



Citizen Review Board  
City of Key West Florida  
Executive Director's Memo

TO: Board Members

FROM: Stephen Muffler, Esquire

DATE: 2/4/09

RE: Omar Brown CRB Case #07-001  
CRB Activity/Report

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This complaint was originally filed by Mr. Omar Brown on March 7, 2007. This file has before the Board for several meetings and deferred for about 23 months. The only pending allegation is "untruthfulness" against Sgt. Pablo Rodriguez. Specifically, the allegation is that Sgt. Rodriguez was untruthful when he executed an affidavit in support of a search warrant by claiming he, Sgt. Rodriguez, had "arrested" Mr. Brown in the past. Mr. Brown contends that Sgt. Rodriguez never "arrested" him in the past. There is no evidence whatsoever to prove, or disprove, this "untruthful" allegation at this time. Mr. Brown's considerable prior arrest/courthouse files have not been researched yet due to the voluminous nature of such a project and the CRB limited budget and manpower.

The KWPD has elected not to investigate this matter and wait until the finalization of Mr. Brown's pending criminal case. Mr. Brown's criminal case has been pending for about two (2) years and consistently continued on the court docket. His criminal case is now reset for trial for March 9, 2009 trial docket. Mr. Brown wishes the Board to proceed now to investigate and hear this remaining allegation and his public defender does not object to the Board continuing to investigate and hear this matter.

The Board, at its last meeting on 1/12/09, requested me to interface with Chief Donald Lee, IA staff and Sgt. Rodriguez to try to get this resolved with some type of clarification statement from Sgt. Rodriguez to save the city time/money and avoid formal Board subpoenas.

Attached are the various communications which have been exchanged in that effort over the last month. There has not been a definitive response from Sgt. Rodriguez at this time, although Sgt. Rodriguez would like to deliver one in the proper forum and manner after securing advice from the police union's representatives.

Attached for your review:

1. Letter from CRB Director to Sgt. Pablo Rodriguez to try to expedite the conclusion of this matter with enclosures and Chief Donald Lee's response letter stating the KWPD's position.
2. E-mail exchanges between myself and Sgt. Pablo Rodriguez and Sgt. Rodriguez's response to my requests for a response;
3. Clerk of the Court's print out of Mr. Brown's criminal case which is pending;
4. Notices to the involved officer & IA.

**The Board should decide if: 1) The Board will defer this matter until Mr. Brown's criminal case is resolved, which will enable IA to commence its investigation; or 2) Move forward with its own investigation. If the Board decides to move forward with its own investigation, then the Board Attorney will advise them of their legal options and the procedures relative to the same.**

**1**

**Donald J. Lee, Jr.**

**Chief of Police**



**Key West**

**POLICE DEPARTMENT**

January 30, 2009

Mr. Bryan Green, Chairman  
Citizens Review Board  
PO Box 1946  
Key West, FL 33041

Chairman Green:

This letter is in reference to CRB 07-001, Omar Brown. It is the Key West Police Departments policy not to conduct internal affairs investigations involving complainants who have open and active criminal cases. Our policy is in place to protect the complainant from potentially jeopardizing his or her criminal case. If we were to investigate this particular case it would set a precedent that would potentially force us to investigate other cases with open and active criminal charges. I feel it is not in the complainants or the department's best interest to conduct internal affairs investigations while their criminal cases are still pending.

When Mr. Brown's criminal case is resolved we will then conduct an inquiry into his allegations to assess if the complaint has merit and warrants an internal affairs investigation.

Respectfully,

A handwritten signature in black ink, appearing to read "Donald J. Lee Jr.".

Donald J. Lee Jr.  
Chief of Police

Cc: Mr. Scholl



**RESPECT - INTEGRITY - FAIRNESS**

Key West Police Department 1804 N. Roosevelt Blvd. Key West, FL 33040 (305) 808-1111  
[www.keywestcity.com](http://www.keywestcity.com)





CITY OF KEY WEST

Citizen Review Board

P.O. Box 1946

Key West, FL 33041

Ph: (305) 809-3887

Fax: (305) 293-9827

January 15, 2009

**VIA INTER-CITY OFFICE HAND DELIVERY**

Sgt. Pabolo Rodriguez  
Key West Police Department  
1604 North Roosevelt Blvd.  
Key West, FL 33040

Complaint File: **CRB #07-001**  
**Complainant: Omar Brown**  
**Notice of CRB Investigation**

Dear Sgt. Rodriguez:

The Citizen Review Board (CRB) is an independent board with authority to review and/or investigate complaints involving Key West police officers and forward findings and/or recommendations to City management, Chief of Police, State Attorney, other state and federal law enforcement agencies and/or grand juries. You are the respondent in the above referenced CRB file.

This particular file was forwarded to the Key West Police Department (KWPD) Internal Affairs Division (IA) for investigation in 2007. It was summarily returned to the CRB without an investigation since Mr. Omar Brown is facing a criminal trial relative to facts alleged and outlined in the Mr. Brown's complaint. IA at the CRB meeting on January 12, 2009, continued to refuse to proceed with an investigation into this matter. Mr. Brown insists that the CRB move forward to address this file regardless of his pending criminal trial.

