

Case Details: 50-2012-TR-204320-AXXX-SB



Full Name BERNSTEIN, SIMON L **DOB** 12/2/1935
Name Suffix **Sex** M
Case # 50-2012-TR-204320-AXXX-SB **Race**
Status Open **Fee Balance** 287.00
Citation # 7803LCU **Division** DM: SB Infractions - DM
Booking # **Speedy Trial Du** 3/26/2013

340WYN

Court Events

No Court Events Found.

Main Parties

Judge: INFRACTION, DELRAY TRAFFIC

Parties

Full Name	Party Type	Sex	Race	Date of Birth	AKA	Deceased	Sheriffs #	Hair	Eyes
KOSOVA, GHENZ T	WITNESS								
BERNSTEIN, SIMON L	DEFENDANT	M		12/2/1935					

Charges

Count	Statute #	Description	Disposition	Disposition Date	Sentence	Offense Date
1	316.075(1C1)	(547) COUNTY/CITY TCATS PHOTO ENFORCEMENT FAIL TO STOP AT STEADY RED SIGNAL -(EFF JUL 1, 2010)				9/27/2012

Linked Cases

No Linked Cases Found.

Dockets

Image	Docket Number	Effective Date	Count	Description
0	1	9/27/2012		DIVISION ASSIGNMENT
1	2	9/27/2012	1	CITATION/CASE CREATED
0	3	9/27/2012	1	316.075(1C1) (547) COUNTY/CITY TCATS PHOTO ENFORCEMENT FAIL TO STOP AT STEADY RED SIGNAL -(EFF JUL 1, 2010)
0	4	11/1/2012		D6 SUSPENSION REPORTED
0	5	2/4/2013		CASE SENT TO COLLECTION AGENCY

Warrants/Service Docs

No Warrants/Service Docs Found.

Arrests

No Arrests Found.

Sentences

No Sentences Found.

Total Fees

Total Amount Due: \$287.00 Total Amount Paid: \$0.00 Total Balance: \$287.00 Total Judgment Interest: \$0.00
Total Balance + Interest: \$287.00

Payment Plans

No Payment Plans Found.

Fees

Effective Date	Due Date	Description	Amount Due	Amount Paid	Balance	In Collections

9/27/2012	11/1/2012	Failure to Stop Red Light Camera 07012010 PB	\$264.00	\$0.00	\$264.00	Sent on 2/4/2013
11/1/2012	11/1/2012	D6 Late Fee \$23 TR and \$32 Crimes PB	\$23.00	\$0.00	\$23.00	Sent on 2/4/2013

Bonds

No Bonds Found.



SHARON R. BOCK

CLERK & COMPTROLLER
PALM BEACH COUNTY, FLORIDA

RECEIPT

760252

Printed on:
01/22/2014 2:07 PM
Page 1 of 1

Receipt Number: 760252 - Date 01/22/2014 Time 2:07 PM			
Received of:	KIMBERLY FRANCES MORAN 6362 LAS FLORES DRIVE BOCA RATON, FL 33433		
Cashier #:	CLERK\sglasco	Balance Owed:	12.00
Cashier Location:	South Branch Criminal - Front Counter	Total Amount Paid:	12.00
Receipt ID:	4512382	Remaining Balance Owed:	0.00
Division:	V: Felony - V (Circuit)		
Case# 50-2013-CF-010745-AXXX-MB -- Defendant: MORAN, KIMBERLY FRANCES			
Item	Balance	Paid	Bal Remaining
Fees	12.00	12.00	0.00
Case Total	12.00	12.00	0.00
Payments:			
Type:	Ref#:	Amount:	
CASH		20.00	
Total Received		20.00	
Total Paid		12.00	
Change - Cash		8.00	

[Handwritten signature]

How was your service today? We want to hear your comments or questions. Please e-mail your feedback to clerkweb@mypalmbeachclerk.com.

For office locations and information about Clerk & Comptroller services:

Visit www.mypalmbeachclerk.com or call (561) 355-2996.

