of \$3,601.76. Zuniga was not listed on the board of directors or listed as a partner for Shapes. Zuniga should not have deposited a check written to Shapes Operations into her personal SunTrust Essential checking account. The check was endorsed on the back with an unknown signature. O'Dwyer reviewed the check and stated that he did not endorse this check. On September 7, 2018, Zuniga made an unauthorized Shapes electronic/ACH deposit in the amount of \$3,268.00. On September 11, 2018, Zuniga made two (2) unauthorized ATM mobile check deposits. The first ATM deposit made by Zuniga was Shapes check number 1522 payable to Basic Awareness in the amount of \$2,856.00. Subsequent research was conducted by SA Mathews and determined that Zuniga is not listed as an owner or partner with Basic Awareness. Therefore, Zuniga uttered Shapes check number 1522 from Shapes to Basic Awareness and deposited said check into her personal SunTrust Essential checking account. This check was printed on August 20, 2018. The second ATM deposit made by Zuniga was a second check from Seaside National Bank that was remitted to Shapes Franchising LLC in the amount of \$2,751.15. A review of this check revealed that the endorsement for Shapes Franchising was struck through and below this was a handwritten note "for deposit only". Instead of this check being deposited into Shapes' account at BOA it was deposited into Zuniga's SunTrust Essential checking account. The check was endorsed on the back with an unknown signature. O'Dwyer reviewed the check and stated that he did not endorse this check. On September 13, 2018, Zuniga made an unauthorized Shapes electronic/ACH deposit in the amount of \$5,632.00. During this monthly cycle Zuniga had a total of \$21,670.91 in unauthorized deposits from Shapes into her SunTrust Essential Checking account. This monthly cycle ended on September 20, 2018.

Zuniga closed her SunTrust Essential Checking account of October 2, 2018, withdrawing the remaining balance of \$10,063.79. The ending balance as of October 22, 2018 is \$0.00.

Based on SA Mathews' review of Zuniga's SunTrust Essential Checking account activity from December 26, 2017 through October 22, 2018, Zuniga made a total of forty-five (45) Shapes unauthorized electronic/ACH, ATM, and mobile deposits. The loss to Shapes totaled \$148,259.01 of funds deposited into Zuniga's account ending in [REDACTED].

Wells Fargo Bank

Zuniga completed a Wells Fargo Consumer Account Application from the North Boca Raton Florida branch (10962) on September 13, 2018. Zuniga opened a Wells Fargo Opportunity Checking account. The checking account number assigned to Zuniga was [REDACTED]. The purpose of the account stated personal/household income. Zuniga also opened a Wells Fargo Opportunity Savings account. The account number assigned to Zuniga is [REDACTED]. The purpose of the account stated savings. Zuniga's current account relationship was listed as the sole owner with a mailing address of 4058 Arthurium Ave. in Lake Worth, FL.

SA Mathews documented only Shapes' unauthorized electronic/ACH deposits into Zuniga's Wells Fargo Opportunity Checking account. The activity summary showed a beginning balance of \$0.00 on September 13, 2018 and an ending balance of \$146.18 on November 9, 2018.

During the month of September 2018, Zuniga made four (4) Shapes unauthorized electronic/ACH deposits into her Wells Fargo Opportunity Checking account. On September 17, 2018, Zuniga made an unauthorized Shapes electronic/ACH deposit of \$2,555.73. On September 19, 2018, Zuniga made another unauthorized Shapes electronic/ACH deposit in the amount of \$2,335.73. On September 24, 2018, Zuniga made an unauthorized electronic/ACH deposit in the amount of \$2,787.16. On September 28, 2018, Zuniga made an electronic/ACH deposit in the amount of \$3,520.00. The total unauthorized electronic/ACH deposited in Zuniga's Wells Fargo account in September 2018 was \$11,198.62.

During the month of October 2018, Zuniga made four (4) Shapes unauthorized electronic/ACH deposits into her Wells Fargo Opportunity Checking account. On October 3, 2018, Zuniga made an unauthorized Shapes electronic/ACH deposit of \$4,313.00. On October 5, 2018, Zuniga made another unauthorized Shapes electronic/ACH deposit in the amount of \$2,000.00. On October 11, 2018, Zuniga made an unauthorized electronic/ACH deposit in the amount of \$3,512.00. On October 25, 2018, Zuniga made an electronic/ACH deposit in the amount of \$2,500.00. The total unauthorized electronic/ACH deposited in Zuniga's Wells Fargo account in October was \$12,325.00.

On November 7, 2018, Zuniga made an ATM check deposit in the amount of \$3,190.83. SA Mathews could not determine the source of this check deposit and did not figure this transaction into the total.

