C157635 #23557 19CF310

ARREST / NOTICE TO APPEAR

1 Arrest 2 NTA 3 Request for Warrant 4 Request for Capias

1 JUVENILE

ADMINISTRATION

OBTS Number	Agency ORI Number	Agency Name	Agency Report Number (NTA's only)
	0502600	Palm Beach Gardens Police Department	7 | 8 | 19-000029

Charge Type (Check as many as apply): 1 Felony; 2 Traffic Felony; 3 Misdemeanor; 4 Traffic Misdemeanor; 5 Ordinance; 6 Other _____

If Weapon Seized: Enter Type: NONE

Multiple Clearance Indicator: 2

Location of Arrest (Including Name of Business)	Location of Offense (Business Name, Address)
10500 N MILITARY TRL, PALM BEACH GARDENS	9850 ALT A1A 507, PALM BEACH GARDENS, FL 33410

Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle
01/07/2019	1432					

DEFENDANT

Name (Last, First, Middle): HEAD, MARION ALICE

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	F	09/15/1971	5'06	135	BLUE	BROWN	FAIR	Medium

Scars, Marks, Tatoos, Unique Physical Features (Location, Type, Description): TATT R ANKLE / BUTTERFLY

Marital Status: S | Religion: NONE | Indication of Alcohol Influence: Yes ☐ No ☐ Unk. ☐ | Drug Influence

Local Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Residence Type (1 City, 2 County, 3 Florida, 4 Out of State)
152 TIMBERLINE DR, JUPITER, FL 33458				(561) 935-8773	

Permanent Address (Street, Apt. Number)	(City)	(State)	(Zip)	Phone	Address Source
152 TIMBERLINE DR, JUPITER, FL 33458				(561) 935-8773	

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

DL Number, State	Soc Sec Number	INS Number	Place of Birth (City, State)	Citizenship
H300541718350 / FL	[redacted]		Germany	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 ☐ No

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/Derv., S Synthetic, P Paraphernalia/Equipment, U Unknown, Z Other

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #
THEFT - PETIT $100-$300	812.014(2)(E)	

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N	/		1	☐ Y ☒ N		

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #
FRAUD - FRAUDULENT USE OF CREDIT CARD	817.61	(3944)

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
	N	/		1	☐ Y ☒ N		3000

CHARGE

Charge Description	Statute Violation Number	Violation of ORD #

Drug Activity	Drug Type	Amount / Unit	Offense #	Counts	Domestic Violence	Warrant / Capias Number	Bond
		/			☐ Y ☐ N		

INTAKE

Health / Apparent Physical Condition of Defendant — Any knowledge of the following: ☐ Mental ☐ Escape Risk ☐ Medication ☐ Deliriums ☐ 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
☐ INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.

Location (Court, Room) — Court Date and 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

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

No Photo Available

ADMIN

HOLD for Other Agency: ☐ Dangerous ☐ Wanted ☐ Released Arrest ☐ Other — Name — ID # — Pouch #

Signature of Arresting Officer: 501

Name of Arresting Officer (Print): HOWELL, D. — ID #: 501

Transporting Officer: GUERRERO — ID #: 321 — Agency: PBG

Name Verification (Posted by Arrestee) (PRINT)

Witness here if subject signed with an "X"

PAGE 1 OF 1

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

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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 0502600	PALM BEACH GARDENS POLICE	7 | 8 | 19-000029

Charge Type: Check as many as apply. ☒ 1 Felony ☒ 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
HEAD, MARION ALICE		W	F	09/15/1971

CHARGES

Charge Description	Charge Description
812.014(2)(E) THEFT - PETIT $100-$300	817.61 FRAUD - FRAUDULENT USE OF CREDIT CARD
Charge Description	Charge Description

VICTIM

Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
Promenade Animal Hospital			

Local Address (Street, Apt Number)	(City)	(State)	(Zip)	Phone	Address Source

Business Address (Name, Street)	(City)	(State)	(Zip)	Phone	Occupation
9850 ALT A1A #507	PBG,	FL		561 627-8878	

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 OFC HOWELL 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 5 day of January, 2019 at 13:07 (Specifically include facts constituting cause for arrest.)