Rough Arrest Only

ARREST / NOTICE TO APPEAR Juvenile Referral Report

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

ADMINISTRATION	OBTs Number		Agency ORI Number FL0500000		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE		Agency Report Number 06-13-097087	
	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				Weapon Seized/Type 1. Yes 2. No		Multiple Clearance Indicator	
	Location of Arrest (Including Name of Business)				Location of Offense (Business Name, Address) 4855 Technology Way, Boca Raton, FL			
	Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle	

DEFENDANT	Name (Last, First, Middle) Moran, Kimberly Frances				Alias (Name, DOB, Soc. Sec. #, Etc.) Kim				
	Race W - White B - Black W	Sex f	Date of Birth 10/24/78	Height 5'5	Weight 110	Eye Color Brn	Hair Color Brn	Complexion Fair	Build Thin
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)				Marital Status Married	Religion	Indication of: Alcohol Influence <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Drug Influence <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
	Local Address (Street, Apt. Number) 6362 Las Flores Dr., Apt 4		(City) Boca Raton	(State) FL	(Zip) 33433	Phone (561) 716-8849	Residence Type 1. City 3. Florida 2. County 4. Out of State		
	Permanent Address (Street, Apt. Number) Same As Above		(City)	(State)	(Zip)	Phone	Address Source FL DL		
	Business Address (Street, Apt. Number)		(City)	(State)	(Zip)	Phone	Occupation Legal Assistant		
D/L Number, State M650-506-78-884-0		Soc. Sec. Number		INS Number		Place of Birth New Jersey	Citizenship USA		

CO-DEF	Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large	<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor	<input type="checkbox"/> 5. Juvenile
	Co-Defendant Name (Last, First, Middle)	Race	Sex	Date of Birth	<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large	<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor	<input type="checkbox"/> 5. Juvenile

JUVENILE	<input type="checkbox"/> Parent <input type="checkbox"/> Legal Custodian <input type="checkbox"/> Other	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 Dept. and Released 2. TOT HRS/CYF 3. Incarcerated
	Released To: (Name) Relationship		FCIC/NCIC (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 informed of any change of address: <input type="checkbox"/> Yes, by: (Name) <input type="checkbox"/> No: (Reason)			School Attended (Grade)

CODE	Recovery Information 0. N/A 1. Voluntary 2. Located Not Returned 3. Hospitalized 4. HRS Custody 5. Law Enforcement Custody 6. Returned to Parent 7. Deceased 8. Other									
	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. Barbituate C. Cocaine E. Heroin	H. Hallucinogen M. Marijuana O. Opium/deriv.	P. Paraphernalia/ Equipment S. Synthetic

CHARGE	Charge Description Criminal Actions through use of simulated legal process		Counts 1	Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No	Statute Violation Number 843.0855 (3)	Violation of ORD #	
	Drug Activity	Drug Type	Amount/Unit	Offense # 13-097087	Warrant/Capias Number	Bond	
	Charge Description		Counts	Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No	Statute Violation Number	Violation of ORD #	
	Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number	Bond	
CHARGE	Charge Description		Counts	Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No	Statute Violation Number	Violation of ORD #	
	Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number	Bond	
CHARGE	Charge Description		Counts	Domestic Violence <input type="checkbox"/> Yes <input type="checkbox"/> No	Statute Violation Number	Violation of ORD #	
	Drug Activity	Drug Type	Amount/Unit	Offense #	Warrant/Capias Number	Bond	

NOTICE TO APPEAR	<input type="checkbox"/> Instruction No. 1 Mandatory Appearance in Court	Location (Court, Room Number, Address)	
	<input type="checkbox"/> Instruction No. 2 You need not appear in Court but must comply with instructions on reverse side.	Court Date and Time Month Day Year Time A.M. P.M.	
	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	

ADMIN.	HOLD for other Agency Name:		Signature of Arresting Officer X		Name Verification (Printed by Arrestee) (PRINT)	
	<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal	<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:	Name of Arresting Officer (Print) Det. Ryan W. Miller		I.D. # 7704	PAGE
	Intake Deputy	I.D. #	Pouch #	Transporting Officer	I.D. #	Agency
Witness here is subject signed with an 'X'.						1 OF 1

