

Palm Beach County Sheriff's Office
Division of Internal Affairs
RE: Internal Affairs Complaint No. IR15-263

From the desk of ...

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Thursday, August 20, 2015

RE: Internal Affairs Complaint No. IR15-263 in relation to Palm Beach County Sheriff Case 14029489, Detectives Ryan Miller, Andrew Panzer, David Groover and Captain Carol Gregg, and the Internal Affairs letter dated August 10, 2015


Dear Division of Internal Affairs,

This letter shall serve as a supplement and reply to the Palm Beach County Sheriff's Office Internal Affairs Division letter of August 10, 2015 issued in response to several specific complaints identified previously and in my last request and complaint dated August 04, 2015. (30 pages)

I am a bit surprised and confused on several issues by the response I received from your office, Internal Affairs of the Palm Beach County Sheriff's Office dated August 10, 2015.

The letter states that I did not "prove or disprove" items sufficiently without specifying what issues were being referred to? Thus, I am compromised in my ability to respond and provide further information by not knowing what Internal Affairs has determined was not "proved or disproved". Please clarify and detail in writing.

I am also surprised by the timeframe in which Internal Affairs issued the response, within lightning speed with 6 days despite nearly 7,000 pages of material and information to review.




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Were all of these matters in fact reviewed by Internal Affairs? If so, why were these matters not specified in the response?

Let us just look at one set of crimes that have been proved and a related alleged crime that was sufficient to Investigate and yet, no proper investigation has occurred:

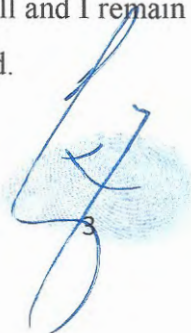
1. Robert Spallina, Attorney and Fiduciary - By the Sheriff's Department's own Records Mr. Spallina was interviewed a first time in relation to forgery allegations against his Legal Assistant and Notary Public employee and person under his control, Kimberly Moran and yet, Mr. Spallina Obstructed Justice and the Investigation by failing to Admit and Disclose when confronted months earlier regarding the Moran Forgeries and Fraudulent Notarizations that he had already altered Post Mortem a Trust Document of my mother prior, Shirley Bernstein, a Dispositive Trust Document, by altering an amendment to the trust and financially damaging Beneficiaries of this Trust by converting funds to improper parties. The documents were sent (mailed) to my then attorney at Tripp Scott and others and distributions were made through frauds on the court to the improper parties.
2. Thus, not only do we have the crime of Obstruction of Justice but also the crime of Forgery and Falsifying a Document which was central to the Probate proceedings where the forgery was for the benefit of at least Ted Bernstein via Ted's children, with Ted Bernstein being in a business relationship with Tescher and Spallina, a legal client of theirs (in addition to their clients the Estate and Trust of Simon as fiduciaries) and sharing in the control over all of the assets of the Trusts and estates wherein the Spallina law firm did in fact materially benefit by continuing to Bill and drain assets with Legal Fees all the while covering up the fraud with the Sheriff's Department and myself and family and possibly other beneficiaries. It is also alleged that they have benefited from the financial crimes brought to PBSO that remain uninvestigated including theft and conversion and more.
3. Yet, despite this history shown by the Department's own Records of Mr. Spallina lying to your Department in the first interview and later admitting a fraudulent alteration forgery, I and my wife Candice make further allegations that Trusts relating to those being


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managed by Oppenheimer are also fraudulent and specifically allege that a Court document from Sept. 2010 with Robert Spallina's name clearly on this document perhaps as a Notary is also a Forgery and Fraudulent document as neither my wife nor myself had even met Mr. Spallina until almost 2 years later in 2012 after my father Simon Bernstein passed away and we swore under oath we did not sign the documents posited with the court.

4. Further still, despite all this the Department closed that investigation and the entire investigation without ever conducting a further interview of Robert Spallina, someone who had already lied to the Department in the Moran investigation and then admitted to Falsifying a Trust in a later interview. Spallina also lied to a court regarding not knowing anything other than the Moran crimes in a September 13, 2013 hearing, exactly one year from the day of my father's passing, in Judge Martin Colin's court.
5. There is no rational basis for this failure to follow-up which must be deemed a failure to follow basic investigatory guidelines by simply taking a statement from the alleged wrongdoers and thus no proper basis for the Investigation to have been closed and no proper basis for Internal Affairs to quickly close the Internal Affairs investigation without any information or specifics to say why or how and especially as the report indicates I have told Detectives that I have more documents recently reviewed that evidence further crimes and many more witnesses to contact including those that have yet to be contacted.
6. This alleged forgery / false document with Robert Spallina's signature purports to have been filed in the Palm Beach County Court system on or around July 2010 and a copy is attached with this follow-up letter. This forged/false filing appears to have lead to an Order also signed by Judge Colin who is a material fact witness in the frauds on the court by Tescher & Spallina and yet, there has been no investigation or follow-up with Judge Colin either.
7. Thus, just focusing on these specific issues it is apparent there are significant problems in the conduct of the investigation which should have merited action by Internal Affairs.
8. There are many more issues as well and I remain open and available to provide clarification on any issue if needed.



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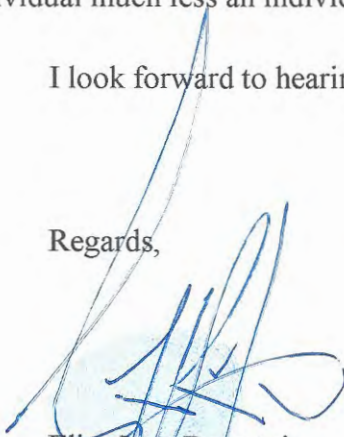
9. I further have new evidence including but not limited to contradictory statements from some of the witnesses the Sheriff's office did take statements from.

Thus, please respond with specific issues that Internal Affairs has deemed I have not "proven" nor "disproven" and please let me know when you would like me to be available to provide further and new evidence.

Also, indicate why the Internal Affairs letter of August 10, 2015 is not signed by any individual much less an individual with supervisory authority and responsibilities.

I look forward to hearing from you soon.

Regards,



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