

IN THE CIRCUIT COURT IN THE
ELEVENTH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY, FLORIDA
CASE NO.: 2018-CA-005515

FRANTZ PIERRE, individually and
in his official capacity as North Miami
Beach Commissioner,

Plaintiffs,

v.

CITY OF NORTH MIAMI BEACH,
FLORIDA, a municipal Corporation, and
PAMELA LATIMORE, solely in her official
capacity as North Miami Beach City Clerk,

Defendants,

CITY OF NORTH MIAMI BEACH'S NOTICE OF FILING EXECUTIVE ORDER 18-215

Defendant, CITY OF NORTH MIAMI BEACH by and through its undersigned counsel hereby files its Notice of Filing State of Florida Office of the Governor Executive Order 18-215 suspending Frantz Pierre from elected office as a Commissioner of the City of North Miami Beach dated July 25, 2018.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served via electronic mail utilizing the Florida Courts E-Filing Portal System to Michael T. Davis (mdavis@kuehnelaw.com), *Counsel for Plaintiff*, 100 S.E. 2nd St., Suite 3550, Miami, FL 33131, this 13th day of August, 2018.

LYDECKER | DIAZ
Attorneys for Defendant
1221 Brickell Avenue, 19th Floor
Miami, Florida 33131
Telephone: (305) 416-3180
Facsimile: (305) 416-3190

By: /s/ Stephen Hunter Johnson
STEPHEN HUNTER JOHNSON, ESQ.
Florida Bar No.: 12362
shj@lydeckerdiaz.com

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER NUMBER 18-215

WHEREAS, Frantz Pierre (Pierre) is presently serving as City Commissioner for the City of North Miami Beach, Florida; and

WHEREAS, on July 25, 2018, Pierre was arrested for: Bribery, a second-degree felony in violation of section 838.015, Florida Statutes; Unlawful compensation or reward for official behavior, a second-degree felony in violation of section 838.016 (1), Florida Statutes; Organized Scheme to Defraud, a third-degree felony in violation of section 817.034, Florida Statutes; Grand Theft, a third-degree felony in violation of section 812.014, Florida Statutes; and seven counts of Money Laundering, each a third-degree felony in violation of section 896.101, Florida Statutes; and

WHEREAS, section 112.51(2), Florida Statutes, provides that the Governor may suspend from office any elected municipal officer who is arrested for a felony related to the duties of office; and

WHEREAS, it is in the best interests of the residents of the City of North Miami Beach, and the citizens of the State of Florida, that Pierre be immediately suspended from the public office, which he now holds, upon the grounds set forth in this executive order.

1000
STATE
OFFICE
FLORIDA

2018 JUL 25 PM 5:11

FILED

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to section 112.51, Florida Statutes, find as follows:

- A. Frantz Pierre is, and at all times material hereto was, a City Commissioner for the City of North Miami Beach, Florida.
- B. The office of City Commissioner for the City of North Miami Beach, Florida, is within the purview of the suspension powers of the Governor, pursuant to section 112.51, Florida Statutes.
- C. The attached arrest warrant and affidavit, which is incorporated as if fully set forth in this Executive Order, alleges that Pierre committed felonies, in violation of the laws of the State of Florida.
- D. On July 25, 2018, Pierre was arrested for: Bribery, a second-degree felony in violation of section 838.015, Florida Statutes; Unlawful compensation or reward for official behavior, a second-degree felony in violation of section 838.016 (1), Florida Statutes; Organized Scheme to Defraud, a third-degree felony in violation of section 817.034, Florida Statutes; Grand Theft, a third-degree felony in violation of section 812.014, Florida Statutes; and seven counts of Money Laundering, each a third-degree felony in violation of section 896.101, Florida Statutes.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the Laws of the State of Florida, this Executive Order is issued, effective immediately:

Section 1. Frantz Pierre is suspended from the public office, which he now holds, to wit: City Commissioner for the City of North Miami Beach, Florida.

Section 2. Pierre is prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from today, until further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at The Capitol, Tallahassee, Florida, this 25th day of July, 2018.

A handwritten signature in black ink, appearing to read "Rick Scott", written over a horizontal line.

RICK SCOTT, GOVERNOR

ATTEST:

A handwritten signature in black ink, appearing to read "Ken Ritzman", written over a horizontal line.

SECRETARY OF STATE

WARRANT TYPE: ARREST WARRANT
AWPS#: 18000551
COURT CASE NUMBER:

CASE TYPE: FELONY
REFILE INDICATOR:
DIVISION:

TO ALL AND SINGULAR SHERIFFS OF THE STATE OF FLORIDA, GREETINGS:
YOU ARE HEREBY COMMANDED TO IMMEDIATELY ARREST THE DEFENDANT AND BRING HIM OR
HER BEFORE ME, A JUDGE IN THE 11TH JUDICIAL CIRCUIT OF FLORIDA, TO BE DEALT
WITH ACCORDING TO LAW:

DEFENDANT'S NAME: PIERRE FRANTZ
LAST FIRST MIDDLE TTL

AKA(S):
STR/APT/CITY/ST/ZIP: 2120 NE 171ST ST / / N MIAMI BEACH / FL/ 331623320
DOB: 01/07/1965 RACE: B SEX: M HEIGHT: 506 WEIGHT: 110 HAIR: BLK EYES: BRO
SOC SEC #: XXX-XX-XXXX CIN #: SID #: FBI #:
SCARS, MARKS, TATTOOS: IDS #: 3227395
DRIVERS LICENSE #: STATE: FL
VEH TAG #: STATE: MAKE: MODEL: YEAR: COLOR:
COMMENTS: AFFIANT: ROBERT FIELDER; AGENCY: SAO

PROBATION:

BEFORE ME PERSONALLY CAME FIELDER, ROBERT (AFFIANT) WHO, BEING DULY
SWORN, STATES THAT THE DEFENDANT ** PIERRE, FRANTZ **, DID COMMIT THE
ACTS STATED IN THE ATTACHED STATEMENT OF FACTS. BASED UPON THIS SWORN STATEMENT
OF FACTS, I FIND PROBABLE CAUSE THAT ** PIERRE, FRANTZ ** DID COMMIT
THE CRIME(S) OF:

- F 2 838.015 BRIBERY/OFFERING/ACCEPTING \$10,000.00
 - F 2 838.016(1) COMPENSATION/REWARD FOR OFFICIAL BEHAVIOR/UNLAWFUL \$10,000.00
 - F 3 817.034(4)(A)3 ORGANIZED SCHEME TO DEFRAUD \$5,000.00
 - F 3 812.014(2)(C) GRAND THEFT 3RD DEGREE \$5,000.00
- SEE NEXT PAGE FOR ADDITIONAL CHARGES

IN DADE COUNTY, FLORIDA, CONTRARY TO FLORIDA STATUTES AND AGAINST THE PEACE AND
DIGNITY OF THE STATE OF FLORIDA.