OBTS Number		PROBABLE CAUSE AFFIDAVIT				1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias	3	Juvenile
Agency ORI Number FLO 5 0 0 0 0 0		Agency Name PALM BEACH COUNTY SHERIFF'S OFFICE			Agency Report Number 06 - 13-097087			
Charge Type: <input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance Check as many <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other as apply.					Special Notes:			
Defendant's Name (Last, First, Middle) Moran, Kimberly Frances					Race w	Sex f	Date of Birth 10/24/78	
Charge Description Criminal actions through use of simulated legal process			Charge Description					
Charge Description			Charge Description					
Victim's Name (Last, First, Middle) Bernstein, Eliot I.					Race w	Sex m	Date of Birth 9/30/63	
Victim's Local Address (Street, Apt. Number) 2753 NW 34 th St.		(City) Boca Raton	(State) FL	(Zip) 33434	Phone 886-7628	Address Source verbal		
Victim's Business Address (Name, Street)		(City)	(State)	(Zip)	Phone 245-8588	Occupation unemployed		
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...								
<input type="checkbox"/> committed the below acts in my presence.			<input type="checkbox"/> was observed by _____ who told _____					
<input checked="" type="checkbox"/> confessed to <u>Det. Miller #7704</u> admitting to the below facts.			that he/she saw the arrested person commit the below acts.					
<input type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.								
On the 15 day of July, 2013 at 12:40 <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M. (Specifically include facts constituting cause for arrest).								

NARRATIVE:

Eliot Bernstein filed a report with the Palm Beach County Sheriff's Office through D/S B. Longworth. Eliot reported that he felt some fraudulent/forged documents had been filed in the Palm Beach County Court System.

On August 23, 2013 I met with Eliot Bernstein reference his complaint. He stated that due to some documents being fraudulently notarized a larger fraud has occurred. He supplied me with copies of a document titled: Waiver of Accounting and Portions of Petition for Discharge: Waiver of Service of Petition for Discharge: And Receipt of Beneficiary and Consent to Discharge, for the Estate of Shirley Bernstein, who is Eliot's deceased mother.

Eliot stated that in the first part (believed to be April) of 2012, his father had a meeting with him and his four siblings (Ted, Pamela, Jill, & Lisa). I have since found out that this was a conference call which took place at the office of Attorney Robert Spallina, who is/was the Attorney for Simon and Shirley Bernstein. It should be noted that Simon has since passed, which occurred on or about September 13, 2012. At this conference call, which was in the first part of 2012, Simon Bernstein revealed to his children that he would like them to sign the aforementioned waiver. It is believed that there was also some discussion of inheritance and who was to get what upon Simon's passing.

Investigation revealed that all five children and Simon signed the aforementioned waiver that was sent to them by Spallina's legal assistant, Kimberly Moran. I spoke with Moran on 9/24/13 and she admitted to sending out the waiver as told to by her

NARRATIVE CONTINUATION

boss. The waivers were then signed and returned. Simon's was signed on 4/9/12 and Eliot's on May 15, 2012. It was found that the other siblings did not return their document for several months. Moran stated she had to conduct follow-up e-mails and phone calls to get the documents returned. They were finally returned in August and October of 2012.

Moran stated she filed the documents with the court in October of 2012. She received a memorandum for Judge Martin Colin's case manager, Astride Limouzin, stating the documents were not notarized and they need to be. Moran stated that at this time, she took it upon herself to trace each signature of the six members of the Bernstein family onto another copy of the original waiver document. She stated she did this at the law office located at 4855 Technology Way, Boca Raton, Florida. She admitted she did this without authorization from anyone. She then notarized them and resubmitted them to the courts. When I interviewed her on 9/24/13, she stated she did not really have a reason why she forged the signatures, other than to maybe save time.

