

Charging Affidavit - Volusia

ARREST <input type="checkbox"/> NOTICE TO APPEAR <input type="checkbox"/> AFFIDAVIT <input checked="" type="checkbox"/> C.C. <input type="checkbox"/> ADULT <input type="checkbox"/> JUVENILE <input type="checkbox"/>		Court Case Number:	
(ORI) FL: 0 4 8 1 1 0	Agency Name: Florida Department of Law Enforcement		Agency Case Number: OR-14-0163
FCIC/NCIC Check? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	OBTS #	U.C.R.:	Date Arrested: Time of Arrest:
ADDRESS OF ARREST: Volusia County Jail		Arrested By: FDLE	ID Number:
DEFENDANT NAME (L,F,M): Braddock, Steven Michael		A.K.A.:	Sex: W Race: M
DOB: 11/16/1969	Age: 49	Driver's Lic./ ID No.:	State: FL Year Expires: S.S. #:
Height: 5'-09"	Weight: 200	Hair: Grey	Eyes: Blue
Scars, Marks, Tattoos:		Business & Occupation:	
P.O.B. (City, State, Country): Pennsylvania		Statement: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Probation: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Sexual Predator: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	English: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Deaf/Mute: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Address - Mailing/Permanent (STREET APT. NUMBER)		RESIDENCE PHONE	
Address - Other (Employer/School) (STREET, APT. NUMBER)		BUS/SCHOOL PHONE	

CHARGES		DOMESTIC VIOLENCE? Yes <input type="checkbox"/>	Attachments: Affidavit(s) <input type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/> DUI <input type="checkbox"/>	Total Charges:
#1 Charge: Exploitation of the Elderly	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: FSS 825.103 (3)(a)	Citation No.:	Bond:
#2 Charge: Uttering Forged Instruments	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: FSS 831.02	Citation No.:	Bond:
#3 Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No.:	Bond:

CO-DEFENDANT		Co-Def #1. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel. <input type="checkbox"/> Misd. <input type="checkbox"/> Traf. <input type="checkbox"/> Ord <input type="checkbox"/> NTA <input type="checkbox"/>	Co-Def #2. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel. <input type="checkbox"/> Misd. <input type="checkbox"/> Traf. <input type="checkbox"/> Ord <input type="checkbox"/> NTA <input type="checkbox"/>
#1 NAME (L,F,M): Braddock, Mary Louise	Race: W	Sex: F	DOB: 06/08/1969 Age: 50
#2 NAME (L,F,M):	Race:	Sex:	DOB: Age:

NARRATIVE The undersigned certifies and swears that there is probable cause to believe the above named defendant, on the 30th day of August, 2017, at approximately _____ a.m. _____ p.m. at 1814 Forest Preserve in Port Orange within Volusia County, violated the law and did then and there:

On November 28, 2018, Port Orange Police Department (POPD) Chief Thomas Grimaldi requested the Florida Department of Law Enforcement (FDLE) investigate allegations of forgery and fraud against then POPD Sergeant Steven Braddock (hereinafter "Steven") regarding a complaint filed by Steven's brother, Andrew Braddock (hereinafter "Andrew")

Andrew provided copies of several documents related to Andrew and Steven's parents' estate, a Durable Power of Attorney (DPOA) for their _____ a DPOA for their _____ and a Warranty Deed for their _____ home and condominium, which transferred ownership of the properties into Steven and his wife Mary Braddock's (hereinafter "Mary") possession. Andrew stated that _____ was in a medical care facility at the time the warranty deed was signed, and he believed Steven falsified the documents.

(Continued.)