POLICE CASE #: AGENCY: STATE ATTORNEY'S OFFICE
ASSISTANT STATE ATTORNEY: BUNKER, NOLEN A UNIT: 064

EXTRADITE INFORMATION

EXTRADITION CODE: 1 - FELONY - FULL EXTRADITION UNLESS OTHERWISE NOTED IN MIS FIEL
EXTRADITION MAY BE CONFIRMED WITH THE METRO-DADE POLICE DEPARTMENT, DADE COUNTY
** IN ANY EVENT, DEFENDANT WILL BE ARRESTED IF FOUND IN THE STATE OF FLORIDA **

SWORN TO BY AFFIANT FIELDER, ROBERT

SO ORDERED THIS 21 DAY OF July, 2018

COURT ID 056- 206

BOND AMOUNT

JUDGE IN THE 11TH JUDICIAL CIRCUIT IN AND FOR DADE COUNTY FLA

() FIRST APPEARANCE JUDGE MAY NOT MODIFY CONDITION OF RELEASE
(RULE 3.131(D)(1) (D))

- () TO ANSWER UNTO THE STATE OF FLORIDA ON AN INFORMATION OR INDICTMENT
FILED AGAINST HIM OR HER BY THE STATE ATTORNEY FOR THE CHARGE(S) OF:
- () UPON ORDER OF A JUDGE IN THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA FOR
FAILURE TO APPEAR IN COURT TO ANSWER THE PENDING CHARGE(S) FOR THE
CHARGE(S) OF:

HARVEY RUVIN, CLERK OF THE COURT

BY

DEPUTY CLERK

DATE

AWPS#: 18000551
COURT CASE NUMBER:
DEFENDANT'S NAME: PIERRE

PAGE: 3
REFILE INDICATOR:
DIVISION:
FRANTZ

F	3	896.101(5)(A)	MONEY LAUNDERING/UNLAWFUL PROCEEDS/>300<20K
F	3	896.101(5)(A)	MONEY LAUNDERING/UNLAWFUL PROCEEDS/>300<20K
F	3	896.101(5)(A)	MONEY LAUNDERING/UNLAWFUL PROCEEDS/>300<20K
F	3	896.101(5)(A)	MONEY LAUNDERING/UNLAWFUL PROCEEDS/>300<20K
F	3	896.101(5)(A)	MONEY LAUNDERING/UNLAWFUL PROCEEDS/>300<20K
F	3	896.101(5)(A)	MONEY LAUNDERING/UNLAWFUL PROCEEDS/>300<20K

*5000.38
10/1

AFFIDAVIT IN SUPPORT OF WARRANT

INTRODUCTION

Your Affiant, Robert Fielder, is an investigator employed by the Miami-Dade State Attorney's Office, Miami-Dade County, Florida. Your Affiant has been an investigator with the Miami-Dade State Attorney's Office since 2003. Prior to his employment with the Miami-Dade State Attorney's Office, Your Affiant was employed by the Miami Police Department for twenty-nine years. From 1986 to 2003 Your Affiant was detached to federal authorities, including the United States Attorney's Office and the United States Drug Enforcement Administration. Your Affiant was responsible for conducting complex criminal investigations involving police corruption, public corruption, and narcotics trafficking.

SUMMARY


During the course of an investigation into City of North Miami Beach Commissioner Frantz Pierre (hereinafter "PIERRE"), investigators with the Miami-Dade State Attorney's Public Corruption Task Force discovered the following. First, investigators discovered that PIERRE was paid money by a local business owner, Dean Tyler (hereinafter "TYLER") during the same time period that TYLER had an issue that was voted on by the City of North Miami Beach Commission. The investigation revealed that, prior to receiving any money from TYLER, in 2013 PIERRE voted against the annual issue TYLER had before the Commission. Then, after soliciting and receiving payments from TYLER, PIERRE voted in favor of the annual issue TYLER had before the Commission on three different occasions: September of 2014, of 2015, and of 2016. Between December of 2013 and September of 2014, TYLER paid \$12,500.00 directly to PIERRE. Additionally, in April and June of 2014, at PIERRE's request TYLER paid a total of \$9,865.00 to a Florida not-for-profit corporation named Community Hope for Children and Families in Need, Inc. Community Hope was owned and operated by Jacquelin ALEXIS, who also owned and operated a for-profit Florida Corporation named Psychoed & Consultation Services, Inc. Shortly after each of the two occasions Community Hope received funds from TYLER, ALEXIS wrote checks from the account of Psychoed to the payment of PIERRE, totaling \$5,250.00. The payments directly to PIERRE and to Community Hope in exchange for PIERRE's vote in favor of TYLER's annual issue before the Commission constituted Bribery and Unlawful Compensation.

Second, investigators discovered that Jaquelin Alexis (hereinafter "ALEXIS"), who operated the above-referenced not-for-profit Florida corporation Community Hope, solicited \$5,000 from the City of North Miami Beach for Community Hope. The solicited funds were alleged to have been for the purpose of an after-school tutoring program; however, investigation revealed that no such after-school program existed. The City of North Miami Beach issued Community Hope a check for \$2,000.00, not the full \$5,000.00 request, on June 4, 2014, and, the following day ALEXIS paid PIERRE \$2,905.00. The solicitation and reception of money by ALEXIS for a non-existent program, money which was provided in part from PIERRE's discretionary funds with the Commission, and which ALEXIS in turn paid directly to PIERRE, constituted an Organized Scheme to Defraud and Grand Theft in the Third Degree from the City of North Miami Beach.



Judge's Initials

1



Reviewing ASA's Initials



Affiant's Initials

Finally, as discussed above, TYLER wrote four personal checks to PIERRE. Additionally, TYLER and the City of North Miami Beach paid funds to Community Hope at PIERRE's direction and/or request, funds which ALEXIS paid in turn to PIERRE from ALEXIS's personal account or the account maintained in Psychoed's name. PIERRE knew that the funds paid to him by TYLER and ALEXIS were derived from his above-discussed criminal acts: Bribery, Unlawful Compensation, Organized Scheme to Defraud and/or Grand Theft in the Third Degree. PIERRE then used financial institutions to cash the four checks written to him by TYLER and the three checks written to him by ALEXIS with this knowledge, and with either the purpose to promote the carrying on of the criminal acts discussed above, and/or knowing that the payments from TYLER and/or ALEXIS were designed to conceal the source, the nature, and/or the ownership of the funds, which constituted seven separate instances of Money Laundering.