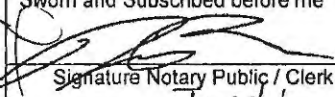

I spoke with Lisa and Jill via phone on September 10, 2013. They stated that as far as they know, the fraudulent notarization changed nothing with the estate since they willingly and knowingly signed the original documents. They stated that they do not wish to pursue anything criminally. I spoke with Ted on 9/24/13. He also stated that the mistake did not affect the estate and does not wish to pursue anything criminally. To date Pamela has not responded to my phone messages or e-mails.

D/S Mark Berey was present during my interviews with Moran, Ted, and Spallina. We spoke to Moran alone. The interview was recorded. She admitted to make a poor decision, but stated she did not benefit financially from her actions. We also spoke with Spallina alone. Spallina stated he was not aware of Moran's actions until she told him. Moran stated she was made aware that others had caught onto what she did once she received notice from the Governor's Office, Notary Education Division. Eliot filed a complaint on her with the state. I was supplied with a copy of the complaint and correspondence by Eliot. I also spoke with Erin Tuper making her aware of my investigation. Eliot supplied a sworn written statement to the original reporting deputy, stating that he wishes to pursue criminal charges. Eliot also told me himself that he wishes to pursue charges any criminal wrongdoings in this case. In speaking with Spallina, we found that the document in questions changes the inheritance of personal property in the Estate of Shirley Bernstein from Simon and Shirley's children to their grandchildren.

Based on the facts and findings of this investigation, I find probable cause for the arrest of Moran for Criminal Actions under the color of law or through use of simulated legal process, F.S.S. 843.0855 (3), due to the fact that she did willingly and knowingly

NARRATIVE CONTINUATION

simulate a legal process of a legal document regarding personal property, knowing that the document contained fraudulent signatures

Sworn and Subscribed before me	
	
Signature Notary Public / Clerk of Court / Officer (F.S.S 117.10)	Signature of Arresting / Investigating Officer
Justin Markella 8F28	Ryan Miller 7704
Name of Notary Public / Clerk of Court / Officer (F.S.S 117.10)	Name of Officer (Please Print)
9-8-13	9-25-13
Date	Date

CASE NO : 502013CF010745AXXXNB ST OF FL VS. NORAN, KIMBERLY FRANCES
Charges : FALSE OR FRAUDULENT ACKNOWLEDGEMENT OF SIGNATURE BY NOTARY PUBLIC

ARREST # 2013044147 BOND# 2013BR001548 TYPE Surety 3,000.00

Date 12/04/13 Judge J. Francis DC Burton Int Central
 Deft---Pres / (Not Pres) W / W/O Def. Co. gentle (Esq) / PD---(Pres) / Not Pres. 4 Roth
 Before the Court for: CD - CASE DISPOSITION

Granted Denied With / Without Prejudice Withdrawn Court Reserves Ruling Written Order to Follow

Warrant Ordered Recalled Bond Set at \$ _____ See Below Also Covers Sp Cond
 Bond Forf OR: Disch / Revoked / Reinstated Bond: Disch / Revoked SOR: Disch / Revoked / Reinstated
 Bond Forf Vacated Previous Bond Reinstated, if Bondsman agrees State failed to file charges Released O.R. / S.O.R.

Deft ___ Indigent PD Appt Hrg only PD Pres _____ Court Appts _____
 Evaluation for: Drug Farm DOC Non-Secure Bed by _____
 Pre-Plea: PSI ordered by/within _____ days w/input from DJJ / Staffing
 Referred to: PTI / SAAP / PADD Case placed on the absentee docket

DEFT ENTERED A PLEA OF: NOT GUILTY GUILTY NO CONTEST BEST INTEREST TO THE COURT
 As Charged-Cts _____ Lesser Cts _____ Lesser Charge _____
 Sw & Test Adv of Rts Waived PSI Lesser Cts _____ Lesser Charge _____