NOTICE TO APPEAR	MANDATORY APPEARANCE <input type="checkbox"/>	YOU NEED NOT APPEAR IN COURT BUT MUST COMPLY WITH INSTRUCTIONS ON THE REVERSE SIDE OF YOUR COPY <input type="checkbox"/>	FINE, AND COSTS AMOUNT:
I AGREE TO APPEAR IN COURT HEREIN TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE INDICATED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED, OR PAY THE LISTED FINE, I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST WILL BE ISSUED.			
SIGNATURE OF DEFENDANT	Date	SIGNATURE OF JUVENILE PARENT OR CUSTODIAN	JUVE DISP. CITATION No.
		RELATIONSHIP TO JUVENILE	

Sworn to and subscribed before me, the undersigned	I swear/affirm the above statements are correct and true	Rt thumb
This 01 day of October 2019	Name: <i>[Signature]</i>	
Notary Public <input type="checkbox"/> Law Enforcement or Corrections Officer <input checked="" type="checkbox"/>	OFFICER'S/COMPLAINANT'S SIGNATURE	
Personally Known <input checked="" type="checkbox"/> Produced Identification <input type="checkbox"/>	NAME (PRINTED): FDLE SA Mark Mynheir	ID NUMBER: 1272
Type of Identification:	Inmate Number & Facility:	

OFFICIAL USE ONLY

Narrative Supplement 707-B

Arrest
 Affidavit
 Notice to Appear
 Adult
 Juvenile

Court Case Number:

Defendant Name: Braddock, Steven Michael		Agency Case Number: FDLE OR-14-0163	
CHARGES	DOMESTIC VIOLENCE? YES <input type="checkbox"/>	Attachments: Affidavit(s) <input type="checkbox"/>	Statement(s) <input type="checkbox"/>
		NTA Schedule <input type="checkbox"/>	Report <input type="checkbox"/>
		Traffic Infraction(s) <input type="checkbox"/>	Total Charges:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> FS/ORD	Citation No.: Bond:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> FS/ORD	Citation No.: Bond:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> FS/ORD	Citation No.: Bond:

[REDACTED] passed away on April 6, 2017, and [REDACTED] who is [REDACTED] was suffering from late stages dementia and had been in Grace Manor nursing home since July of 2015. Steven and Mary were managing her care.

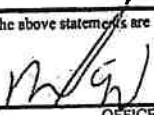
The documents were examined. The Warranty Deed was recorded on the Volusia County Clerk of Courts website August 30, 2017, even though it was signed and notarized five months earlier on March 7, 2017. The document transferred the ownership of two properties owned by [REDACTED] to Steven and Mary for ten dollars. The combined value of the two properties was approximately \$432,000.00.

The Warranty Deed was notarized by Sherilyn Solana (hereinafter "Solana"), a records clerk at POPD, who is also a personal friend of Steven. Solana indicated in a sworn statement that she never met [REDACTED] whose signature was on the document. She did notarize the document but only Steven was present, and she was unsure if other signatures were on the document at the time she notarized it.

The witness on the Warranty Deed was Tina Zalich (hereinafter "Zalich"), who is also a personal friend of Steven and Mary's. Zalich stated she went to Steven's home and witnessed him sign his [REDACTED] name, [REDACTED] to the document. Zalich did not remember if [REDACTED] name was already signed or not, but [REDACTED] was not present.

The DPOA for [REDACTED] was drafted in the same legal template as the DPOA for [REDACTED] which was prepared by attorney Fred Share, except [REDACTED] DPOA contained multiple spelling and punctuation errors, was missing words, sentences, and entire subsections. [REDACTED] DPOA listed Steven and Mary [REDACTED] as [REDACTED] attorney-in-fact and agents, in contrast to [REDACTED] that listed Steven and Andrew in that capacity. The document was dated on October 16, 2015. It should be noted that Steven and Mary were not married until January 4, 2016.

[REDACTED] DPOA was also notarized by Solana and, again, witnessed by Zalich, both of whom indicated in sworn statements they were not present when the document was supposedly signed by [REDACTED]. Steven had presented the document to them to be signed and notarized with [REDACTED] signature already on it. (Continued.)

