

0519694

JOCK 9361

3401

ARREST/NOTICE TO APPEAR
Juvenile Referral Report

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

1

Juvenile N

ADMINISTRATIVE	Agency ORI Number FLO 500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06- 20-125809	
	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	
DEFENDANT	Location of Arrest (Including Name of Business) 10020 COUNTRY BROOK RD BOCA RATON FL 33428			Location of Offense (Business Name, Address) 10020 COUNTRY CREEK RD BOCA RATON FL 33428		
	Date of Arrest 11/17/20	Time of Arrest 11:30AM	Booking Date	Booking Time	Jail Date	Jail Time
CO-DEF	Name (Last, First, Middle) Aburto, Patzy, N					
	Alias (Name, DOB, Soc. Sec. #, Etc.)					
JUVENILE	Race W	Sex F	Date of Birth 01/11/1979	Height 5'05	Weight 130	Eye Color BRO
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)		Martial Status MARRIED	Religion UNK	Indication of Alcohol Influence Drug Influence Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Unk. <input type="checkbox"/>	
CHARGE	Local Address (Street, Apt. Number) 10020 COUNTRY BROOK RD BOCA RATON FL 33428			Phone 9543944504		Residence Type: 1. City 2. County 3. Florida 4. Out of State 2
	Permanent Address (Street, Apt. Number)			Phone		Address Source VERBAL
CHARGE	Business Address (Name, Street)			Phone		Occupation SALESMAN
	D/L Number, State A163674795110, FL		INS Number	Place of Birth (City, State) LIMA, PERU		Citizenship U.S.
CHARGE	Co-Defendant Name (Last, First, Middle)			Race	Sex	Date of Birth
	Co-Defendant Name (Last, First, Middle)			Race	Sex	Date of Birth
CHARGE	Parent Legal Other: (Last, First, Middle)			Residence Phone		
	Address (Street, Apt. Number)			Business Phone		
CHARGE	Notified by: (Name)			Date	Time	Juvenile Disposition
	Released To: (Name)			Relationship		1. Handled/processed within Dept. and Released. 2. TOT HRS / DYS 3. Incarcerated
CHARGE	The above address provided by [] defendant and / or [] defendant's parents The child and / or parent was told to keep the Juvenile Court Clerk (Phone 355-2526) informed of any change of address. <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No: (Reason)			School Attended		
	Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No			Description of Property		Value of Property
CHARGE	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. Other
CHARGE	Charge Description SELL COUNTERFEIT > \$20,000		Counts 1	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number 831.032(3A2)	
	Drug Activity Drug Type Amount / Unit		Offense # 20-125809	Warrant / Capias Number 500 (1016)		
CHARGE	Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number	
	Drug Activity Drug Type Amount / Unit		Offense # 20-125809	Warrant / Capias Number		
CHARGE	Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number	
	Drug Activity Drug Type Amount / Unit		Offense # 20-125809	Warrant / Capias Number		
CHARGE	Charge Description		Counts	Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Statute Violation Number	
	Drug Activity Drug Type Amount / Unit		Offense # 20-125809	Warrant / Capias Number		
CHARGE	Location (Court, Room Number, Address)					
	Court Date and Time Month 11 Day 17 Year 20 Time 5:06 AM <input type="checkbox"/> PM <input checked="" type="checkbox"/>					
CHARGE	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) 11/17/20					
ADMIN	HOLD for other Agency Name:		Signature of Arresting Officer X		Name Verification (Printed by Arrestee)	
	<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other		Arresting Officer (Print) D/S VASCONCELOS		(PRINT)	
Intake District # / Pouch #		Transporting Officer ID # D/S VASCONCELOS 23113		Agency PBSO		
DISTRIBUTION: WHITE - COURT COPY GREEN - STATE ATTORNEY YELLOW - AGENCY PINK - AGENCY GOLD - DEFENDANT (N.T.A.'s ONLY)				PAGE 1 OF 1		

PROBABLE CAUSE AFFIDAVIT

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

Juvenile

N

1

OBTS Number

Agency ORI Number
FLO 500000

Agency Name
PALM BEACH COUNTY SHERIFF'S OFFICE

Agency Report Number
06- 20-125809

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

Special Notes:

Name (Last, First, Middle)

Aburto

Patzy

N

Alias

Race

W

Sex

F

Date of Birth

01/11/1979

SELL COUNTERFEIT > \$20,000

831.032(3A2)

Victim's Name (Last, First, Middle)

Local Address (Street, Apt. Number)

(City)

(State)

(zip)

Phone

Address Source

Business Address (Name, Street)

(City)

(State)

(zip)

Phone

Occupation

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.

was observed by _____ who told _____

confessed to _____ admitting to the below facts.