ADJ GUILTY as Charged as to Cts _____ Lesser Cts _____
 FOUND GUILTY as Charged as to Cts _____ Lesser Cts _____ WST
 ADJ W/HELD as to Cts _____ SENT W/HELD as to Cts _____
 FOUND AND ADJUDICATED DELINQUENT as to Cts _____ Dispo Order to follow / Filed
 FOUND & ADJ NOT GUILTY as to Cts _____ Dismiss Nolle Prose Cts _____

Prob / Comm Control: Revoked Reinstated Modified Term. Successfully / Unsuccessfully
 Stip/Found: (violent) Habitual Off. 775.084 Stip/Found: Sexual Offender / Sexual Predator Stip/Found: P.R.R.
 SENTENCE: PBCJ: _____ Cts: _____ / DOC: _____ Cts: _____
 PBCJ: _____ Cts: _____ / DOC: _____ Cts: _____

W/Credit for _____ Days / Mos. / Yrs. Deft Remanded Deft to remain on same rel. status pending sent.
 Cone / Consec / Co-Term w/cases / cts: _____

Execution of Sentence Stayed Sentence Suspended Time served as to Cts _____
 Youthful Off. Habitual Off Min / Mand: _____ as to Cts. _____
 ABOVE SENTENCE TO BE FOLLOWED BY: Probation Drug / Sex Off Prob Comm. Control I II - See Pg. 2
 DRIVERS LICENSE TO BE SUSPENDED / REVOKED FOR _____ YEARS AS A RESULT OF THIS PLEA.

Status Set / Remains Set / Reset 1/10/14 Div V Rm 10g at 830 AM/PM
 _____ Set / Remains Set / Reset _____ Div _____ Rm _____ at _____ AM/PM

Deft sign _____
 Def Co CRF ASA CRF Bondsman _____
 Prob Jail DJJ GAL Notified by mail by: _____ on _____ / _____ / _____
 County Courthouse 205 N. Dixie, West Palm Beach Courtroom, Criminal Justice Bldg. 38844 State Road 80, Belle Glade Courtroom, Criminal Justice Complex 3228 Gun Club Rd., West Palm Beach

"If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact **Germaine English**, Americans with Disabilities Act Coordinator, Palm Beach County Courthouse, 205 North Dixie Highway, West Palm Beach, FL 33401; telephone number (561) 355-4380 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711."

IN THE CIRCUIT COURT OF THE FIFTEENTH
JUDICIAL CIRCUIT, CRIMINAL DIVISION
IN AND FOR PALM BEACH COUNTY, FLORIDA

CASE NO.2013CF010745AMB

DIVISION "V"

STATE OF FLORIDA

vs.

KIMBERLY FRANCES MORAN


DISCOVERY EXHIBIT (ANSWER TO NOTICE OF
DISCOVERY); DEMAND FOR RECIPROCAL DISCOVERY
EXHIBIT AND
DEMAND FOR NOTICE OF ALIBI

The State of Florida, by and through the undersigned Assistant State Attorney, hereby responds to the **Notice of Discovery** made on behalf of the Defendant, pursuant to Rule 3.220(a)&(b), Florida Rules of Criminal Procedure, and gives notice that all information and material as defined by Rule 3.220(a), Florida Rules of Criminal Procedure, within the State's possession or control has been disclosed to the Defendant by providing copies of all reports and statements in the State Attorney's file to the Attorney for the Defendant. The State hereby demands a **Reciprocal Discovery Exhibit** and all disclosure required by the Defendant, pursuant to Rule 3.220(a)(c)&(d), Florida Rules of Criminal Procedure. Further, the State hereby demands **Notice of Alibi** pursuant to Rule 3.200, Florida Rules of Criminal Procedure.

The Attorney for the Defendant, DAVID L. ROTH, ESQ. hereby granted permission to inspect, copy, test, and photograph the information and material described within the documents attached to this answer, which is being held in the custody of the investigating law enforcement agency, if prior notice has been given to the undersigned of any such inspection, copying, testing, or photographing.

