

Probable Cause Affidavit
Palm Beach Police Department
Agency ORI# FLO 500600

Defendant: Oscar Orlando Guevara **Police Case** 10-1431
Race/Sex: W/M
DOB: 08/17/75
Charges: Grand Theft F.S.S. 812.014(1) & (2) (b)
Organized Scheme to Defraud F.S.S. 817.034(4) (a) (3)

On October 4, 2010 Vivian Pommier reported that Oscar Guevara, owner of Always on the Move moving company had stolen the entire contents of her apartment located at 2780 South Ocean Blvd, Apt 109 in the Town of Palm Beach. Ms. Pommier advised that she hired Mr. Guevara's company to move and store the contents of her apartment while it was being renovated. Ms. Pommier advised that she paid Mr. Guevara, a total of \$ 7,761.35 to remove, store and then return the contents upon completion of the renovations. Ms. Pommier stated that the contents of her apartment were valued at \$60,000.


Ms. Pommier advised that on November 9, 2009 Mr. Guevara's company removed the contents of her apartment and she issued Mr. Guevara check number 7162 in the amount of \$ 3,258.00 as payment. Ms. Pommier stated that on January 4, 2010 and March 5, 2010 she issued Mr. Guevara check number 7166 and check number 7170 both in the amount of \$280.00 for the purpose of paying to store the contents of her apartment. Ms. Pommier stated that both checks were written out personally to Mr. Guevara. Ms. Pommier state that she also issued a check (# 7201) for \$300.00 to Mark Hill, an employee of Mr. Guevara's to compensate him for money he stated he paid to store her belongings, but was never reimbursed by Mr. Guevara.

Ms. Pommier advised that she contacted Mr. Guevara in July of 2010 and advised him that the renovations had been completed and requested that her belongings be moved back into her apartment. Ms. Pommier stated that on July 23, 2010 she sent Mr. Guevara check number 7214 in the amount of \$1,821.67 as partial payment to have her belongings moved back into her apartment. Ms. Pommier further stated that on August 9, 2010 she sent Mr. Guevara check number 7223 in the amount of \$1,821.68 as final payment to move her belongings back in. Ms. Pommier advised that Mr. Guevara stalled her, and subsequently advised her that the items could not be returned, because his employee, Mark Hill was in

The foregoing instrument was sworn to or affirmed
Before me this 3rd day of December, 2010
By, Det Joseph P. Guelli ID 8806,
Who is personally known to me

State of Florida
County of Palm Beach


Signature of Police Officer (F.S.S.117.10)


Signature/Arresting Officer

Date: 12/6/10

jail and that he had the key and location of the storage unit where her property was being stored.

On October 7, 2010 Captain Frick contacted Mr. Guevara. Mr. Guevara advised Captain Frick that Mark Hill had gone to Ms. Pommier's apartment and moved all of her belongings to a Public Storage Unit in Lake Worth. Mr. Guevara advised Captain Frick that he was aware Ms. Pommier wanted her belongings back, and had taken payment from Ms. Pommier for the moving and storage of her belongings as well as their return. Mr. Guevara advised that he would return Ms. Pommier's property once Mr. Hill was released from jail.

Captain Frick then contacted Public Storage corporate headquarters and was advised that according to their records, Mark Hill rented a storage unit at 7480 S. Military Trail in Lake Worth Florida. Mr. Hill's gate code was used twice on November 7, 2009, two times on November 11, 2009 and two times on December 29, 2009. The storage unit was vacated on December 31, 2009 and was empty at the time it was vacated.

I have attempted to contact Mr. Guevara several times with negative results. Ms. Pommier has also attempted to contact Mr. Guevara several times with negative results.

On Friday, November 12, 2010 at approximately 1100 hours, I met with Mark Hill at the Metro West Correction Facility in Miami-Dade County. Mr. Hill agreed to speak with me, but refused to give me a taped or written statement. Mr. Hill advised me that he worked for Mr. Guevara for approximately 2 years and many times would meet with the customers for Mr. Guevara. Mr. Hill advised me that sometime in March of 2009, he and Mr. Guevara removed the contents of Mrs. Pommier's residence at her request and stored the contents at a storage facility somewhere in Palm Beach County. Mr. Hill advised me that he charged the storage unit to his credit card, because Mr. Guevara didn't have a credit card. Mr. Hill stated that he gave Mr. Guevara the keys to the storage unit the same day they moved Ms. Pommier's belongings in and hasn't been back to the storage unit since. Mr. Hill does not know what happened to Ms. Pommier's belongings and denied having any involvement with their disappearance. Mr. Hill stated that the \$300.00 check (# 7201) that he received from Ms. Pommier was to cover the first two months of rent on the storage unit, which Mr. Guevara never reimbursed him for.

Based on the above facts, probable cause exists to charge Oscar Orlando Guevara with Grand Theft contrary to F.S.S. 812.014(1) & (2) (b) and Organized Scheme to Defraud contrary F.S.S. 817.034(4) (a) (3). Mr. Guevara entered into an ongoing course of conduct to continuously obtain checks from the victim, Ms. Pommier long after the storage unit had

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been closed and emptied. Copies of the cancelled checks made out to Guevara were obtained and each check had been cashed by him. Ms. Pommier made a reasonable effort to fully pay for the cost of the storage unit and in one conversation with Guevara he agrees that he was paid in full for the storage and moving of Ms. Pommier's belongings.

NOT A CERTIFIED COPY

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Before me this 3rd day of December, 2010
By, Det Joseph P. Guelli ID 8806,
Who is personally known to me

CAM LPAMEL 9266
Signature of Police Officer (F.S.S.117.10)

State of Florida
County of Palm Beach

[Signature]
Signature/Arresting Officer

Date: 12/8/10