

2020 CF 9000  
FAX

OFFICE OF THE STATE ATTORNEY  
FIFTEENTH JUDICIAL CIRCUIT  
PALM BEACH COUNTY, FLORIDA  
PROBABLE CAUSE AFFIDAVIT

OBTS # \_\_\_\_\_ AGENCY CASE NUMBER: SA 20002750  
AGENCY ORI # FL050015A  
Defendant: Jay Brett Rind Race:w Sex: m DOB: 09/07/57  
Victim: James Gilliard Race: w Sex: m DOB: 06/06/72  
Local Address: 320 SE Pelican Dr. Stuart, Fl. Phone:  
Business Address: Phone:

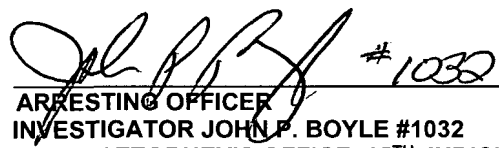
On 11/2/20 at approximately 8:17pm, Palm Beach Gardens Police Department received a 911 emergency phone call from Mr. Jay Rind residing at 4557 Artesa Way S, in reference to an accident shooting that just occurred at his residence. According to Mr. Rind he accidentally shot his friend in the stomach while showing him a firearm. The victim was identified as James Gilliard (w/m, dob 06/06/72)

Shortly thereafter, several officer's arrived on scene and met with Mr. Rind who seemed upset by the events that just occurred while others began to render medical aid. In the meantime, Palm Beach Gardens Fire Rescue arrived and assumed control and custody of the victim/patient. The victim was then transported to St. Mary's Hospital where he was pronounced dead moments after arriving. The victim was then transported to Palm Beach County Medical Examiner's Office where an autopsy will be performed to determine the cause of death.

Afterwards, Detectives Boubouras and Behrue met with Mr. Rind in the detective division of Palm Beach Gardens Police for the purpose of conducting a taped interview. During the interview, he repeatedly explained he wasn't aware that his gun was loaded. Mr. Rind advised that he told Mr. Gilliard that he was offering him a deal of a life time because he had made arrangements to relocate to Mexico and that he was going to give Mr. Gilliard his two firearms. Mr. Rind advised that as he was presenting the firearm to Mr. Gilliard, showing him that the gun was empty, when he accidentally shot Mr. Gilliard in his stomach. When questioned by Det Boubouras as to how close was he to Mr. Gilliard at the time the weapon discharged. Mr. Rind advised that he was approximately less than four feet away from Mr. Gilliard at the time of the shooting. At the conclusion of the interview, Mr. Rind reiterated that he had no unsettling feeling towards Mr. Gilliard that they've been friends for years when the two met while they were in the retail business. Once again he explained the incident was a total accident.

On 11/3/20 at approximately 1:30 am, CSI Woodrum arrived at the residence for the purpose of processing the scene for any evidence pertinent to the case. CSI Woodrum began by

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photographing each and every room of the three story townhouse in order to document the entire scene. While processing the dining/living room where the incident occurred, CSI Woodrum located a 9mm Smith & Wesson pistol located in a desk drawer. On top of the same desk was a 38 Special Taurus revolver, which had been rendered safe. Meanwhile, she documented that there were two live rounds of 38 SPL and one spent casing of 38SPL. CSI Woodrum then focused her attention to the couch in the room which was pushed towards the wall as first responders were rendering aid. On the couch, CSI Woodrum observed a white iPhone with blue otter box case plugged into the build in charge of the couch. There was also a total of (\$2,280) two thousand two hundred and eighty dollars of US currency scattered on the couch in close proximity to where paramedics were attending to the victim. CSI Woodrum packaged, sealed, and submitted all items into evidence.

On 11/3/20 at approximately 12:15pm, CSI Olsowski processed Mr. Gilliard's vehicle which is described as a Ford F150 bearing Fl. registration R8DAZ. During a comprehensive search of the vehicle she located the following items. In the center console, CSI Olsowski retrieved one box of Endocodil IR 30 tablets, one baggie with blue tablets imprinted R-130 quantity 30, baggie with orange tablet's imprinted ABG-60 quantity 26. CSI Olsowski also collected a silver ring with a clear stone.