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 17TH day of NOVEMBER 2020 at 10:00 A.M. P.M. (Specifically include facts constituting cause for arrest.)

Through investigative means, it has been determined that the suspect, Patzy Aburto, utilizes the social media application, "INSTAGRAM" to advertise and arrange the distribution of the counterfeit items.

Aburto's Instagram has 379 "posts" of luxury branded items. Various photographs have a large font including the price of the item. I contacted Investigator J. Berger of "A ACTION INVESTIGATIONS & SECURITY INC." who is trained and hired by luxury brands, such as Chanel and Louis Vuitton, to identify counterfeit luxury items. I notified Berger of an item I intended to purchase (counterfeit black Chanel purse) and he stated that depending on the size, the item is sold at true retail value for over \$5,000. I also informed Berger that I planned to purchase a counterfeit mens Louis Vuitton belt which is sold at a true retail value of over \$550. Berger stated that he will be able to determine if the items are counterfeit and will provide a sworn affidavit stating the same if it is. Berger provided me with \$300 of cash from "A ACTION INVESTIGATIONS & SECURITY INC." funds for the purchase of the item(s).

The funds provided by "A. ACTION INVESTIGATIONS & SECURITY INC." are two \$100 bills and five \$20 bills. The serial numbers are as follows:

\$100 - _____ // \$20 - _____

On 11/08/2020 I sent a message through INSTAGRAM to account, "@LUXURYCLOSETFLORIDA" inquiring about a black "Chanel" purse that was advertised through the account. On 11/09/2020 the account holder responded that the purse is available for purchase for \$175.00. The account holder also provided their phone number through the INSTAGRAM application as 954-394-4504. This phone number has been previously associated with the suspect, Patzy Aburto (01/11/1979) of 10020 Country Brook Rd, unincorporated Boca Raton FL 33428. Myself and the seller agreed to meet after 6:30 PM in Boca Raton on

11/10/2020 to make the deal. On 11/10/2020 at 1800 a briefing was held at a predetermined location and all members of the District 7 Street Team were present. Other members of the District 7 Street Team were assigned as security/surveillance and I was assigned to conduct the undercover buy. I texted Aburto and asked her where I should meet her and requested to purchase a mens "Louis" (Louis Vuitton) belt which she has advertised on her INSTAGRAM page. Aburto then provided the address of Cumberland Farms (23077 S. State Rd. 7, Boca Raton FL 33428) for the meeting location and stated that the belt would cost \$85. Aburto agreed on meeting at approximately 1840hrs (see photographs of texts for further information). Prior to my arrival at Cumberland Farms, D/S R. Oragene #7760 maintained surveillance at Aburto's residence where he saw her 2018 Volkswagen Atlas parked in the driveway. I arrived at Cumberland Farms at 1834hrs and texted Aburto that I arrived and at 1841hrs she responded, "coming". D/S Oragene advised that he observed Aburto loading the front passenger seat of her vehicle with unknown items moments prior to entering her vehicle and leaving the residence. Aburto left the house at 1843hrs. Aburto drove straight to the Cumberland Farms constant surveillance was kept on Aburto and her vehicle from her house to the Cumberland Farms shedid not stop or make contact with anyone else prior to the sale. Aburto arrived at Cumberland Farms at 1846hrs and texted me that she was at Pump #1. I made contact with Aburto at 1847 hours. Aburto was the sole occupant of the vehicle. Aburto handed me a white "Chanel" cloth bag containing a black "Chanel" purse which was the same one advertised on her Instagram, along with a brown paper "Louis Vuitton" box containing a black/grey "Louis Vuitton" belt which was also appeared to be the same belt advertised on her Instagram. Aburto retrieved these items from the front passenger seat, the same area where D/S Oragene observed her loading the items into the vehicle. I then handed Aburto \$260.00 (\$175 for the purse and \$85 for the belt). The investigative funds given to Aburto were (2) \$100 Bills (SN#'s _____) and (3) \$20 Bills (SN#'s _____). The deal was complete at 1848hrs and I left the parking lot at 1849hrs. Aburto was seen leaving the parking lot at 1851hrs and driving north through the parking lot and re-entered her neighborhood. I then met with investigator Justin Berger at District 7. I returned (2) \$20 Bills of unspent investigative funds were returned to Justin Berger (SN#'s _____). Justin Berger, acting as an agent/expert witness for both Chanel and Louis Vuitton, photographed and inspected the counterfeit items. Berger, who has been trained by Chanel and Louis Vuitton with over 14 years of experience, immediately identified that the items were counterfeit. Berger took in depth photographs and sent them the manufacturer's. Berger informed me that the manufacturer's security team would send back an affidavit in a few days.

STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer)

(ID #)

The foregoing instrument was sworn to or affirmed and subscribed before me this 17 day of NOVEMBER 2020 by _____

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced

23113

Notary Public, Clerk of Court, Officer (F.S.S. 117.10)

PAGE
1 OF 3

ADMIN	Agency ORI Number FLO 500000	Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE	Agency Report Number 06- 20-125809
	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		Special Notes:

DEF	Name (Last, First, Middle) Aburto Patzy N	Alias N	Race W	Sex F	Date of Birth 01/11/1979
-----	---	-------------------	------------------	-----------------	------------------------------------

CHARGES	SELL COUNTERFEIT > \$20,000	831.032(3A2)
---------	---------------------------------------	---------------------

VICTIM	Victim's Name (Last, First, Middle)			Race	Sex	Date of Birth	
	Local Address (Street, Apt. Number)			(City)	(State)	(zip)	Phone
	Business Address (Name, Street)			(City)	(State)	(zip)	Phone
							Address Source

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. was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.

confessed to _____ admitting to the below facts. was found to have committed the below acts, resulting from my (described) investigation.

On the 17TH day of NOVEMBER 2020 at 10:00 A.M. P.M. (Specifically include facts constituting cause for arrest.)

On 11/12/2020 Investigator Berger forwarded me an affidavit from the Chanel corporation and an affidavit from Louis Vuitton corporation. The affidavits provided the following information which certifies that the items sold by Patzy are counterfeit and provides a true retail price for the actual item:

CHANEL: Representative ADRIENNE HAHN provided the following signed and sworn statement (see full 9 page affidavit for complete information):

".....

On November 11, 2020, Chanel received an email from Justin Berger of A Action investigation's & Security, Inc., containing photos of a handbag bearing the Chanel trademarks that was purchased as evidence from Patzy N. Aburto located in Palm Beach, Florida. After reviewing the photos, I determined that the handbag is not a genuine Chanel product. I reached this conclusion based on observations that include the following:

- a) Numerous hardware, labeling, and other features differ from those used in connection with genuine Chanel products,
- b) The packaging differs from packaging used in connection with Chanel handbags,
- c) The serial number shown does not match the style of the handbag, and
- d) The workmanship and materials appear to be dissimilar from that of genuine Chanel products.

10. The approximate Manufacturer Suggested Retail Price (MSRP) for similar genuine Chanel handbags starts at \$5,800 USD.

11. Patzy N. Aburto, or any entity connected to Patzy N. Aburto, does not have, nor has ever had, the right or authority to use the CHANEL, Monogram or other Chanel trademarks for any purpose.

12. As a result of the availability of the counterfeit products discussed above, Chanel is highly likely to experience irreparable damage to its reputation among consumers unless the infringing activity is stopped.

DocuSign Envelope ID: 1BEBDB64-D09C-4AD2-BAA9-19F0B6D0337E

I DECLARE the foregoing statements to be true and correct under penalty of perjury under the laws of the United States of America."

LOUIS VUITTON: Representative ERIC P. LACOMA swore to the following:

"I am the Senior Manager of Criminal Enforcement for Louis Vuitton Malletier (hereinafter "Louis Vuitton") North America based in New York, NY. I have been employed in this capacity since October 2013, and I am familiar with its trademarks and anti-counterfeiting program. I am in receipt of photographs, attached as EXHIBIT A, of a Louis Vuitton trademarked belt ("the item")."