The CRB, prior to commencing its own investigation pursuant to section 1.07(VII)(b)(6)(iii) of the City of Key West Charter, would like to extend an invitation to you to voluntarily cooperate in this matter and clear up a simple issue as further explained herein. There is no obligation whatsoever that you respond or voluntarily cooperate at this time, but such cooperation would show good faith and also eliminate the costs incurred by the City in commencing a formal investigation.

Enclosed please find Mr. Omar Brown's complaint and supplemental writings stating numerous allegations of mis-conduct against yourself. The Board passed on all the issues alleged as beyond the Board's authority to review, except the allegation of untruthfulness. Specifically, Mr. Omar Brown alleges you misrepresented to the court, under oath, that you arrested him in the past. Also enclosed please find a copy of the subject affidavit apparently executed by you. Finally, enclosed please find a print out of public records from the Monroe County Sheriff's Office and the Clerk of the Court for Monroe County itemizing Mr. Omar Brown's prior adult arrests and/or court actions.

It would be helpful to our office if you could simply identify which one of these arrests you were referencing in your affidavit when you stated to the court that you had previously arrested Mr. Brown. If the case, arrest or file is not on this enclosed list, could you please supply our office with information as to what case you were referencing. I can then expeditiously research and confirm this fact and bring this to the Board for final resolution. The CRB meets next on this matter on February 9, 2009, and you or your representative are invited to attend at the Old City Hall at 6:00 p.m. located at 510 Greene Street, Key West Florida, 33040. I will inform the Board of your response, or non-response to this offer at that time.

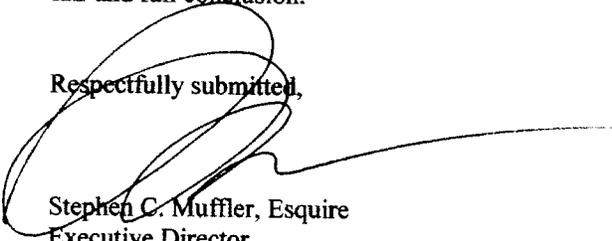
Further, please note section 1.07 of the City Charter which reads as follows:

**VIII. Procedures related to city employees and witnesses.**

(a) When a City of Key West employee, including police officers, appears before the CRB in response to a request or subpoena, such employee shall be formally advised prior to the commencement of testimony that if the employee has a good-faith belief that the testimony would tend to be self-incriminating, and if, in reliance upon that good-faith belief, the employee declines to answer any question, that employee's decision not to provide testimony will not subject him or her to any adverse employment consequences. Any employee who, after receiving such advice, decides to testify or provide evidence, must sign a statement acknowledging that the employee understands the advice and is testifying or providing evidence voluntarily and knowingly.

Please feel free to forward this matter and this correspondence to your legal representative or union official if you so desire. We hope that your voluntary cooperation in this matter will quickly bring this matter to a fair and full conclusion.

Respectfully submitted,

  
Stephen C. Muffler, Esquire  
Executive Director  
Attorney at Law

Encl.

cc: Jim Scholl, City Manager  
Donald Lee, Chief of Police  
Mr. Omar Brown  
File

BROWN, OMAR	11/4/1947	CFK96582-	5/19/1996	5/19/1996	POSS/SELL CONTROL SUBSTANCE	7/31/1996	Def Sent/Guilty - Non Jury Trial/Adj	
BROWN, OMAR	11/4/1977	CFK96583	5/15/1996	5/15/1996	POSS/SELL CONTROL SUBSTANCE			Consolidated
BROWN, OMAR	11/4/1977	CFK9630447	10/30/1996	7/18/1997	POSS/SELL CONTROL SUBSTANCE		10/14/1997	Def Sent/Guilty - Non Jury Trial/Adj
BROWN, OMAR RICARDO	11/14/1977	CFK02444	3/5/2002	5/1/2002	POSS/SELL CONTROL SUBSTANCE		4/14/2004	Def Sent/Guilty - Non Jury Trial/Adj
BROWN, OMAR ROCARDO	11/14/1977	CFK02445	3/5/2002	4/10/2002	POSS/SELL CONTROL SUBSTANCE			Consolidated
BROWN, OMAR RICARDO	11/14/1977	CFK02446	3/4/2002	4/10/2002	POSS/SELL CONTROL SUBSTANCE			Consolidated
BROWN, OMAR	11/4/1977	CFK9730257	6/5/1997	7/18/1997	POSS/SELL CONTROL SUBSTANCE		10/14/1997	Def Sent/Guilty - Non Jury Trial/Adj
BROWN, OMAR	11/4/1977	CFM03254	12/21/2003	1/7/2004	TAMPER WITH OR FABRICATE PHYSICAL EVIDENCE			Noile Prossed
BROWN, OMAR RICARDO	11/4/1977	CTK051788	5/24/2005	6/7/2005	DRIVING WHILE LICENSE SUSPENDE		11/30/2006	Def Sent/Guilty - Non Jury Trial/Adj
BROWN, OMAR	11/4/1977	CFK05674	5/19/2005	2/1/2006	SELL FRAUDULENT SUBSTANCE AS CONTROL SUB		11/8/2007	Def Sent/Adj Guilty
BROWN, OMAR RICARDO	11/4/1977	MMK06482	2/25/2006	3/10/2006	RESIST OR OBSTRUCT OFFICER WITHOUT VIOLENCE		11/30/2006	Def Sent/Guilty - Non Jury Trial/Adj
BROWN, OMAR	11/4/1977	MMK061539	5/21/2006	5/31/2006	POSS/SELL CONTROL SUBSTANCE			
BROWN, OMAR	12/26/1974	CFK061071-	9/2/2006	10/4/2006	ROBBERY			Filed