Sworn to and subscribed before me, the undersigned this <u>01</u> day of <u>October</u> , 2019.	I swear/affirm the above statements are correct and true.	Right thumb
Name: <u>Stacy Ann Gaudin</u>		
Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/>	OFFICER'S/COMPLAINANT'S SIGNATURE	
Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/>	NAME (PRINTED) SA Mark Mynheir	ID NUMBER 1272
Type of Identification:		

Narrative Supplement 707-B

Arrest
 Affidavit
 Notice to Appear
 Adult
 Juvenile

Court Case Number:

Defendant Name: **Braddock, Steven Michael** Agency Case Number: **FDLE OR-14-0163**

CHARGES		DOMESTIC VIOLENCE? YES <input type="checkbox"/>	Attachments: Affidavit(s) <input type="checkbox"/>	Statement(s) <input type="checkbox"/>	NTA Schedule <input type="checkbox"/>	Report <input type="checkbox"/>	Traffic Infraction(s) <input type="checkbox"/>	Total Charges:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> FS/ORD					Citation No.:	Bond:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> FS/ORD					Citation No.:	Bond:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/> FS/ORD					Citation No.:	Bond:

Solana believed she notarized the documents sometime after Steven's [redacted] passed away on April 6, 2017. Zalich stated she signed the DPOA as a witness at Steven's house, and Mary was also present. Zalich never met or saw Susan.

On October 8, 2018, Steven sold his [redacted] home that he received from the Warranty Deed transfer, [redacted]. The residence sold for \$300,000.00; \$121,758.53 was paid to Steven by the buyer, and the buyer agreed to pay rent to Steven for \$1,401.62 a month for the remainder until he could qualify for a VA loan. Steven and Mary also rented the condominium in New Smyrna Beach to Mary's daughter for \$900.00 a month.

On December 21, 2018, Special Agent (SA) Mark Mynheir conducted a sworn, audio-recorded interview with Steven, and the following is a summary of the interview:

Steven stated that sometime in 2014, [redacted] came to him and wanted him to be the Power of Attorney for his estate because [redacted] was having dementia issues. [redacted] was upset with Andrew and was tired of Andrew taking money from him. Andrew would use his children to get money from him all the time, and [redacted] did not know what Andrew was doing with the money.

[redacted] and Steven went to visit Andrew, and [redacted] asked Steven to find out what his brother was doing with the money. Steven asked Andrew what was going on with the money his [redacted] was giving him, but Andrew would not give him a straight answer. Steven suspected a lot of the money was going to a church Andrew was attending.

Shortly after that visit, [redacted] fell and struck his head when he was taking out the recycling at his residence, and he had memory and health issues after that. Steven assumed the role of the Power of Attorney to take care of his [redacted] bills. As far as Steven understood, he could sign the checks and financial items for [redacted].

Steven was shown the DPOA for [redacted]. Steven said he obtained it from his [redacted] and the document was prepared by attorney Fred Share, who also signed as a witness. Steven confirmed his [redacted] signature on the document.

SA Mynheir showed Steven the DPOA for [redacted]. Steven said his [redacted] signature was not that good anymore. He was asked where the document came from. Steven was not sure where he got the document template but said his [redacted] did sign it. Her signature was terrible, but his wife, Mary, was present when [redacted] signed it.

(Continued.)

Sworn to and subscribed before me, the undersigned this <u>9</u> day of <u>October</u> , 2019 Name: <u>Alan G. L. [redacted]</u>	I swear/affirm the above statements are correct and true. <u>[Signature]</u> OFFICER'S/COMPLAINANT'S SIGNATURE	Right thumb
Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/>	NAME (PRINTED) SA Mark Mynheir	ID NUMBER 1272
Type of Identification:		

Narrative Supplement 707-B

Arrest
 Affidavit Adult
 Notice to Appear Juvenile

Court Case Number:

Pg # 4 of 6

Defendant Name: Braddock, Steven Michael		Agency Case Number: FDLE OR-14-0163	
CHARGES		DOMESTIC VIOLENCE? YES <input type="checkbox"/> Attachments: Affidavit(s) <input type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/> Total Charges:	
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SA Mynheir pointed out that the date on the document was also October 16, 2015, the same date [REDACTED] DPOA was signed. Steven said the date was incorrect. [REDACTED] DPOA was signed sometime within the last year. The interview was terminated at that point by Steven's attorney.