FACTS AND EVIDENCE

Your Affiant has conducted an extensive investigation into PIERRE's finances and relationships with various individuals. The investigation involved interviewing witnesses and taking sworn testimony, obtaining business records from private companies, obtaining public records maintained by the City of North Miami Beach, located in Miami-Dade County (hereinafter "the City"), issuing subpoenas to obtain various financial documents, as well as other investigative tasks.


I. BRIBERY AND UNLAWFUL COMPENSATION

PIERRE is an elected Commissioner on the City of North Miami Beach City Commission (hereinafter "the Commission") and he was an elected Commissioner during all of the times referenced in this affidavit. The Commission has seven elected voting members, six of whom are titled as Commissioners and one of whom is titled the mayor. Each member of the Commission has one vote.

As part of the investigation, your Affiant interviewed and took sworn testimony of Dean TYLER. TYLER is a resident of St. Petersburg, Florida, but he and Russell Rosenthal own and operate Platinum South, Inc., a Florida corporation which does business as an adult club named "Dean's Gold." This club has been in continuous operation for many years and is located within the City at 2355 NE 163 Street, as seen in the following photo as Exhibit 1.¹

¹ The Exhibit numbers referenced in this document are typed above each exhibit.


Judge's Initials

2

Reviewing ASA's Initials

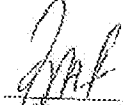

Affiant's Initials

Exhibit I



A. Dean's Gold Business Tax Receipt

TYLER appeared at the Miami-Dade State Attorney's Office on March 7, 2017, and on April 19, 2017, pursuant to a subpoena, whereupon he was interviewed under oath on both occasions. During the sworn statements, TYLER explained that he and Rosenthal must obtain special operating licenses each year to permit Dean's Gold to operate and serve alcohol outside of normal business hours. The licenses are referred to as a "Business Tax Receipt." TYLER explained that they needed two separate licenses each year. The first license allowed them to operate Dean's Gold between the hours of 2:00 a.m. and 4:00 a.m. In order to obtain this license, they were only required to pay a fee to the City. The second license allowed them to operate Dean's Gold from 4:00 a.m. to 6:00 a.m. In order to obtain this license, they were required to pay a fee to the City and gain approval for the license by a majority vote of the Commission. TYLER stated that the 4-to-6 license was critical to the profitable operation of Dean's Gold because the clientele is a late crowd and they would simply go to another location that can remain open.

Your Affiant obtained and reviewed agenda records from the Commission meeting that took place on September 24, 2013. On that date, the Commission voted to approve the Business Tax Receipt for Platinum South, Inc., D/B/A Dean's Gold to allow Dean's Gold to operate from 4:00 a.m. to 6:00 a.m. Records reflect that the Commission voted four to three to approve the Business Tax Receipt. The records further reflect that PIERRE voted "No," against granting Dean's Gold the Business Tax Receipt.

The following year, the Commission met on September 23, 2014. The Commission records reflect that the issue of the renewal of the 4-to-6 Business Tax Receipt for Platinum South, Inc., D/B/A Dean's Gold, was again before the Commission. On this occasion, the Business Tax Receipt was approved by a vote of six to one. Not only did PIERRE vote "Yes," in favor of granting Dean's Gold the Business Tax Receipt, but he made the motion to approve it while acting as Vice Mayor.

On September 21, 2015, the Commission records reflect that the issue of the renewal of the 4-to-6 Business Tax Receipt for Platinum South, Inc., D/B/A Dean's Gold, was again before


Judge's Initials

3

Reviewing ASA's Initials


Affiant's Initials

the Commission. The Commission voted to approve the Business Tax Receipt, and PIERRE again voted "Yes."

On September 20, 2016, the Commission records reflect that the issue of the renewal of the 4-to-6 Business Tax Receipt for Platinum South, Inc., D/B/A Dean's Gold, was again before the Commission. The Commission voted to approve the Business Tax Receipt by a vote of six to one, and PIERRE again voted "Yes."


In summation, PIERRE voted against the 4-to-6 Business Tax Receipt for Dean's Gold in 2013, and then voted for the 4-to-6 Business Tax Receipt for Dean's Gold in 2014, 2015, and 2016. As described in the following portion of this affidavit, PIERRE and the not-for-profit Florida corporation Community Hope, operated by ALEXIS, began receiving money from TYLER in 2014. After PIERRE and Community Hope began receiving money from TYLER, PIERRE consistently voted in favor of approving the 4-to-6 Business Tax Receipt for Dean's Gold. On review of the Commission's records, it is of note that PIERRE did not, at any point, indicate or mention a conflict of interest or recuse himself from the vote.


B. TYLER's Payments to PIERRE

In his sworn statements, TYLER told your affiant that he and Rosenthal, his business partner, desired to maintain a good relationship with the City and its officials. TYLER stated that he and Rosenthal made campaign contributions to politicians in the City, and that they made contributions for charitable purposes, such as school supplies or Thanksgiving Turkeys.

In addition to the campaign donations and charitable contributions, TYLER revealed in his sworn statement that PIERRE contacted him via his mobile phone, both by voice calls and text messages. PIERRE told TYLER that he, PIERRE, wanted a "loan" of seven or eight thousand dollars because he had been involved in a car accident and he did not have a car. It should be noted that PIERRE and TYLER have no personal relationship; the only relationship PIERRE and TYLER have is one of commissioner and constituent. Additionally, PIERRE never paid back any of the funds received from TYLER.

TYLER recalled that PIERRE contacted him via text message from the following telephone number: 786-447-0939. Your Affiant has confirmed through investigation that PIERRE used this telephone number. TYLER retrieved from his iPhone, which is a brand of mobile telephone, the text messages that he received from PIERRE. The text messages show that PIERRE sent TYLER a text message on December 22, 2013. The content of the text message included instructions to mail a check to PIERRE at 821 NE 121 Street, North Miami, FL 33162. TYLER responded to that text message with a text message of his own indicating that a check for \$7,000.00 would be mailed the following day. PIERRE responded in turn, indicating that the \$7,000.00 would "not be forgotten." Two screen shots from TYLER's iPhone showing the text message exchange between TYLER and PIERRE can be seen below in Exhibit 2.


Judge's Initials

4

Reviewing ASA's Initials


Affiant's Initials

Exhibit 2

4444 4700 4700 4700
Frantz

Mail \$ 7.00 to
Frantz Pierre at 821
N.E. 121 Street
NORTH MIAMI, FL
33162. BE
FOREVER
BLESSED!