Based on SA Mathews' review, from September 13, through November 9, 2018, Zuniga made eight (8) unauthorized electronic/ACH payments into her Wells Fargo Opportunity Checking account totaling \$23,523.62.

QuickBooks

SA Mathews reviewed Shapes' QuickReport of all other transactions made by Zuniga not related to the unauthorized electronic/ACH deposits. The following information is a synopsis of Zuniga's illegal transactions made by utilizing Shapes BOA account [REDACTED], Shapes BOA account [REDACTED], Shapes BA Franchising, and Shapes American Express card. The QuickBooks QuickReport is from January 2018 through December 2018.

Zuniga fraudulently misappropriated funds from the aforementioned Shapes accounts for mileage reimbursements, petty cash, Extra Space Storage rental, Easy Rent, Boynton Beach utility payments, Comcast payments, AT&T cellular phone bill payment, SunPass, onlinedivorce.com, LAN Airlines, Burke Services (Air Condition) and Cash Advance payments to herself.

An example included that on February 20, 2018, Zuniga made a payment from Shapes BOA (BOA) account in the amount of \$299.52 for Extra Space Storage rental in Lake Worth, Florida. On February 21, Zuniga made a payment from Shapes BOA account in the amount of \$419.33 for Easy Rent. SA Mathews could not determine who the Extra Space Storage or Easy Rent was paid for or to what account the payment was made on. Based on the interview with O'Dwyer it was determined that Zuniga was the only person to have access to Shapes QuickBooks account.

On March 15, 2018, Zuniga paid a Boynton Beach utility bill in the amount of \$164.50 utilizing Shapes BA Franchising account. On March 16, 2018, Zuniga paid a Comcast cable bill in the amount of \$440.64. Other payments from Shapes BOA account included multiple payments to AT&T and a plane ticket purchase online through LAN Airlines. SA Mathews was unable to determine whose utility, Comcast cable bill, AT&T cellular phone bill or the LAN Airlines plane ticket was paid or purchased for. Zuniga was the only person to have access to Shapes QuickBooks account.

SA Mathews did not include the above examples in the final tabulation of embezzled funds and merely presented this information as additional background into Zuniga's illegal activity.

Final Transaction amount total

Based on the totality of this investigation, SA Mathews determined that Zuniga committed a total of fifty-three (53) unauthorized electronic/ACH deposits, ATM and mobile check deposits into her SunTrust Essential and Wells Fargo Opportunity checking accounts totaling \$171,782.63.

Interview of Catalina Zuniga

On Thursday, May 16, 2019, SA Mathews met with Catalina Zuniga for a recorded sworn, voluntary interview related to this investigation. Zuniga stated that she was hired by Shapes in November 2017 as an Office Manager. Zuniga said she was employed at Shapes for one (1) year.

Zuniga was provided a series of voided Shapes contractor check payments from 2018. Zuniga was asked if she made payments to herself as a contractor. Zuniga stated, "I was in charge of payroll but no, I didn't", then immediately changed and said, "Yes, I was in charge of payroll." Zuniga was asked how she would get paid for regular work and in addition get paid as a

contractor. Zuniga stated, "Commission". Zuniga then changed her statement from earlier and stated she was hired as a contractor. Zuniga was asked why no taxes were taken out as a contractor. Zuniga asked to stop the interview.

Determination of Investigation-Probable Cause

Based upon the aforementioned facts and information gathered through this investigation, the above incidents of Grand Theft, Uttering a Forgery and Organized Scheme to Defraud conduct have the same or similar intents, results, victims and methods of commission or are otherwise interrelated by distinguishing characteristics and are not isolated incidents. It has been determined that the DEFENDANT violated Florida Law pursuant to:

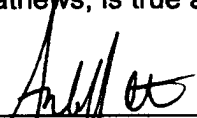
- 1. Grand Theft 812.04(2) (a) 1
- 2. Uttering a Forgery (Checks) 831.02
- 3. Scheme to Defraud 817.034(4) (a) 1

The DEFENDANT in this investigation did use Shapes Franchising Bank accounts to embezzle unauthorized electronic/ACH deposits totaling \$171,782.63.

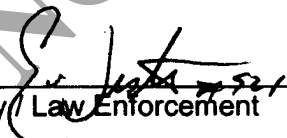
Notarizations

**STATE OF FLORIDA
COUNTY OF PALM BEACH COUNTY**

Before me this day personally appeared Special Agent Antonio Mathews who, being duly sworn, deposes and says that aforementioned Investigative Summary, authored by Special Agent Mathews, is true and correct to the best of his knowledge.

 # 913
Special Agent Antonio L. Mathews
Florida Department of Law Enforcement
Palm Beach Field Office
2300 High Ridge Road – Suite 363
Boynton Beach, Florida 33426

Sworn to and subscribed before me this 28th of May, 2019.


Notary Law Enforcement