On 11/4/20 at approximately 3:45pm, Det Boubouras in coordination with uniform officers arrested Mr. Rind for violating F.S.S 782.07 Manslaughter, 790.10 Improper exhibition of weapon.

Following the arrest, I requested additional information from the Det. Boubouras the lead detective. Specifically, requesting the forensic extraction of Mr. Jay Rind's cellular phone. Including reviewing all text messages between James Gilliard and Jay Rind. I also requested information regarding the drugs found in the victim's truck on the night of the shooting. I was informed that there were 4 and 2 half blue pills stamped with an R and 031, 26 orange pills stamped with 60 ABG, and 30 Endocodil IR pills. A search on [www.drug.com](http://www.drug.com) indicates that the blue R-031 pills are Actiavis Pharma 1mg Alprazolam (xanax) Benzodiazapine pills, the orange 60-ABG pills are Watson Pharmaceutical Morphine Sulfate extended release pills, and Endocodil IR a Mexican brand of Oxycodone.

Shortly thereafter, I received information pertaining to the victim's toxicology report which indicates that he had Amphetamines, Alprazolam, Morphine, and Oxycodone in his system at the time of his death. The Oxycodone and Amphetamine results were outside of therapeutic levels. I also learned that the victim did not have any prescriptions for the aforementioned medications. In the length of approximately one year from 11/15/19 thru 10/30/20 a search revealed the only prescriptions purchased by the victim were Dextroamp-Amphetamin 20mg tab and Testosterone 1.62% gel pump.

I began a review of the forensic extraction of the Defendant's cell phone. Between December 25, 2019 and November 2, 2020, Mr. Jay Rind (def.) and Mr. Gilliard engaged in at least 853

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chats/instant messages. I have reviewed all of them. In the approximately 10 month period prior to the shooting, the defendant and victim appeared to exchange text messages dealing with the buying, selling, or trading of drugs on at least 77 separate occasions. In the course of reviewing the text messages, it becomes readily apparent that Mr. Rind, his roommate "Alex" and Mr. Gilliard were engaged in an ongoing conspiracy to distribute narcotics that Mr. Rind either received prescriptions for, or brought back during his trips to Mexico. Much of the conversations occur over long text message exchanges. The critical exchanges giving rise to the shape of the narcotics distribution conspiracy occur on the following dates:

On 12/26/19, Mr. Gilliard ask Mr. Rind for drugs, Mr. Rind replies that he's in Mexico. At that moment, Mr. Gilliard asks if Alex can assist and ultimately by 1/3/20 Mr. Rind tells Mr. Gilliard they are available if he needs them. Meanwhile, Mr. Gilliard states he needs to make some calls. On 2/5/20, Mr. Gilliard texts Mr. Rind "hey dude sorry to keep bothering you. Any luck today? My guy keeps asking. Even if you don't have the whole 33 do you have any?" On 2/12/20, Mr. Rind texts Mr. Gilliard "I want to make 50 @ 20 disappear. Can you make that happen? Mr. Gilliard "I will make some calls."... Leading into 2/14/20 Mr. Gilliard "Good AM I can probably sell them but need to be 10-20 at a time. On 2/24/20 the Mr. Rind sends pictures of where he stores his pills behind a light and where he expects money to be left in a bush. On 3/26/20 Mr. Gilliard says he has someone looking for 20 melleie. On 4/1/20, Mr. Rind asks Mr. Gilliard if he can move \$270 oranges in one shot and Mr. Gilliard requests for prices for different batches. On 4/9/20, Mr. Gilliard texts Mr. Rind telling him that he can get rid of some melle for cash but not all. On 5/6/20, Mr. Rind in a very long text message, provides Mr. Gilliard options for sale and purchase of drugs. On 6/21/20 is another long conversation about Mr. Gilliard selling for Mr. Rind and putting money in his bank account with photos of the drug bags. On 6/24/20 is more pictures of drug bags. On 6/27/20 text messages between the two document photos of drug bags as well as Mr. Rind's bank account number from the deposit slip Mr. Gilliard provided. On 7/15/20, Mr. Rind asks Alex if he's home to put the melee's out. Alex's responds by texting him back that he put them out last night. Mr. Rind oranges or melee and where? On 7/15/20, Mr. Rind text's Alex asking if he can move the oranges and that he wants 12 per unit. Alex text back ok no problem he's got someone. On 7/23/20, Mr. Gilliard texts photos of bags removed from jewelry envelopes. The pill bear M-30 imprints with Adderall On 7/28/20, Mr. Gilliard sends Mr. Rind a photograph of another PNC deposit receipt based on the text message. On 7/31/20, Mr. Gilliard tells Mr. Rind that he's going to the Pompano Costco to pick up Mr. Rind's prescription; during this time period Mr. Rind sends pictures of his insurance cards to assist Mr. Gilliard in obtaining his medication. On 8/10/2020, Mr. Gilliard sends Mr. Rind a screenshot of a text message that he received. The text message screenshot purports to be from Alex Paquin, Mr. Rind's roommate. The text message among other things states "This is Alex, Jay's roommate...I am writing to you in regards to the Adderall situation. I hope this conversation will stay private between us. I wanted to see if you can do me a favor and tell Jay that you miscounted and u have correct # of addies. I will pay you \$100 and I will also have my prescription filled in 3 days...I will give you 30 addies for free. The screenshot message concludes with Alex's phone number. On 8/26/20, Mr. Gilliard sends a picture to Mr. Rind of the

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balance sheet for the monies coming in and going out for the different drugs. On 9/1/20 Mr. Rind texts Alex asking if he can put 5 melee in the meter box. Alex texts back ok. Mr. Rind texts back keep \$10 for yourself. On 9/9/20, Mr. Gilliard puts additional money in Mr. Rind's account ending in # [REDACTED] with PNC Bank. On 9/22/20, Mr. Rind texts Mr. Gilliard and states that he "threw Alex out for stealing." Apparently, Mr. Gilliard's information is stored in the Defendant's phone as "James G." The first text from Mr. Gilliard to Mr. Rind's phone is on 12/10/19 at 10:44am stating "Hey do you have any mellie? I need 10." Based upon the context of the entirety of the text messages, I believe the term "mellie" is referring to Oxycodone pills. In a long text message sent from Mr. Rind to Mr. Gilliard on or about May 6, 2020, Mr. Rind explains to Mr. Gilliard among other things, "Im going to come back with like 120, they are 20 mg only but priced accordingly they come in aluminum packages in a box. These are mellie even if they don't look like them." Mr. Rind then sends 2 photographs of Endocardil IR 20mg boxes and blister packs of Endocardil Pills. Once again, Mr. Gilliard and Mr. Rind discuss distribution of "mellie" on the following dates: 12/10/19, 12/26/19, 1/3/20, 1/6/20, 1/9/20, 1/31/20, 2/4/20, 2/5/20, 2/10/20, 2/24/20, 2/26/20, 3/11/20, 3/26/20, 3/27/20, 4/2/20, 4/8/20, 4/9/20, 5/6/20, 5/9/20, 5/26/20, 6/1/20, 6/14/20, 6/21/20, 6/23/20, 6/27/20, 8/25/20, 9/9/20, 9/17/20, 10/28/20.