A sworn statement was obtained from Andrew, and he provided the following information in summary:

Andrew was asked about his [REDACTED] lending him money in the past. Andrew said from the time he was married in 1992 through to his [REDACTED] passing away in 2017, he received approximately \$5,000.00 in total. The last time he borrowed money from his [REDACTED] was in 2005; he borrowed approximately \$1,500.00 for lawyers' fees from his bankruptcy. He had not borrowed or received any more money since then, other than normal Christmas and birthday gifts and such.

In May of 2015, Steven and [REDACTED] came to visit him for his [REDACTED] graduation. Neither Steven nor [REDACTED] asked about any money issues. Steven asked about jewelry Andrew's daughter received from [REDACTED] who passed away in 2007 but nothing about money from his [REDACTED].

Andrew was present when his [REDACTED] was ill prior to his death when he was in the rehab center [REDACTED] never discussed any changes to the will or his desire to change any inheritances. There was no mention of a will. Andrew's statement was taken over the phone due to him being out of state.

On December 31, 2018, [REDACTED] was evicted from Grace Manor for an unpaid debt of \$19,776.97, and she was transferred to the hospital and then to a different nursing home. [REDACTED] had purchased a long-term health insurance policy for [REDACTED] from Allianz Life, which supplemented the cost of [REDACTED] care for approximately \$3,276.00 a month. The monthly rate for Grace Manor was approximately \$4,215.00 at the end of [REDACTED] stay.

In Steven's statement on December 21, 2018, he indicated [REDACTED] DPOA was signed approximately one year before the interview. According to subpoenaed PNC Bank records for [REDACTED] account, Steven and Mary signed the PNC Bank Account Registration and Agreement to have Mary placed on [REDACTED] account, using [REDACTED] DPOA, on October 3, 2017, which was consistent with the timeframe Steven stated. Steven had been on his parents' account since 2016.

After Mary was placed onto the PNC Bank account, Steven and Mary transferred in excess of \$258,032.00 from [REDACTED] account into their joint account at Space Coast Credit Union (SCCU), including a \$200,000.00 cashier's check to Mary on October 18, 2017, which was then deposited into Steven and Mary's bank account the same day.

Sworn to and subscribed before me, the undersigned this <u>07</u> day of <u>October</u> , 2019. Name: <u>[Signature]</u> Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/> Type of Identification:	I swear/affirm the above statements are correct and true. <div style="text-align: center;"><u>[Signature]</u></div> OFFICER'S/COMPLAINANT'S SIGNATURE NAME (PRINTED) SA Mark Mynheir ID NUMBER 1272	Right thumb
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Defendant Name: Braddock, Steven Michael		Agency Case Number: FDLE OR-14-0163	
CHARGES		Total Charges:	
DOMESTIC VIOLENCE? YES <input type="checkbox"/>		Attachments: Affidavit(s) <input type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/>	
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The majority of that money, as well as the \$121,758.53 proceeds from the sale of [redacted] and [redacted] home, was spent on the purchase of a three-acre lot in New Smyrna Beach and the building of a 9000-square-foot barn home on that property. The rest was spent on personal items for themselves.

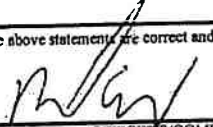
A further review of [redacted] PNC Bank account indicated that from April of 2017 through April of 2019, Steven and Mary withdrew in excess of \$6,474.00 cash from [redacted] account through the ATM.

During the same time-frame, Steven and Mary charged approximately \$12,440.15 on [redacted] PNC credit card and used [redacted] debit card for approximately \$27,885.46 worth of purchases. All of the items purchased appeared to be for Steven and Mary's personal use, not for [redacted] or her care. The charges included purchases from Publix, multiple gas stations, ABC Fine Wines, Lowes, Bass Pro, Vip Pet Resort, Marshalls, a Carnival Cruise Line Cruise, Kohls, Bath & Body Works, Etc.

On May 22, 2019, SA Mynheir received [redacted] subpoenaed file from Thrive Senior Living regarding [redacted] time at Grace Manor nursing home. The file included Grace Manor agreements and policies, financial and payment information, memorandums and case notes, visitors' logs, [redacted] eviction notice, as well as [redacted] Healthcare Surrogate, Living Will, and DPOA documents. [redacted] was a resident of Grace Manor from July 21, 2015, through December 31, 2018, when she was evicted.