## M.C.S.O. Arrest Search Results by Name

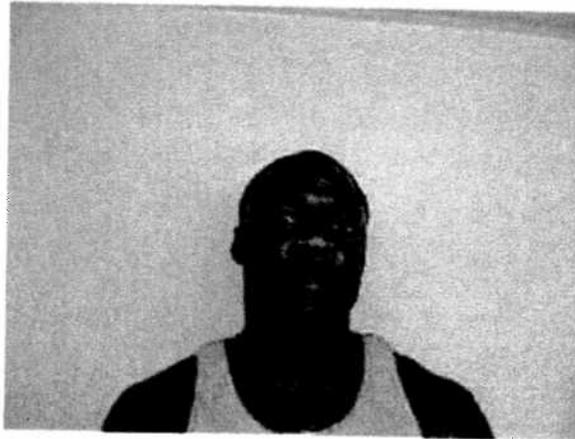
As of Saturday, December 27, 2008 at 15:38

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Remember: The person or people shown on these pages have been arrested, but have **NOT been found guilty in a court of law.**  
 For case dispositions, and for detailed information on criminal and civil court cases,

visit the Monroe County Clerk of the Courts web site.  
For information on court dates and judges calendars, visit the 16th Judicial State Courts web site.

Please note that this information is inclusive from January 1, 2001.



**BROWN, OMAR RICARDO**

DoB:11/04/1977 Age:24 Sex:M Race:B

Arrest Date: **04/09/2002** CAD #: Arrest #: **MCSO02ARR003634** Offense #:  
**KWPD020FF024308**

Address:

**917 CENTER ST, KEY WEST, FL 33040**

Occupation:

**MCSO00MNI425744**

Arrest Location: **BLOCK PETRONIA STREET KEY WEST, 200**

Charges:

**3 Felony Count(s) of 893.13.1a1**

**SCHEDULE II COCAINE-SELL**

**3 Felony Count(s) of 893.13.1c1**

**WIT SELL MFG DELIVER WI 1000 FT SCH SCHED II COCAINE-  
POSSESS**

Officer/Agency: **KWPD - KWPD** Bond Amount: **\$0**

Arrest Date: **12/21/2003** CAD #: Arrest #: **MCSO03ARR010588** Offense #:  
**FHPE03088039535**

Address:

**917 CENTER ST, KEY WEST, FL 33040**

Occupation:

**MCSO00MNI425744**

Arrest Location: **SR 5 MARATHON, MM47**

**Charges:**

**1 Misdemeanor Count(s) of 893.13.6b**

**NOT MORE THAN 20 GRAMS MARIJUANA-POSSESS**

**1 Felony Count(s) of 918.13.**

**EVIDENCE-DESTROYING - TAMPER WITH OR FABRICATE  
PHYSICAL**

**Officer/Agency: FHP - Bond Amount: \$0**

**Arrest Date: 05/24/2005 CAD #: Arrest #: MCSO05ARR004748 Offense #:  
KWPD05OFF5494**

**Address:**

**917 CENTER ST, KEY WEST, FL 33040**

**Occupation:**

**MCSO00MNI425744**

**Arrest Location: SOUTH ST AND THOMPSON STREET KEY WEST,**

**Charges:**

**1 Unknown Count(s) of 322.34.2**

**OPERATE WHILE SUSP/CANC/REVOKED-W/KNOWLEDGE**

**Officer/Agency: KWPD - KWPD Bond Amount: \$0**

**Arrest Date: 02/25/2006 CAD #: MCSO06CAD019498 Arrest #:  
MCSO06ARR001807 Offense #: MCSO06OFF001868**

**Address:**

**917 CENTER ST, KEY WEST, FL 33040**

**Occupation:**

**MCSO00MNI425744**

**Arrest Location: 5 AVE STOCK ISLAND, 5031**

**Charges:**

**1 Misdemeanor Count(s) of 843.02.**

**RESIST OFFICER - OBSTRUCT WO VIOLENCE**

**1 Misdemeanor Count(s) of 893.13.1a2**

**LESS THAN 20 GRAMS**

**Officer/Agency: 1119 - MCSO\ROAD PATROL - SECTOR 1 Bond  
Amount: \$0**

**Arrest Date: 02/25/2006 CAD #: MCSO06CAD019498 Arrest #:  
MCSO05ARR008230 Offense #: MCSO06OFF001868**

**Address:**

**917 CENTER ST, KEY WEST, FL 33040**

**Occupation:**

**MCSO00MNI425744**

**Arrest Location: ,**

**Charges:**

**1 Misdemeanor Count(s) of 322.03.**

**NONMOVING TRAFFIC VIOL - OPERATE MOTOR VEHICLE WITH  
LICENSE EXPIRED**

**Officer/Agency: 1111 - MCSO\ROAD PATROL - SECTOR 1 Bond  
Amount: \$2000**

Arrest Date: **02/25/2006** CAD #: **MCSO06CAD019498** Arrest #:  
**MCSO05ARR006113** Offense #: **MCSO06OFF001868**

Address:

**917 CENTER ST, KEY WEST, FL 33040**

Occupation:

**MCSO00MNI425744**

Arrest Location: ,

Charges:

**1 Felony Count(s) of 817.563.**

**DRUGS MISBRANDED - SELL IN LIEU OF SCHED I II III IV CNTRL  
SUBS**

Officer/Agency: **1111 - MCSO\ROAD PATROL - SECTOR 1** Bond  
Amount: **\$50000**

Arrest Date: **06/07/2006** CAD #: Arrest #: **MCSO06ARR004954** Offense #:

Address:

**917 CENTER ST, KEY WEST, FL 33040**

Occupation:

**MCSO00MNI425744**

Arrest Location: **COLLEGE RD STOCK ISLAND, 5501**

Charges:

**1 Misdemeanor Count(s) of 843.15.1b**

**FAILURE TO APPEAR FOR MISDEMEANOR OFFENSE**

Officer/Agency: **KWPD - KWPD** Bond Amount: **\$10000**

Arrest Date: **11/15/2006** CAD #: **MCSO06CAD110208** Arrest #:

**MCSO06ARR007680** Offense #: **MCSO06OFF010457**

Address:

**917 CENTER ST, KEY WEST, FL 33040**

Occupation:

**MCSO00MNI425744**

Arrest Location: **COLLEGE RD STOCK ISLAND, 5501**

Charges:

**1 Felony Count(s) of 812.014.2c**

**LARC - OVER 300 DOLLARS UNDER 20000 DOLLARS**

**1 Felony Count(s) of 812.13.2b**

**ROBBERY - WITH WEAPON**

Officer/Agency: **D622 - MCSO\CORRECTIONS** Bond Amount: **\$250000**

Arrest Date: **11/15/2006** CAD #: **MCSO06CAD110208** Arrest #:

**MCSO06ARR007906** Offense #: **MCSO06OFF010457**

Address:

**917 CENTER ST, KEY WEST, FL 33040**

Occupation:

**MCSO00MNI425744**

Arrest Location: **COLLEGE RD STOCK ISLAND, 5501**

Charges:

**1 Misdemeanor Count(s) of 843.15.1b**

**FAILURE TO APPEAR FOR MISDEMEANOR OFFENSE**

Officer/Agency: **D622 - MCSO\CORRECTIONS** Bond Amount: **\$20000**

Arrest Date: **11/15/2006** CAD #: **MCSO06CAD110208** Arrest #:

**MCSO06ARR007854** Offense #: **MCSO06OFF010457**

Address:

**917 CENTER ST, KEY WEST, FL 33040**

Occupation:

**MCSO00MNI425744**

Arrest Location: **COLLEGE RD STOCK ISLAND, 5501**

Charges:

**1 Felony** Count(s) of **843.15.1a**

**FAILURE TO APPEAR FOR FELONY OFFENSE**

Officer/Agency: **D622 - MCSO\CORRECTIONS** Bond Amount: **\$100000**

Arrest Date: **11/15/2006** CAD #: **MCSO06CAD110208** Arrest #:

**MCSO06ARR008982** Offense #: **MCSO06OFF010457**

Address:

**917 CENTER ST, KEY WEST, FL 33040**

Occupation:

**MCSO00MNI425744**

Arrest Location: **COLLEGE RD STOCK ISLAND, 5501**

Charges:

**1 Misdemeanor** Count(s) of **843.15.1b**

**FAILURE TO APPEAR FOR MISDEMEANOR OFFENSE**

Officer/Agency: **D622 - MCSO\CORRECTIONS** Bond Amount: **\$20000**

Arrest Date: **11/15/2006** CAD #: **MCSO06CAD110208** Arrest #:

**MCSO06ARR007905** Offense #: **MCSO06OFF010457**

Address:

**917 CENTER ST, KEY WEST, FL 33040**

Occupation:

**MCSO00MNI425744**

Arrest Location: **COLLEGE RD STOCK ISLAND, 5501**

Charges:

**1 Misdemeanor** Count(s) of **843.15.1b**

**FAILURE TO APPEAR FOR MISDEMEANOR OFFENSE**

Officer/Agency: **D622 - MCSO\CORRECTIONS** Bond Amount: **\$20000**

**AFFIDAVIT AND APPLICATION FOR SEARCH WARRANT**

IN THE SIXTEENTH JUDICIAL CIRCUIT, IN AND FOR  
MONROE COUNTY, FLORIDA

THE STATE OF FLORIDA,  
COUNTY OF MONROE

BEFORE ME, HONORABLE JUDGE WAYNE MILLER

in and for MONROE COUNTY, personally appeared this day Detective Pablo Rodriguez who, being by me first duly sworn, deposes and says that he believes and has good reason to believe that a certain premises located in MONROE COUNTY, Florida, described as follows, to-wit:

**Premises Location:** 3636 Duck Avenue, City of Key West, County of Monroe, State of Florida

**Premises Description:** The structure is a concrete block structure, one (1) story, duplex building, located on the south side of the 3600 block of Duck Avenue. It is the third structure to the west of the intersection of 19<sup>th</sup> and Duck Avenue. The structure is painted yellow with a tin roof. It has white trimming around the windows and front door. The premises is located on the south-east corner of the structure. There is a brown wooden fence surrounding the structure. The premises has a white door which opens out with a door handle and deadbolt lock located on the right side of the door. There is a white awning located above the front door affixed to the wall.

**Property Description: Head covers, firearms, jewelry, clothing, trace evidence.**

The premises is occupied by or under the control of Kiefa Edgerton and Omar Brown.

The premises being in Monroe County, Florida, hereinafter referred to as "the premises," the laws of the State of Florida relating to armed robbery (Florida Statute 812.13) and grand theft (Florida Statute 812.014) are being violated therein, to wit: Evidence unlawfully taken at an armed robbery, clothing worn by the assailants, and fruits and/or instrumentalities of the crime.

Affiant's reasons for the belief that "the property" above mentioned is being concealed and stored at "the premises" above-described and the facts establishing the grounds for this affidavit and the probable cause for believing that such facts exist are as follows:

At approximately noon on September 2, 2006, an armed robbery occurred at Beachcomber Jewelers, 2786 N. Roosevelt Blvd., Key West, Monroe County, Florida. Two employees were on duty at the time. The employees reported that two males—at least one of whom was black—wearing dark clothing entered the store. One assailant was described as a black male, approximately 5'8" tall, with an average build, wearing a dark-colored knit hat with a short visor and blue gloves that the employees described as "textured." This assailant had his face partially covered by the collar of a dark turtleneck-type shirt, which he had pulled up to conceal his face. This assailant pointed what appeared to be a dark-colored handgun at the employees and ordered them to lie on the floor. He then stood between the prone employees and pressed the gun into their backs while the other assailant began smashing the glass jewelry cases and removing the jewelry inside. The assailant who collected the jewelry wore a dark bandana to cover his face. Once the jewelry (estimated to be worth at least \$50,000) was collected, the assailants fled out the back door.

Rebecca Kasper, an employee of an adjacent store, heard loud noises inside Beachcomber Jewelers and came to investigate. When Kasper opened the front door of the jewelry store, she saw a person exiting through the back door. Kasper described this person as 5'8" tall, with a thin build, wearing dark clothing and a bandana covering his face.

Eveling Darce, who had been inside Beachcomber Jewelers that morning washing the windows, reported that between 10:30 and 11:00 a.m. she had seen a white four-door with some kind of dark material covering the passenger-side windows make two slow passes by the business.

Shortly after noon, the Key West Police Department received a call from Maria Terrell, who reported that she had just seen her ex-husband Omar Brown driving

her car (a white four-door Dodge Stratus) in the company of three other black males. Terrell reported Brown did not have permission to be in possession of her car, and she had no idea why he was driving it. Terrell reported the windows had been covered with some material that darkened them and made it difficult to see inside. When Terrell yelled at the occupants, they ducked down, covered their faces, and drove away. Terrell reported the car stolen.

Detective Sergeant Barrios heard the stolen vehicle call over the radio. He knows Omar Brown from prior contacts, and knows where he lives. Detective Sergeant Barrios, Sergeant Frank Zamora, and Officer Bradley Lariz responded to Brown's residence at 3636 Duck Ave., Key West, Monroe County, Florida. The officers knocked at the door, which was eventually answered by Dominicke Terrell (Maria Terrell's son), and asked if Brown was there. Terrell said he didn't know where Brown was. Then Kiefa Edgerton (Brown's girlfriend) appeared at the door and told the officers that Brown wasn't inside. On a small table near the door, officers noticed a pair of camouflage-colored gardening gloves and a hammer nearby.

The officers went to the front of the house to confer. When they returned to the door, they noticed the gloves had disappeared. The officers knocked at the door again, but Edgerton refused to answer. Minutes later, Brown appeared at a window and asked officers what was going on. Officers told him they were there to investigate a reported vehicle theft. Brown admitted driving the car, but denied stealing it. Brown appeared to be extremely agitated and nervous.