They also discuss the distribution of "orange" "oranges" or "orange juice." I believe this to be referring to Amphetamines, however; it could also be referring to morphine pills as the morphine pills located in the victim's vehicle on the night of the shooting imprinted with ABG-60 were orange. I believe it to be amphetamines due to the context of a text message exchange between the two. This occurred on or about July 24, 2020. On that date, Mr. Gilliard responds back letting him know that he's putting \$500 into Mr. Rind's account either way. In addition, Mr. Gilliard asks Mr. Rind if his roommate, Alex, can put out the 80 orange for him. Mr. Rind responds "You told me to have a bottle put in the box this morning at 8:00. I'm not having him open it and take off 20. The bottle is sealed." Later in the morning, Mr. Gilliard texts Mr. Rind "I will be there in about 40 min to pick up the orange today." Mr. Rind responds "A fun sealed bottle." Mr. Gilliard responds by texting "it was opened" and sent a picture of an opened pill bottle dispensed from Costco Pharmacy in Pompano Beach with the partial prescription of Dextroamphetamine 30Mg visible in the photograph. On or about June 27, 2020 at 7:22am, Mr. Gilliard texts a photograph of several white pills in a bag bearing the imprint M-30, which www.drugs.com identifies as being Amphetamine and Dextroamphetamine, and tells Mr. Rind "only 7 in each bag." Additionally, the conversation between Alex and Mr. Gilliard which occurred on 8/10/20 references a miscounting of Adderall and "addies. Once again, Mr. Rind and Mr. Gilliard discuss the distribution of "orange" on the following dates: 12/26/19, 1/31/20, 2/10/20, 2/20/20, 3/11/20, 4/1/20, 4/2/20, 4/9/20, 5/6/20, 5/21/20, 5/26/20, 6/1/20, 6/3/20, 6/7/20, 6/10/20, 6/13/20, 6/17/20, 6/21/20, 6/23/20, 6/27/20, 7/14/20, 7/23/20, 7/24/20, 7/31/20, 9/16/20, 10/14/20, 10/28/20

Finally, Mr. Rind and Mr. Gilliard make reference to distributing "morph" which I believe to be morphine, particularly in light of the fact that morphine pills were found in Mr. Gilliard vehicle as well as in his system at the time of the shooting. Afterwards, they discuss the distribution of "morph" on the following dates: 1/31/20, 4/3/20, 5/6/20, 5/26/20-5/27/20, 7/31/20(?), 8/13/20, 10/28/20.



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In the middle of October Mr. Rind and Mr. Gilliard arrange a meeting for November 2, 2020 according to a review of the text messages. On October 19, 2020, Mr. Rind says "did you get my last message maybe you would like to play let's make a deal. If you say yes you win. I need a financial favor and I will throw in my S+W 9mm in the deal. This was the same day Mr. Rind made a video recording of the revolver used during the shooting as well as a semiautomatic handgun. Mr. Rind asked if he spurred Mr. Gilliard's interest. Mr. Gilliard replies "happy to call tomorrow." They play phone tag back and forth. On 10/22/20, Mr. Rind texts him back and says "can we talk". Mr. Gilliard responds I'm in Georgia with my family I'll call tomorrow. On 10/28/2020, Mr. Rind texts him "if your back please call need to talk to play let's make a deal." Mr. Gilliard replies "I am back and I have your mellie money can I call tomorrow Mr. Rind sends a long text stating among other things "I'm probably not going to Mexico until the 25th of November because I want to get the morph for myself, the mellie and the orange so you don't need to help me out. If we can make a deal I think this could be the best one I have made with you any idea when we can get together?" Mr. Gilliard replies "Can we shoot for Monday or Tuesday[?]" They meet up Monday November 2, 2020.

Therefore, based on the above facts and circumstances I reason to believe that the def. Jay Rind violated F.S.S. 782.04 4 felony murder in the third degree for the shooting death of his co-conspirator that occurred during the ongoing conspiracy to distribute Oxycodone and morphine.

Given the review of the additional information Jay Rind, Alex Paquin, and the decedent Mr. Gilliard conspired to distribute Oxycodone, morphine, and Amphetamines on or between 12/10/19 and 11/2/20.

Thus, I have reason to believe the def. Jay Rind unlawfully and knowingly provided Mr. Gilliard with the Oxycodone, Morphine, and Alprazolam in the quantities located in Mr. Gilliard's vehicle on 11/2/20.

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