Respectfully submitted,

DAVID ARONBERG
STATE ATTORNEY


By: JEAN M FRANCIS
Assistant State Attorney
Florida Bar Number: 085893

FILED
2013 NOV -6 PM 3:47
SHARON B. BUCK, CLERK
PALM BEACH COUNTY
CIRCUIT CRIMINAL

Defendant's Name : KIMBERLY FRANCES MORAN

Case Number : 2013CF010745AMB

Division: V

ALL WITNESSES LISTED IN REPORTS PROVIDED

PERSONS KNOWN TO HAVE INFORMATION

WITNESS CATEGORY A

RESERVE MARK BEREY #15527
PALM BEACH COUNTY SHERIFF'S OFFICE
3228 GUN CLUB ROAD
WEST PALM BEACH, FL 33406

MR. ELIOT BERNSTEIN
2753 NW 34TH STREET
BOCA RATON, FL 33434

DS BRIAN LONGSWORTH #7657
PALM BEACH COUNTY SHERIFF'S OFFICE
3228 GUN CLUB ROAD
WEST PALM BEACH, FL 33406

DET RYAN W. MILLER #7704
PALM BEACH COUNTY SHERIFF'S OFFICE
3228 GUN CLUB ROAD
WEST PALM BEACH, FL 33406

ROBERT SPALLINA, ESQ
4855 TECHNOLOGY WAY
BOCA RATON, FL 33431

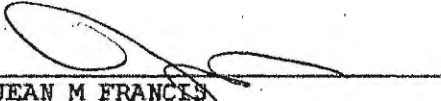
WITNESS CATEGORY B

WITNESS CATEGORY C

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED by the undersigned that a true and correct copy of the foregoing Discovery Exhibit (Answer to Notice of Discovery); Demand for Reciprocal Discovery Exhibit; and Demand for Notice of Alibi has been furnished by hand/mail/bin to the Attorney for the Defendant.

NAME: DAVID L. ROTH, ESQ. on this, the 5 day of ^{November}~~October~~, 2013.



JEAN M FRANCIS
Assistant State Attorney
Florida Bar Number: 085893

STATE OF FLORIDA PLEA OFFER SHEET - DIVISION "V"

State of Florida vs. KIMBERLY FRANCES MORAN
2013CF010745AMB

Case No.:

Assistant State Attorney JEAN M FRANCIS

BOTTOM OF GUIDELINES: _____ MIN/MAN: _____

PLEA OFFERS:

I. Arraignment:

PLEA TO: _____ all counts as charged

_____ other: _____

II. Case Dispo:

III. Calendar Call:

ALL ITEMS SEIZED FROM DEFENDANT ARE SUBJECT TO FORFEITURE.

ALL PLEA OFFERS REMAIN OPEN ON OR BEFORE APPLICABLE COURT DATE ONLY UNLESS EXTENDED BY ASA IN WRITING. ALL PLEA OFFERS ARE REVOKED AT CALENDAR CALL OR THE FRIDAY BEFORE TRIAL DATE CERTAIN, WHICHEVER COMES FIRST. NOTWITHSTANDING, PLEA OFFERS MAY BE REVOKED AT ANY TIME.

JEAN M FRANCIS
Assistant State Attorney

FELONY DIVISION EVIDENCE CHECKLIST

YES NO

- a. [] [] STATEMENTS OF WITNESSES: Eliot Bernstein (2)
- b. [] [] STATEMENTS OF DEFENDANT (Taped) (Written) (per PC/OffReport)
- c. [] [] STATEMENTS OF CO-DEFENDANT(S): _____
- d. [] [] CERTIFIED COPIES OF DEFENDANT'S CONVICTIONS