The financial report from [redacted] file indicated payments for [redacted] care became delinquent in late 2016 but were later brought up to date. The payments became delinquent again in 2017, and she was ultimately evicted from the facility on December 31, 2018, because of unpaid bills totaling \$19,776.97. As of April of 2019, [redacted] debt was still unpaid, and she owed \$23,947.28 on her account.

The Healthcare Surrogate, Living Will, and DPOA documents for [redacted] were dated July 9, 2004, and were also prepared by attorney Fred Share. The Healthcare Surrogate listed [redacted] as the Primary with Andrew and Steven as Secondary in the event [redacted] was unable or unwilling to execute his duties. [redacted] had two separate DPOAs, one with [redacted] as the Primary, and another with Andrew and Steven as Primary. The DPOA in the file was not the same DPOA signed by Steven and Mary in late 2017, and there was no paperwork in the Grace Manor file indicating the 2004 DPOA was null and void.

Sworn to and subscribed before me, the undersigned this <u>01</u> day of <u>October</u> , 2019.	I swear/affirm the above statements are correct and true.	Right thumb
Name: <u>SA Mark Mynheir (Subscribed)</u>		
Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/>	OFFICER'S/COMPLAINANT'S SIGNATURE	
Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/>	NAME (PRINTED) SA Mark Mynheir	ID NUMBER 1272
Type of Identification:		

Narrative Supplement 707-B

Arrest
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Defendant Name: Braddock, Steven Michael		Agency Case Number: FDLE OR-14-0163	
CHARGES		Attachments: Affidavit(s) <input type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/> Total Charges:	
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Attorney Fred Share was contacted, and there was no paperwork in his file for the Braddocks voiding or superseding the 2004 DPOA for [REDACTED]

A handwritten note in the Grace Manor file stated the following:

"Conversation with Mary on 09/18/2017
[REDACTED] passed away-
Son is not POA-
No one is-
Will get a payment, insurance won't pay until they get a POA "

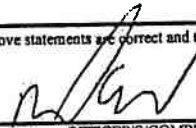
The note stated, according to Mary, there was no DPOA for [REDACTED] (or she was unaware of its existence) on 09/18/2017, but the Warranty Deed with [REDACTED] and [REDACTED] signature transferring both of their properties to Steven and Mary was supposedly signed five months before on 03/17/2017.

A review of the Grace Manor visitor log showed the following:

Grace Manor is a secure memory care facility in which visitors must sign in. From August 7, 2016, through January 11, 2019, Steven was logged in as a visitor one time on September 28, 2017. Mary visited four times, and Andrew, who lived in Pennsylvania, visited five times.

On January 28, 2019, the Department of Children and Families (DCF) was notified of the situation and initiated an investigation of the case. The DCF investigator noted FDLE was investigating the incident. The investigator determined the case was not substantiated because there was no harm to [REDACTED] because her physical needs were being met. The report and investigation did not examine the financial aspect of the exploitation.

Steven and Mary produced a fraudulent DPOA for [REDACTED] used it to secure the Warranty Deed transferring both of [REDACTED] and [REDACTED] properties to their possession, sold [REDACTED] and [REDACTED] main residence, collected rent from the other, and used the fraudulent DPOA to place Mary on [REDACTED] bank account, after which withdrawing in excess of \$300,000.00 from her account. Steven and Mary used the proceeds to purchase their three-acre plot of land and 9000-square-foot barn home while [REDACTED] was evicted from her nursing home for lack of payment. All events occurred in Volusia County, Florida.

Sworn to and subscribed before me, the undersigned this <u>01</u> day of <u>October</u> , 2019 Name: <u>Steven Michael Braddock</u> Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/> Type of Identification:	I swear/affirm the above statements are correct and true. <div style="text-align: center;">  OFFICER'S/COMPLAINANT'S SIGNATURE </div> NAME (PRINTED) SA Mark Mynheir ID NUMBER	Right thumb
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