Officers asked Brown and Edgerton if they would allow a search of the premises. They refused. They also denied that anyone else was present inside.

After processing the scene at Beachcomber Jewelers, Crime Scene Investigator Donald Guevremont responded to 3636 Duck Ave. Investigator Guevremont examined the hammer found near the door. The wooden handle of the hammer had fresh gouge marks that contained small fragments of glass. The handle also had red paint transfer that was consistent with the red frames of the jewelry cases damaged during the robbery. The fresh gouge marks, glass fragments, and paint transfer suggest the hammer was used to smash the glass jewelry cases at Beachcomber Jewelers. Investigator Guevremont also inspected the head of the hammer. The head was slightly rusted and had striations in it from prior use. Investigator Guevremont compared these striations to the marks left in the remains of the smashed jewelry cases at Beachcomber Jewelers. The striations in the head of the hammer appeared to be consistent with these marks. Furthermore, the jewelry cases had stain marks that appeared to be consistent with the rust found on the head of the hammer.

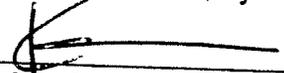
A red Honda coupe was parked in front of 3636 Duck Ave. It is registered to Kiefa Edgerton. Officer Keith Rendueles directed his canine "Daxo," which has been extensively trained to detect the presence of controlled substances, walk

around the vehicle. Daxo alerted to the passenger-side door of the vehicle, suggesting controlled substances were inside. A subsequent search of the vehicle revealed a small quantity of marijuana on the passenger-side floorboard and small glass fragments in the rear passenger-side armrest.

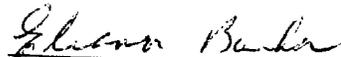
Your affiant has known Omar Brown for at least six years and has arrested him in the past. Brown matches the general physical description given by the employees of Beachcomber Jewelers: he is a black male, approximately 5'8" tall, and has a medium build. Your affiant is familiar with how Omar Brown dresses: Brown often wears turtleneck sweaters and a distinctive knit cap with a short visor. This clothing is consistent with what one assailant in the robbery was reportedly wearing.

Your affiant has been a Key West Police Officer for over six years. Your affiant has been a detective in the Criminal investigation Unit for two years. Your affiant has taken a variety of courses in criminal investigations.

Wherefore, your affiant makes this affidavit and prays the issuance of a search warrant in due form of law for the search of the above described premises, the curtilage thereof as well as any person present or arriving, known or suspected to be involved in an armed robbery and grand theft, and any vehicle operated by any such person, heretofore described and for the seizure and safe keeping of the property, subject to the order of this honorable court of such court having jurisdiction over the offense, by the duly constituted officer of the law.

  
\_\_\_\_\_  
**Detective Pablo Rodriguez, Affiant**

The foregoing instrument was acknowledge before me this \_\_\_\_ day of \_\_\_\_\_, 2006, by \_\_\_\_\_, who is personally known to me and who did take an oath.

Notary Public   
Notary Public Name ELEANOR BARKER  
My commission expires: \_\_\_\_\_



Eleanor Barker  
MY COMMISSION # DD241639 EXPIRES  
November 25, 2007  
BONDED THRU TROY FAIN INSURANCE, INC.

Sworn to and subscribed before me this 2 day of Sept, 2006

\_\_\_\_\_  
Judge in and for MONROE COUNTY, Florida

# SEARCH WARRANT

IN THE SIXTEENTH JUDICIAL CIRCUIT COURT IN AND FOR  
MONROE COUNTY FLORIDA

THE STATE OF FLORIDA COUNTY OF MONROE IN THE NAME OF THE  
STATE OF FLORIDA, TO ALL AND SINGULAR:

The Sheriff of MONROE COUNTY, Florida, and his lawful Deputies, All Police Officers in  
MONROE COUNTY, Florida, The Commissioner of the Florida Department of Law Enforcement  
or any of his Duly Constituted Agents, and State Attorney's Investigators, 16<sup>th</sup> Judicial Circuit,  
State of Florida.

WHEREAS, complaint on oath and in writing, supported by affidavit of a credible witness, or  
witnesses, has this day been made before the undersigned J. J. J. J. in and for  
MONROE COUNTY, Florida, and,

WHEREAS, said facts made known to me and considered by me have caused me to certify and  
find that the facts set forth in said affidavit show and constitute probable cause for the issuance of  
this warrant and the Court being satisfied of the existence of said grounds set forth in the affidavit  
and that the laws of the State of Florida have been and are being violated on or in the premises  
known and described as follows, to-wit:

**Premises Location:** 3636 Duck Avenue, City of Key West, County of  
Monroe, State of Florida

**Premises Description:** The structure is a concrete block structure, one (1) story, duplex  
building, located on the south side of the 3600 block of Duck  
Avenue. It is the third structure to the west of the intersection of  
19<sup>th</sup> and Duck Avenue. The structure is painted yellow with a tin  
roof. It has white trimming around the windows and front door. The  
premises is located on the south-east corner of the structure.  
There is a brown wooden fence surrounding the structure. The  
premises has a white door which opens out with a door handle and  
deadbolt lock located on the right side of the door. There is a white  
awning located above the front door affixed to the wall.