I just put a check
for \$7,000 in the
mail. It will go out
tomorrow!!

Thank you so
much. That will not
be forgotten.

4444 4700 4700 4700
Frantz


Thank you n merry
x-mas!!

In his sworn statements, TYLER recalled that he gave PIERRE approximately \$7,000 because PIERRE asked for that amount and PIERRE said that he knew no one else to whom he could turn for the money. TYLER produced copies of his Bank of America checkbook log to assist in locating the payments made to PIERRE. TYLER testified in his sworn statements that he always made payment via check from his personal Bank of America account, which bears an account number ending in [REDACTED].

Bank of America produced records of TYLER's personal bank account pursuant to a subpoena as part of this investigation. The records of TYLER's personal bank account reveal that TYLER paid PIERRE on four different occasions from that account. The following payments, listed chronologically, were found to have been made from TYLER's personal bank account to PIERRE:

1. The first check made out to the order of PIERRE was check number 1559, which was dated "12-21-13" and was made in the amount of \$7,000.00. The memo line has the word "LOAN" written on it. An examination of the front and back of check number 1559 reveals that PIERRE did not deposit the check into a bank account; rather, he took the check to a Bank of America branch location and converted it into cash on or about December 26, 2013. The check is endorsed by a signature


Judge's Initials

5

Reviewing ASA's Initials


Affiant's Initials

that reads "Frantz Pierre." A copy of both sides of check number 1559 is included below as Exhibit 3.

Exhibit 3

SEAN H TYLER
2301 STATE ST
DUNELAND, NJ 08028

1559
FRANTZ PIERRE
12-26-13

SEVEN THOUSAND 00/100

Bank of America

US \$ 7,000.00


FRANTZ PIERRE

12/26/13

FRANTZ PIERRE

- The second check made out to the order of PIERRE was check number 1574, which was dated "1-28-14" and was made in the amount of \$3,000.00. The memo line has the word "LOAN" written on it. An examination of the front and back of check number 1574 reveals that PIERRE did not deposit the check into a bank account; rather, he took this check to a Bank of America branch location and converted it into cash on or about January 29, 2014. The check is endorsed by a signature that appears to read "Frantz Pierre." A copy of both sides of check number 1574 is included below as Exhibit 4.


Judge's Initials

6

Reviewing ASA's Initials


Affiant's Initials

Exhibit 4


DEAN H TYLER
1674

FRANTZ PIERRE
7-7-14

Bank of America
Wealth Management Banking

NOE 30000470

3001
Batch: 051001
Date: 07/07/14



- 3. The third check made out to the order of PIERRE was check number 1635, which was dated "7-7-14" and was made in the amount of \$500.00. The memo line has the word "LOAN" written on it. An examination of the front and back of check number 1635 reveals that PIERRE did not deposit the check into a bank account; rather, he took this check to a Bank of America branch location and converted it into cash on or about July 7, 2014. The check is endorsed by a signature that appears to read "Frantz Pierre." A copy of both sides of check number 1635 is included below as Exhibit 5.

Exhibit 5


DEAN H TYLER
1635

FRANTZ PIERRE
7-7-14

Bank of America
Wealth Management Banking


NOE 30000470

3001
Batch: 051001
Date: 07/07/14



- 4. The fourth check made out to the order of PIERRE was check number 1913, which was dated "9-29-14" and was made in the amount of \$2,000.00. It should be noted

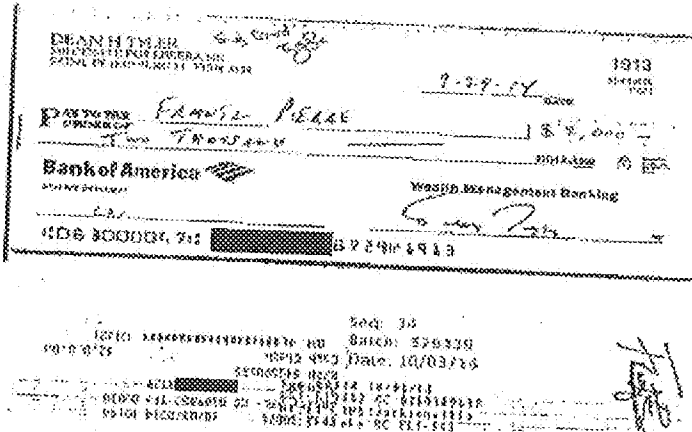

Judge's Initials

7

Reviewing ASA's Initials


Affiant's Initials

that this check was written within days of when PIERRE voted to approve the Business Tax Receipt for Platinum South, Inc., D/B/A Dean's Gold. The memo line has the letters "LN" written on it. An examination of the front and back of check number 1913 reveals that PIERRE did not deposit the check into a bank account; rather, like the first three checks, he took this check to a Bank of America branch location and converted it into cash on or about October 3, 2014. The check is endorsed by a signature that appears to read "Frantz Pierre." A copy of both sides of check number 1913 is included below as Exhibit 6.

Exhibit 6



Your Affiant knows from training and experience that the tactic of cashing a check for cash or United States currency at the check issuer's bank is done by persons seeking to avoid a record of deposit into their own bank account. It is a method of concealing the source of monies a person has received.

C. TYLER's Payments to Community Hope

As discussed above, in his sworn statements TYLER spoke about requests PIERRE made to him for money. TYLER recalled that PIERRE also asked him to give money to Community Hope for Children and Families in Need, Inc. (hereinafter "Community Hope"). Community Hope was a Florida not-for-profit corporation formed by ALEXIS in 2010. Community Hope existed from 2010 to 2017, when, in 2017, the Florida Division of Corporations administratively dissolved it.

TYLER gave money to Community Hope from the account of Platinum South, Inc., D/B/A Dean's Gold, in check numbers 31398 and 31538, payable to Community Hope. The bank records obtained by Your Affiant reflect two separate checks from Platinum South, Inc., D/B/A Dean's Gold were deposited into Community Hope's Bank of America account. The first check was number 31398, was dated "Apr 23, 2014," and was made out in the amount of \$5,000.00. The