PROBABLE CAUSE STATEMENT

The following incident occurred in the city of Palm Beach Gardens, Palm Beach County, FL:

On January 2, 2019, at approximately 1624 hrs, I, Officer Howell, responded to a fraud at 9850 Alt A1A #507, Palm Beach Gardens, Palm Beach County, FL (Promenade Animal Hospital). Upon my arrival, I made contact with Kaitlin Shaler, Patient Care Supervisor who was sworn in and advised the following: She was going over some transactions that were made on the company`s American Express Card ending in [redacted]. She identified four transactions that were unauthorized starting with a $28.95 charge at Publix on December 18, 2018, $23.39 charge at Publix on December 21, 2018, $115.30 charge at Publix on December 26, 2018 and a $64.04 charge at Publix on December 28, 2018 totalling $231.68. All the transactions were made at the same Publix location at 9900 Alt A1A, Palm Beach Gardens in the Promenade Plaza. All copies of the receipts were placed into records for evidence.

Shaler explained that the American Express Card was a business card used for business purposes only when an animal is in need of a particular food item etc. The card access was only given to Shaler, the owner, Dr. Posey and one other person. The unauthorized charges were all placed on gift cards that were not associated with the original purchase of the items for the animals in need. Shaler explained that she confronted Marion Head about the charges and was given a confession by Head that she used the card for personal use. Head stated to Shaler that she fell on tough times and needed the money, which was a terrible decision made by her. Shaler informed me that Head wanted to pay the company back in full, but it was refused and she was ultimately terminated from her position for the incident. Shaler informed me that they want to proceed with prosecution.

I made contact with Head via landline on a recorded line to get her side of the

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

FANTAUZZI-CUGO, IVAN J

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

01/05/2019

DATE

#501

SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

HOWELL, DAVE (501)

NAME OF OFFICER (PLEASE PRINT)

01/05/2019

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 0502600	PALM BEACH GARDENS POLICE	7 | 8 | 19-000029

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

Special Notes

DEF

Name (Last, First, Middle)	Alias	Race	Sex	Date of Birth
HEAD, MARION ALICE		W	F	09/15/1971

PROBABLE CAUSE STATEMENT

incident. Head confirmed that she did fraudulently use the credit card for her own personal use and that the approximate amount was "around $200". She confirmed that she spoke with Shaler in reference to a confession and also advised that she was going "through a tough time and made a bad decision. On January 3, 2019, I went Publix, 9900 Alternate A1A, Palm Beach Gardens to review the footage. I spoke with Manager, Kevin James and he was able to locate the footage at each register with the date and times of the receipts. Head was found to be the one making the transactions. James advised that he knows Head due to the amount of times she comes into the Publix and is aware that she was an employee with Promenade Animal Hospital. A thumb drive was later picked up and placed into evidence. On January 5, 2019, Head agreed to meet with me at the police department, 10500 N Military Trail, Palm Beach Gardens, FL. She was read her Miranda rights and she confessed to me that she was the one who made the transactions in the Publix. Head advised that she was falling on hard times and her son was down for the break and she was struggling financially. The interview was captured on my body worn camera.

Based on the aforementioned facts, Marion Head is charged with Fraudulent Use Of Credit Card pursuant to Florida State Statute 817.61 and Petit Theft pursuant to Florida State Statute 812.014(2)(E). It should be noted that Head used the business card more than two times within one month.

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ADMINISTRATIVE

SWORN AND SUBSCRIBED BEFORE ME

FANTAUZZI-LUNG, IVANA
NOTARY PUBLIC / CLERK OF COURT / OFFICER (F S S 117.10)

01/05/2019
DATE

#501
SIGNATURE OF ARRESTING / INVESTIGATING OFFICER

HOWELL, DAVE (501)
NAME OF OFFICER (PLEASE PRINT)

01/05/2019
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: 2019000798	**Date:** 01/08/2019
	Specialist Name/ID: AM/31562