**Property Description:** Head covers, firearms, jewelry, clothing, trace evidence.

The premises is occupied by or under the control of Kiefa Edgerton and Omar Brown.

The premises being in Monroe County, Florida, hereinafter referred to as "the premises," the laws  
of the State of Florida relating to armed robbery (Florida Statute 812.13) and grand theft (Florida  
Statute 812.014) are being violated therein, to wit: Evidence unlawfully taken at an armed  
robbery, clothing worn by the assailants, and fruits and/or instrumentalities of the crime. And as I  
am satisfied that there is probable cause to believe that "the premises" is being used as aforesaid  
and that "the property" above-described, is being concealed and stored at "the premises" above  
described, I expressly find probable cause for the issuance of this search warrant.

You are hereby commanded to enter and search forthwith "the premises" above-described, and all spaces therein, and the curtilage thereof, and vehicles and/or temporary structures within the curtilage, and all persons found on "the premises" for "the property" above-described, serving this warrant and making the search in the daytime or nighttime, as the exigencies may demand or require, or on Sunday, with the proper and necessary assistance, and if "the property" above-described be found there, to seize it and to arrest all persons in the unlawful possession thereof, leaving a copy of this warrant and a receipt for "the property" taken and prepare a written inventory of the property seized and return this warrant and bring "the property" and all persons arrested before a court having competent jurisdiction of the offense within ten (10) days from the issuance as required by the law.

Knock and Announce

No Knock

WITNESS my hand and seal this **2nd** day of September, A.D., **2006**

  
\_\_\_\_\_  
JUDGE in and for MONROE County, Florida

Date) 2-27-07

## (FRUITS OF A POISONESS TREE)

my name is ORRAN BROWN I'm in Jail for a crime I didn't do and I can prove it. I'm being set up by the Maxwest Police department and the state attorney ~~stacy~~ Wilson for Helping them lie on the affidavit for the search warrant for my house and also on the affidavit <sup>for</sup> the search warrant. The officer who wrote it lied under oath by saying that I match the person who did the robbery cause he arrested me in the past, but he never arrested me before in his life and I can't prove it and all so I can't prove that the police had know kind of reason to be at my house and all so searching my property with out my permission I need help as soon as possible to prove I was set up by the Maxwest Police department and the state attorney and all so my P.O. and the Jail House, somebody please help me before I lose my life please!!!

Orran Brown

CRB

SEP 19 2008

RECEIVED

I am Brown is waiting you to see is you aware of what's going on with my case. First of all the judge said about 5 months ago that he wasn't going to let this case go over two years and it's now twenty five months now percent of all time here for a crime I didn't do and I can't prove it by proving the way west PD officers are lying on me in order to frame me cause it's been over two years and I've been trying to suppress the search warrants and the evidence for the longest but the state attorney office is not making the officer show up for depo cause as you can see it took 15 months just to start out with the hear skeletal report and she only did a half because the state attorney said that he had to go to handle to get something to cut and he says in the depo that he will not be able to make it back cause he has some other stuff to do and now it been all about a year since she and the state finally going to show up if not a witness excus like all ways that's why I haven't got all of my depo's done because the state and the officers keep making reason and excuse to keep me from suppressing the search warrants cause then I will be able to confess all the lies and false statement they put in the search warrants. So there for as you say that you are monitoring my case you can see as well as I can see there's about 5 bill going on with this case. So please look in to this matter cause my wife is at school and it seem that know body care about what I'm trying to prove about these credit card that's lying on me. You can easy see it in some of the depo's that have been taking. So will you please look in to this matter for me about my freedom cause there of to be a law firm what they doing to me cause the way it looks like I will be in here till next year. Cause my attorney don't care. Please help me prove my allegation against these police officer so I could suppress the search warrant and make it wrong. Please look in to this matter or have somebody to come see me at the S.D. ...

CRB rec'd 4-28-07



CITY OF KEY WEST  
Citizen Review Board  
PO Box 1946  
Key West, FL 33041  
(305) 293-9835

April 19, 2007

Omar Brown #425744  
Monroe County Detention Center  
5501 College Road  
Key West, FL 33040

CRB Complaint File No.: 07-001

Dear Mr. Brown:

This letter is to confirm that you have received a copy of Key West Police Department Internal Affairs' final report regarding your complaint and to inquire if you are satisfied with the results or not.

Please sign the bottom of this page indicating your intentions at this time and return a copy to the CRB office in the enclosed envelope as soon as possible.

Should you determine that you are not satisfied with the finding, your full cooperation will be necessary in order for the CRB to thoroughly investigate your complaint. Please make sure that this office has all of your current contact information as well as any witness contact information.

You are welcome to call or write us with any questions you may have.