Judge's Initials

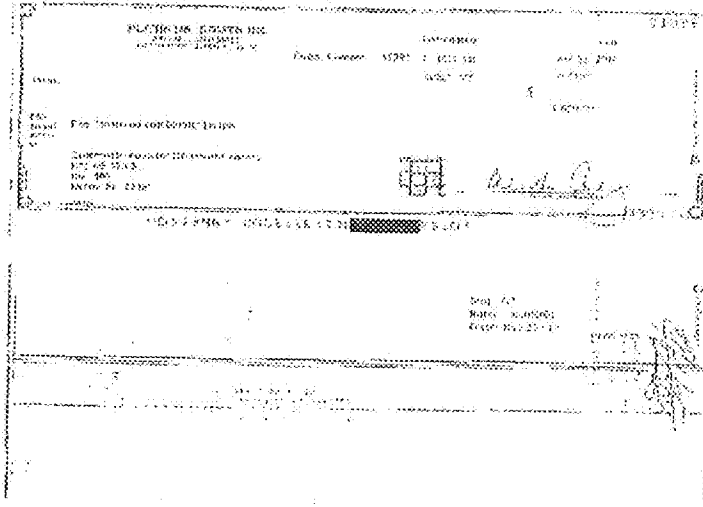
8

Reviewing ASA's Initials


Affiant's Initials

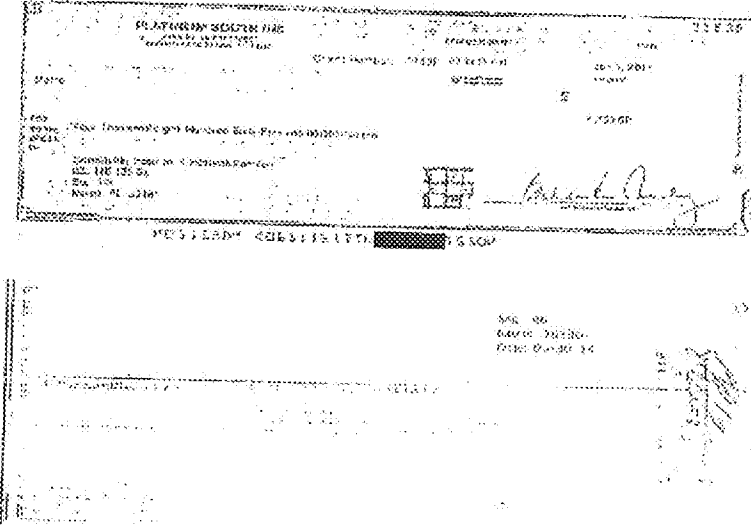
check is endorsed by a signature that appears to read "J Alexis." A copy of both sides of check number 31398 is included below as Exhibit 7.

Exhibit 7



The second check was number 31538, was dated "Jun 1, 2014," and was made out in the amount of \$4,865.00. The check is endorsed by a signature that appears to read "J Alexis." A copy of both sides of check number 31538 is included below as Exhibit 8.

Exhibit 8



TYLER recalled that PIERRE contacted him via text message on April 22, 2014, and thanked him for the money. A screen shot from TYLER's iPhone showing this text message from PIERRE can be seen below in Exhibit 16, wherein TYLER advised PIERRE that he would mail the check the following day, and PIERRE thanked him for it.


Judge's Initials

9

Reviewing ASA's Initials


Affiant's Initials

Exhibit 9

11/11/14 11:11 AM 612 683

Frantz

Thank you very much!

Do u want to meet around 3 at my club?

Perfect! I will come to see you at 3pm.

See u then!

Will be there!

Thanks!




TYLER further recalled that he and PIERRE had conversations via telephone either before or after the text messages concerning the requested funds.

D. ALEXIS's Payments to PIERRE

ALEXIS has a registered for-profit corporation named Psychoed & Consultation Services, Inc., (hereinafter "Psychoed"). Psychoed maintains a bank account with Bank of America bearing a number ending in 1743. Pursuant to a subpoena, Your Affiant obtained records from this bank account. The bank records reflect two separate checks from Psychoed written to the payment of Frantz PIERRE. The first check was number 1424, was dated "5/2/14," and was made out in the amount of \$4,000.00. The check is endorsed by a signature that appears to read "Frantz Pierre." Check number 1424 was written less than ten days after TYLER's first check, check 31398, was written to Community Hope. A copy of both sides of check number 1424 is included below as Exhibit 10.


Judge's Initials

10

Reviewing ASA's Initials


Affiant's Initials

Exhibit 10

Dorothy K. Grandfather's Service, Inc.
121 E. 115 Street, Suite 102
Tomball, TX 77375

1424

5/6/14

Frantz Pierre

Four thousand and 70/100

4,070.00

1424

First Bank of the State

20140507 07 10:48

Regina Der B. 06200019

20140507 07 10:48
Regina Der B. 06200019

The second check was number 1439, was dated "6/6/14," and was made out in the amount of \$1,250.00. The check is endorsed by a signature that appears to read "Frantz Pierre." Check number 1439 was written approximately one week after TYLER's second check, check number 31538, was written to Community Hope. A copy of both sides of check number 1439 is included below as Exhibit 11.

Judge's Initials

11

Reviewing ASA's Initials

Affiant's Initials

Exhibit 11

Bechtel & Consulting Services, Inc.
601 N. E. 11th Street, Suite 1112
Fort Lauderdale, FL 33301

1439

FRantz Pierre
10/20/15
One Thousand Two Hundred Fifty & Two
Mark of Service
Date Paid Federal
Form 1041-1000 2015

JUL 20 2015

FDI

500141540


Batch: 4/24/15
Date: 06/02/15

00

E. PIERRE's Statement of Financial Interests

Pursuant to his position as a public official, specifically a Commissioner of the City of North Miami Beach, PIERRE annually completed and filed the "Form 1 - Statement of Financial Interest." The Miami-Dade Elections Department retains these forms. Your Affiant obtained copies of these forms filed by PIERRE for the years 2013, 2014, and 2015. An examination of these forms reveals that no entries were made that would report the monies PIERRE requested and received from Dean TYLER, co-owner of Dean's Gold, either personally or on behalf of Community Hope. No liabilities or creditors were listed in any of the reports. PIERRE reported only two sources of income: the "Miami Dade Public Schools" and the "City of N. Miami Beach." Copies of the first page of these forms are included below as Exhibits 12, 13, and 14.