- e. [] [] **EVIDENCE**
 - [] Arrest Report / Notice to Appear [] Accident Report
 - [] Photos [] Citations
 - [] Probable Cause Affidavit [] Photo Line-up
 - [] Photocopy of Def's DL [] Miranda Card
 - [] Def's Booking Photo [] Surveillance Video
 - [] Narcotics [] Citations / Driving Record
 - [] 911 tape and CAD Report [] US Currency [] Fingerprints / Analysis
 - [] Victim Medical Records [] DNA
 - [] EMT Reports [] Chemistry Report [] Toxicology Report
 - [] Restitution Documents [] Drug Narcotics and/or Paraphernalia [] Certified Copy of Injunction/Proof of Service
 - [] Search Warrant [] Affidavit/Application For Search Warrant
 - [] Other Video _____

- f. [] [] SUPPL./OFFENSE REPORTS:
 - By: Det. [unclear] on 7/16/13
 - By: Det. Miller on 8/10/13
 - By: _____ on _____

- g. [] [] PROPERTY RECEIPT
 - Date: _____
 - Date: _____
 - Date: _____
 - Date: _____
 - Date: _____
 - Date: _____

- h. [] Other:
 - Waiver of accounting original (6)
 - Waiver of accounting - returned by D (6)
 - Sworn statement of D from business office
 - estate documents to E. Bernstein
 - copies of emails i letters to Notary Education Coordinator by E. Bernstein.

All items in offense report and property receipts E. Bernstein. Exhibit 2-transcript
 Copies of all recordings are to be obtained from the Police Department.

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA.
CRIMINAL DIVISION "V"

STATE OF FLORIDA,

CASE NO: 502013CF010745AXXXMB

vs.

KIMBERLY FRANCES MORAN,

Defendant.

**NOTICE OF DEFENDANT'S INTENT TO
PARTICIPATE IN DISCOVERY**

The Defendant, KIMBERLY FRANCES MORAN, by and through her undersigned attorney and pursuant to Fla. R. Crim. P. 3.220(b)(1), hereby serves notice of her intent to participate in discovery and requests the following information to be provided by the prosecution for inspection, copying, testing or photographing:

1. The names and addresses of all persons known to the prosecutor to have information which may be relevant to the offense charged, and to any defense with respect thereto; and
2. The statement of any person whose name is furnished in compliance with the preceding paragraph. The term "statement" as used herein includes a written statement made by said person and signed or otherwise adopted or approved by him, and also includes any statement of any kind or manner made by such person and written or recorded or summarized in any writing or recording. The term "statement" is specifically intended to include all police and investigative reports of any kind prepared for or in connection with the case.
3. Any written or recorded statements and the substance of any oral statements made by the accused, including a copy of any statements contained in police reports or report summaries, together with the name and address of each witness to the statements.
4. Any written or recorded statements and the substance of any oral statements made by a co-defendant if the trial is to be a joint one.
5. Those portions of recorded grand jury minutes that contain testimony of the accused.
6. Any tangible papers or objects which were obtained from or belonged to the accused.

7. Whether the State has any material or information which has been provided by a confidential informant.

8. Whether there has been any electronic surveillance including wiretapping, of the premises of the accused, or of conversations to which the accused was a part, and any documents relating thereto.

9. Whether there has been any search or seizure and any documents relating thereto.

10. Reports or statements of experts made in connection with the particular case, including results of physical or mental examinations and of scientific tests, experiments or comparisons.

11. Any tangible papers or objects which the prosecuting attorney intends to use in the hearing or trial and which were not obtained from or belonged to the accused.

The undersigned certifies that this Notice is filed in good faith pursuant to Fla. R. Crim. P. 3.220(n)(3).

WHEREFORE, the Defendant, by and through the undersigned counsel respectfully requests the prosecution to provide the above information pursuant to Rule 3.220(b)(1) in a manner mutually agreeable to State and defense, or provide notice that a Court Order need be sought in accordance with Fla. R. Crim. P. 3.220 (b) (3).

I HEREBY CERTIFY that a true and correct copy of the foregoing was hand delivered to Division "V", the Office of the State Attorney, 401 N. Dixie Highway, West Palm Beach, FL 33401, this 28th day of October, 2013.

ROTH & DUNCAN, P.A.
Northbridge Centre, Suite 325
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BY: 

DAVID ROTH, ESQUIRE
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