STATE OF FLORIDA
COUNTY OF PALM BEACH

(Signature of Arresting/Investigative Officer) _____ (ID #) _____

The foregoing instrument was sworn to or affirmed and subscribed before me this 17 day of NOVEMBER 2020 by _____

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced _____

Notary Public, Clerk of Court, Officer (F.S.S. 117.10)

Agency ORI Number FLO 500000	Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE	Agency Report Number 06- 20-125809
--	--	--

Charge Type: Check as many as apply.	<input checked="" type="checkbox"/> 1. Felony	<input type="checkbox"/> 3. Misdemeanor	<input type="checkbox"/> 5. Ordinance	Special Notes:
	<input type="checkbox"/> 2. Traffic Felony	<input type="checkbox"/> 4. Traffic Misdemeanor	<input type="checkbox"/> 6. Other	

Name (Last, First, Middle) Aburto Patzy N	Alias	Race W	Sex F	Date of Birth 01/11/1979
---	-------	------------------	-----------------	------------------------------------

CHARGES	SELL COUNTERFEIT > \$20,000	831.032(3A2)
---------	---------------------------------------	---------------------

VICTIM	Victim's Name (Last, First, Middle)	Race	Sex	Date of Birth
	Local Address (Street, Apt. Number) (City) (State) (zip)	Phone	Address Source	
	Business Address (Name, Street) (City) (State) (zip)	Phone	Occupation	

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. was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.

confessed to _____ admitting to the below facts. was found to have committed the below acts, resulting from my (described) investigation.

On the 17TH day of NOVEMBER 2020 at 10:00 A.M. P.M. (Specifically include facts constituting cause for arrest.)

Based on the statements in the affidavits, there is evidence that Patzy intentionally sold a counterfeit Chanel purse with a true retail value of \$5,800 at a price of \$175 and a Louis Vuitton Belt with a true retail value of \$775.00 at a price of \$85. Both companies advised that the items are counterfeit and that the suspect did not have permission to sell their respective trademarks.

On 11/12/2020 I drafted a residential search warrant for the residence of 10020 Country Brook Rd, and the honorable judge James Nutt signed off on the search warrant.

On 11/17/2020 at 1030hrs the search warrant was executed and thousands of counterfeit items were seized (see full report for detailed list/photos), along with cash profits derived from the sale of illegal items, and correspondence of Patzy Aburto with the residence. Also, a certified letter from Louis Vuitton's criminal enforcement division was found on Patzy's dresser, addressed to her at 10020 Country Brook Rd, dated December 2019, in which the letter states that Louis Vuitton and U.S. Customs and Border Protection intercepted counterfeit items that were being shipped to her residence. In the detailed letter Louis Vuitton representative, Kenneth King, clearly informs the defendant that selling counterfeit items is illegal and forbidden.

Investigator/Authenticator Justin Berger responded, identified several of the items as counterfeit, and advised that based on his extensive training and numerous years of experience, the items seized from Patzy's home are counterfeit and have a true retail value well above \$100,000. The complete inventory, processing, and totaling of the counterfeit items will take place 11/18/2020 at the PBSO evidence unit. See full report for further details.

Patzy was taken into custody without incident and transported to PBSO main jail.

Based on the above information, I have probable cause to charge Patzy with sale of counterfeit items totaling over \$20,000.00 in true retail value in violation of F.S.S. 831.032(3A2).

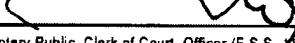
STATE OF FLORIDA
COUNTY OF PALM BEACH

 (ID #) _____

(Signature of Arresting/Investigative Officer)

The foregoing instrument was sworn to or affirmed and subscribed before me this 17 day of NOVEMBER 2020 by _____

(Print name of Arresting/Investigative Officer), who is personally known to me and/or produced identification. Type of identification produced _____

 23113

Notary Public, Clerk of Court, Officer (F.S.S. 17.10)

ADMINISTRATIVE PROBABLE CAUSE STATEMENT



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	<input checked="" type="checkbox"/>	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	3
	<input type="checkbox"/>	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	<input checked="" type="checkbox"/>	119.071(4)(c)	Undercover personnel.	1-5
	<input type="checkbox"/>	119.071(2)(f)	Confidential informants (CIs).	
	<input type="checkbox"/>	119.071(2)(e)	Confession.	
Public Info. Exemptions	<input type="checkbox"/>	985.04(1)	Juvenile offender records.	
	<input type="checkbox"/>	119.071(h)(i)	Assets of a crime victim.	
	<input type="checkbox"/>	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	<input type="checkbox"/>	394.4615(7)	Mental health information.	
	<input type="checkbox"/>	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)	<input checked="" type="checkbox"/>	(iii) 119.0714(1)(i)-(j), 2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	<input type="checkbox"/>	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	<input type="checkbox"/>	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	<input type="checkbox"/>	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
Other	<input type="checkbox"/>		Other:	
	<input type="checkbox"/>		Other:	

REVIEW COMPLETED BY

Booking Number: 2020027066	Date: 11/18/2020
	Specialist Name/ID: T Howard/7185