Judge's Initials

12

Reviewing ASA's Initials


Affiant's Initials

Exhibit 12

FORM 1 STATEMENT OF FINANCIAL INTERESTS 2013

PIERRE, FABRICE
 312A N.E. 131st STREET
 North Miami Beach, FL 33162
 CITY OF NORTH MIAMI BEACH
 City Council Group 5

DATE OF REPORT: 01/01/2013

BOTH PARTS OF THIS SECTION MUST BE COMPLETED

PERIOD: 12 MONTHS ENDING 12/31/2013

NUMBER OF REPORTING PERSONS: 1

REPORTING PERIOD: 12 MONTHS ENDING 12/31/2013

DATE OF REPORT: 01/01/2013

REPORTING PERSON: FABRICE PIERRE

EMPLOYER: Public Education

EMPLOYER ADDRESS: 171 N.W. 11th St., Miami, FL 33136

EMPLOYER TYPE: Municipal Government

DATE OF REPORT: 01/01/2013

REPORTING PERSON: FABRICE PIERRE

EMPLOYER: Public Education

EMPLOYER ADDRESS: 171 N.W. 11th St., Miami, FL 33136

EMPLOYER TYPE: Municipal Government

Exhibit 13

FORM 1 STATEMENT OF FINANCIAL INTERESTS 2014

PIERRE, FABRICE
 312A N.E. 131st STREET
 North Miami Beach 33162
 CITY OF NORTH MIAMI BEACH
 City Council Group 5

DATE OF REPORT: 01/01/2014

BOTH PARTS OF THIS SECTION MUST BE COMPLETED

PERIOD: 12 MONTHS ENDING 12/31/2014

NUMBER OF REPORTING PERSONS: 1

REPORTING PERIOD: 12 MONTHS ENDING 12/31/2014

DATE OF REPORT: 01/01/2014

REPORTING PERSON: FABRICE PIERRE

EMPLOYER: Public Education

EMPLOYER ADDRESS: 171 N.W. 11th St., Miami, FL 33136

EMPLOYER TYPE: Municipal Government

DATE OF REPORT: 01/01/2014

REPORTING PERSON: FABRICE PIERRE

EMPLOYER: Public Education

EMPLOYER ADDRESS: 171 N.W. 11th St., Miami, FL 33136

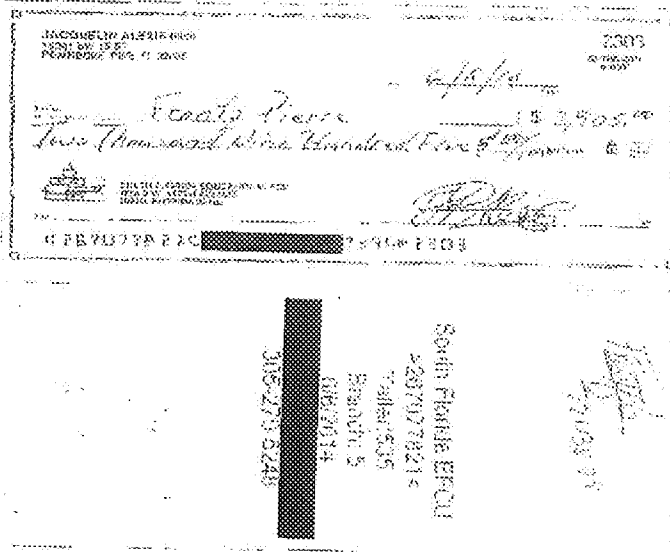
EMPLOYER TYPE: Municipal Government

[Handwritten Signature]
 Judge's Initials

[Handwritten Signature]
 Reviewing ASA's Initials

[Handwritten Signature]
 Affiant's Initials


Exhibit 15



ALEXIS is a psychologist employed by the Miami-Dade School Board. In 2014, ALEXIS worked at Oak Grove Elementary School, located at 15640 NE 8th Avenue, Miami, Florida, 33169. PIERRE also worked at this school during that time. In addition to Psychoed & Consultation Services, ALEXIS's registered for-profit corporation, ALEXIS also had a now-inactive not-for-profit corporation called Community Hope for Children and Families in Need, Inc. As discussed above, the Florida Division of Corporations administratively dissolved Community Hope in 2017. Both corporations list as their address: 822 NE 125 Street #106, North Miami, Florida, 33161, which was the location of ALEXIS's office.

ALEXIS appeared at the Miami-Dade State Attorney's Office on August 17, 2017, and gave a sworn statement. ALEXIS was less than candid in his statement. ALEXIS stated that he participated in an after-school program with PIERRE at Oak Grove Elementary School. ALEXIS further stated that, in support of that program, he applied for, and received, grant funds from the City through his now defunct not-for-profit corporation Community Hope, but that he could not remember how he came to apply for the grant funds. On June 11, 2018, under a grant of use immunity commonly known as a "queen-for-a-day" letter, ALEXIS appeared at the Miami-Dade State Attorney's Office for a second sworn statement. In his second statement, ALEXIS revised his previous testimony, stating that he did not participate in any after-school program, and that PIERRE misrepresented the existence of such a program to him. He further stated that PIERRE asked him to submit the grant application to the City of North Miami Beach using ALEXIS's not-for-profit corporation Community Hope because he, PIERRE, could not submit the application in his own name due to a "conflict of interest." ALEXIS said that PIERRE provide him with the wording for the grant application, which ALEXIS copied onto the application form. Finally, ALEXIS stated that PIERRE came to him and asked for the money from the grant, saying that he knew that a check from the City of North Miami Beach had been issued. ALEXIS then wrote the above-discussed check for \$2,905.00 to PIERRE.


Judge's Initials

15

Reviewing ASA's Initials


Affiant's Initials

Your affiant obtained records from the City of North Miami Beach regarding any public funds paid to Community Hope. The City produced a copy of a Donation & Contribution Request application form completed by ALEXIS on behalf of Community Hope and submitted to the City. The application requested a \$5,000.00 donation for "Free Snack/ Refreshments" to be provided to ninety-two "at risk" students participating in an after-school tutoring program at Oak Grove Elementary School. A copy of the application for a donation is included below as Exhibit 16.

Exhibit 16

City of North Miami Beach
Donation & Contribution Request

Requesting Organization's Name: Community Hope Inc. (Children of Tomorrow, Inc.)
 Address: 322 S.W. 125 Street, Suite 305
 City, State, Zip Code: Miami, FL 33161
 Phone: 305-228-3666 Email: cmh@hope@flwind.com
 Federal Tax Identification Number: [REDACTED]
 501(c)(3): Yes or No (If yes, please attach IRS Incorporation Letters)
 Pursuant to Chapter 476, Florida Statute do you have a solicitation license from the Florida Department of Consumer Affairs? Yes No (If yes, please provide the license # _____)
 Number of years in operation: 4 years 11-17-2011
 Required Attachments:
 1. List of all Directors/Officers/Principals
 2. Agency's most recent tax returns
 3. Please describe the purpose of the request and how it relates to the City of North Miami Beach's (attach additional sheets as necessary):
To the best of my knowledge, I am not involved in the City of North Miami Beach and providing no direct support to at-risk students. We have no real relationship to the school to provide for after school tutoring and free snack to at-risk students.
 4. Have you requested funds from the City before? Yes No (If yes, please provide date, amount and purpose of the contribution)
 5. Budgets

Description	Current Funding	Amount Requested
Relates: <u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>Free Snack/Refreshments</u>	<u>\$5,000.00</u>	<u>\$5,000.00</u>
<u>Operating Expenses (i.e. phone, rent, etc)</u>	<u>N/A</u>	<u>N/A</u>

Non-501(c)(3) contribution form Page 7

In addition to the Donation & Contribution Request form, the City also produced documents that reflect that, in response to the request for a donation, the City gave to Community Hope a grant of \$2,000.00. The City produced a copy of a Direct Payment Form, which reflects that, of the \$2,000.00 given to Community Hope, \$1,000.00 of those funds came from PIERRE's discretionary fund. The remaining \$1,000.00 came in equal parts from the discretionary funds of then-Councilwoman Marlen Martell, in the amount of \$500.00, and then-Mayor George Vallejo, in the amount of \$500.00. A copy of the Direct Payment Form for the donation is included below as Exhibit 17.

[Signature]
Judge's Initials

16
[Signature]
Reviewing ASA's Initials

[Signature]
Affiant's Initials

Exhibit 17

Direct Payment Form

City of Decatur, Georgia

Date: 5/28/2014

Department: Mayor & Council

Prepared by: Natha Coronat

Bank Check No.: Community Hope for Children & Families in Nebraska (51) 4518270

Conditions for Direct Payment Request Approval:
 City of Decatur will not issue any checks for \$10,000.00 or more without the approval of the City Council.

Receipt Attached: Yes No
 Invoice Attached: Yes No

Description of Purchase:
 Grant to provide snack & cabin showers to 82 at-risk students

Car Wash	010100-511480	201405-632347	1,000.00
Car Wash	010100-511480	101412-633347	500.00
Mayor Vehicle	010100-511480	201411-633347	500.00

V-51889
 GEN-PM

Account No.: 500 20000
 Project No.:
 Amount of Check: \$ 2,000.00

Check Disposition:
 Deposited to
 Other

Submit this form directly to Procurement Management Services Division.

Authorized by (Name):
 Approved for Payment by: 5/28/14
 For Account Payable User Only:
 Transfer Date:
 Voucher No.:

ALEXIS maintained a bank account in Community Hope's name at Bank of America bearing an account number ending in [REDACTED]. Records for this bank account do not show any apparent expenses for items consistent with the purported purpose set forth in the Donation & Contribution Request form in Exhibit 11. The records do reflect a check from the City made out to the order of Community Hope. The check was number 450352, was dated "June 4, 2014," and was made in the amount of \$2,000.00. The check is endorsed by a signature that appears to read "J Alexis." A copy of both sides of check number 450352 is included below as Exhibit 18.

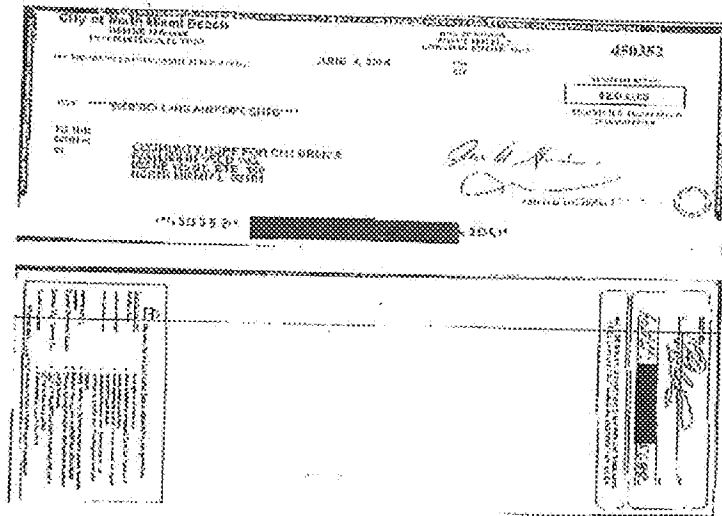

 Judge's Initials

17

 Reviewing ASA's Initials


 Affiant's Initials

Exhibit 18



As discussed above, on June 5, 2014, a day after the City generated check number 450352 in the amount of \$2,000.00 for Community Hope, ALEXIS wrote a personal check to PIERRE in the amount of \$2,905.00.

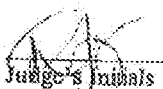
The following individuals gave sworn statements as part of this investigation: Oak Grove Elementary School's Principal, Community Specialist, and one of the Exceptional Student Education (hereinafter "ESE") teachers. The Community Specialist is the administrative position at the school that directs all after-school aftercare programming. The Principal and the Community Specialist each advised that PIERRE did not fund or participate in any after-school programs. Additionally, they were not aware of Community Hope as an organization and advised that it had never provided any snacks or refreshments to the after-school programming at the school. The ESE teacher was the teacher named by ALEXIS in his first sworn statement as the one person he could remember who participated in the after-school program run by PIERRE. The ESE teacher advised that she worked for two companies that ran after-school programming, but that she otherwise had never participated in any after-school aftercare programming run by PIERRE or any other person. She also advised that she never knew PIERRE or ALEXIS to participate in any after-school aftercare programming at the school.

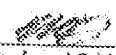
III. MONEY LAUNDERING

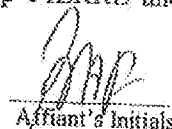
A. Checks from TYLER

In light of the above-discussed facts, Frantz PIERRE knew that the checks that he received from Dean TYLER were checks written as proceeds from his unlawful activity described above.

As discussed above, PIERRE solicited money from TYLER, asking TYLER to give him money because PIERRE initially told him that he had been in a car crash and did not have a car. However, PIERRE never repaid any of the funds received from TYLER. PIERRE later solicited funds from TYLER as "loans" for reasons that TYLER no longer recalls. It again should be noted that PIERRE and TYLER have no personal relationship; the only relationship PIERRE and


Judge's Initials


Reviewing ASA's Initials


Affiant's Initials

TYLER have is one of commissioner and constituent. TYLER gave PIERRE money from his personal bank account maintained with Bank of America. Specifically, TYLER wrote four checks to PIERRE from that account; TYLER gave PIERRE \$7,000.00 in check number 1559, \$3,000.00 in check number 1574, \$500.00 in check number 1635, and \$2,000.00 in check number 1913.

TYLER gave the money to PIERRE because PIERRE requested the money be paid to him. Specifically, TYLER wrote a check dated December 21, 2013, to the payment of PIERRE from the Bank of America account maintained in his name bearing a number ending in [REDACTED]. This check was subsequently endorsed with a signature that reads "Frantz Pierre" and cashed at a Bank of America branch location on December 26, 2013, as seen in Exhibit 3. TYLER wrote a check dated January 28, 2014, to the payment of PIERRE from the same Bank of America bank account. This check was subsequently endorsed with a signature that appears to read "Frantz Pierre" and cashed at a Bank of America branch location on January 29, 2014, as seen in Exhibit 4. TYLER wrote a check dated July 7, 2014, to the payment of PIERRE from the same Bank of America bank account. This check was subsequently endorsed with a signature that appears to read "Frantz Pierre" and cashed at a Bank of America branch location on July 7, 2014, as seen in Exhibit 5. Finally, TYLER wrote a check dated September 29, 2014, to the payment of PIERRE from the same Bank of America bank account. This check was subsequently endorsed with a signature that appears to read "Frantz Pierre" and cashed at a Bank of America branch location on October 3, 2014. Your Affiant again notes, based on his training and experience, that the tactic of cashing a check for cash at the check issuer's bank is done as a means of avoiding a record of deposit into the account of the person to whom the check is made, and such a tactic is consistent with money laundering. PIERRE employed this tactic when cashing each of the checks written directly to him by TYLER.

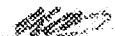
PIERRE cashed each of the four checks discussed above knowing that they involved the proceeds of his above-described unlawful activity, specifically: bribery and/or unlawful compensation. Furthermore, PIERRE cashed each of the four checks discussed above either with the intent to promote the above-specified unlawful activity, and/or knowing that the checks were designed to conceal or disguise the nature, location, source, ownership, or control of the proceeds of his above-described unlawful activity. Finally, PIERRE's obtainment and negotiation of each of the four checks discussed above constituted a separate transaction because the proceeds provided to him were divided into four checks, each check was labeled with a different date, and each check involved a different amount of money.

B. Checks from ALEXIS and Psychoed

PIERRE knew that the checks he received from Jacquelin ALEXIS, via both ALEXIS's personal bank account maintained with SPEFCU and Psychoed's bank account maintained with Bank of America, were checks written from funds obtained by PIERRE's unlawful activity described above.

PIERRE asked TYLER to give money to Community Hope, ALEXIS's not-for-profit Florida corporation. TYLER gave money to Community Hope from the account of Platinum South, Inc., D/B/A Dean's Gold, in check number 31398, which was in the amount of \$5,000.00, and in check number 31538, which was in the amount of \$4,865.00. ALEXIS stated in his second sworn statement that all money paid by TYLER to Community Hope was, in turn, paid by ALEXIS to PIERRE from his personal account or the bank accounts maintained in the names of Community


Judge's Initials



Reviewing ASA's Initials



Affiant's Initials

Hope or Psychoed. Also as discussed above, PIERRE instructed ALEXIS to request \$5,000.00 from the City of North Miami Beach in the guise of Community Hope providing snacks and refreshments to at-risk students. The City ultimately provided a grant of \$2,000.00 to Community Hope, in the form of a check. ALEXIS stated in his second sworn statement that all money paid by the City to Community Hope was, in turn, paid by ALEXIS to PIERRE from his personal account or the bank accounts maintained in the names of Community Hope and Psychoed.

ALEXIS gave the money he received from TYLER and the City of North Miami Beach to PIERRE because PIERRE requested the money be paid to him. Specifically, on May 2, 2014, ALEXIS wrote a check for \$4,000.00 to the payment of PIERRE from the Bank of America account maintained in Psychoed's name bearing a number ending in [REDACTED]. This check was subsequently endorsed with a signature that appears to read "Frantz Pierre" and cashed at a Regions Bank branch location on May 2, 2014, as seen above in Exhibit 10. On June 5, 2014, ALEXIS wrote a check for \$2,905.00 to the payment of PIERRE from his personal bank account at SFEFCU bearing a number ending in [REDACTED]. This check was subsequently endorsed with a signature that appears to read "Frantz Pierre" and cashed at a SFEFCU branch location on June 6, 2014, as seen above in Exhibit 15. On June 6, 2014, ALEXIS wrote a check for \$1,250.00 to the payment of PIERRE from the Bank of America account maintained in Psychoed's name bearing a number ending in [REDACTED]. This check was subsequently endorsed with a signature that appears to read "Frantz Pierre" and cashed at a Bank of America branch location on June 7, 2014, as seen above in Exhibit 11. Your Affiant notes that PIERRE again uses the tactic of cashing a check for cash at the check issuer's bank as a means of avoiding a record of deposit into the account of the person to whom the check is made employing this tactic when cashing the check written to him in the amount of \$1,250.00.

PIERRE cashed each of the three checks discussed above knowing that they involved the proceeds of his above-described unlawful activity, specifically: bribery, unlawful compensation, organized scheme to defraud and/or grand theft in the third degree. Furthermore, PIERRE cashed each of the three checks discussed above either with the intent to promote the above-specified unlawful activity, and/or knowing that the checks were designed to conceal or disguise the nature, location, source, ownership, or control of the proceeds of his above-described unlawful activity. Finally, PIERRE's obtainment and negotiation of each of the three checks discussed above constituted a separate transaction because the proceeds provided to him were divided into three checks, each check was labeled with a different date, each check involved a different amount of money, and each check was cashed at a different location.


Judge's Initials

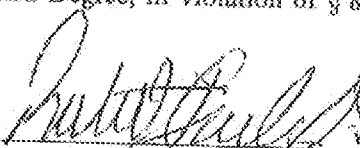

Reviewing ASA's Initials


Affiant's Initials

CONCLUSION.

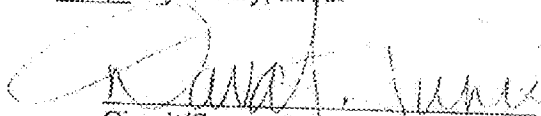
Your Affiant now makes application for a Warrant for the arrest of FRANTZ PIERRE, for one count of Bribery, in violation of § 838.015, Florida Statutes, one count of Unlawful Compensation, in violation of § 838.016, Florida Statutes, one count of Organized Scheme to Defraud, in violation of § 817.034, Florida Statutes, one count of Grand Theft in the Third Degree, in violation of § 812.014, Florida Statutes, and seven counts of Money Laundering, in violation of § 896.101, Florida Statutes, based upon the above facts.

Your Affiant also now makes application for a Warrant for the arrest of JACQUELIN ALEXIS, for one count of Grand Theft in the Third Degree, in violation of § 812.014, Florida Statutes, based upon the above facts.



Affiant/Investigator, Robert Fielder


Sworn to and subscribed before me, this 24th day of July, 2018.



Circuit/County Judge
Eleventh Judicial Circuit of Florida



Judge's Initials

21


Reviewing ASA's Initials



Affiant's Initials