Respectfully,

Amanda Willett  
Executive Director

I am not satisfied with the results of the IA investigation and desire the CRB to continue to review my complaint. If yes, please sign your name. Omar Brown

Please explain: There was no cause to come to my house saying my car was stolen, it was stolen and I was being pulled over to find out if it was stolen. And at my house and also there was no reason to be searching my property without a search warrant.

I am satisfied with the results of the IA investigation and withdraw my complaint. If yes, please sign your name. \_\_\_\_\_

*and a matter thing there is no case number saying anything about a stolen car cause all what I was being pulled over as a Ruben something I don't know. Public Hearing goes with the car. The search warrant was shown to me. The search warrant the CRB should have the search warrant in the file.*

*1. I am not satisfied with the results of the IA investigation and desire the CRB to continue to review my complaint. If yes, please sign your name. Omar Brown  
2. but all the while the police was pulling me as a Ruben  
3. there was no sign for the police to search my property without a search warrant  
4. there is no sign for Pablo to be on the search warrant saying he arrested me in the fact that how I matter the investigation the CRB has*



William A. Mauldin  
Chief of Police

# Key West Police Department

*Respect Integrity Fairness*

*The Southernmost Police Department*

To: Amanda Willet, Executive Director, Citizen Review Board  
From: Lt. Jim Benkoczy, Commander, Professional Standards  
Date: April 3, 2007  
Subject: CRB # 07-001 Oman Brown

*Handwritten initials and scribbles*

I have received and reviewed the complaint filed by Mr. Oman Brown against a member of the Key West Police Department and all the information forwarded with the complaint.

Mr. Brown's complaint alleges a conspiracy or "set up" by the Key West Police Department and the State Attorney's Office relating to a search warrant signed by Judge Miller on September 6, 2006.

My review and evaluation of this complaint is as follows: This complaint pertains solely to the lawfulness or justification of enforcement action, and such action appears not to constitute a violation of the law or departmental directives. Therefore, no further administrative action will be taken on the matter.

I suggest Mr. Brown make his "proof" of these allegations available to his attorney to assist in the preparation of his defense.

If you have any questions regarding this, please don't hesitate to contact my at 809-1035.

**Memorandum**



1604 N. Roosevelt Blvd.



Key West, Florida 33040

*CRB rec'd from IA 4/17/07 AGW*

①

## CAB - Complaint File No. 07-001

I'm writing in regard about the Affidavit Application for search warrant and I'm seeking a copy of it cause you had ALVARO RODRIGUEZ and I was talking about Pablo Rodriguez who Falsify Falo's Allegation and Falo's statement under Oaths to the Judge to get a search warrant to frame me for a crime that I didn't do by lying on the Affidavit application by Claiming that he has Arrested me in the PAST and that I matches the general physical description given by one of the employees because he is familiar with how I dress and that I wear turtle neck sweaters and a distinctive knit cap with a short visor and that this clothing is consistent with what one Assailant in the Robbery was reportedly wearing. he put all this in the Affidavit and took an oath to the Judge to get a search warrant. and first of all he has never in his life has Arrested me before and you could look at my Arrest Record to prove that and all so about how I dress they have my Photo Album at the Police Station that they size and it could prove how I dress. so here is a copy of the Affidavit that you told me to send to you, and there's other is you that's Falo's in the Affidavit. number one on page 2 of 4 at least one of whom was black - look at the first officer that got to the scene and his statement said the victims didn't know what race of color they was and Pablo Rodriguez put one of whom was black but he is saying I'm the BLACK one. by lying stating he has Arrested me and he know's how I dress. and all so on page 2 of 4 look at Rebecca Kasper statement that look at her depo statement lying cause it's not the same. and all so on page 2 of 4 Evelyn Darce. stating at 10:30 or 11:00 o'clock she seen a white four-door with some dark material covering the passenger-side window and my baby mother car doesn't have tint's on her car at all and about her car being stolen that's a lie. cause they claim that they came to my house cause of the car being reported stolen that a lie cause they knowed that the

(2)

CRB - Complaint File no. 07-001

Car was Return before they even got to my house and you could see it in the Report of Frank Zawora and All so I Told them I was driving the car but I didn't steal it and I was never arrested since they know that they were lying. The whole Affidavit is lies. how can they size something out of your yard without a search warrant saying it is invol in a crime (hammer) saying it appeared to be consistent has being the tool that was used to break the case glass but when they send it off to the Lab it comes back not a match and they as of Pablo Rodriguez to put it in the Affidavit - one more thing look at a sticker he put in the Affidavit my sis friend car was park in the front of my house when the Police came there claiming to be there for a crime that was never a crime about another car. so out the blue they call for the dog man to come by and sniff the dog smells on the car door. For know reason claiming that the dog smell along and remind us of the door and put the dog in the car and they claim that the dog found some marijuana and they never showed us nothing or none of us was arrested we never seen nothing plus in the Affidavit they claim's that they found some small glass ~~fragments~~ fragments in the back seat and I Told them that her window was broken before they just remind us give them the keys and they just found the car saying that it was invol in a crime and they did it without a warrant and they keep it for 2 weeks and they give it back and didn't say nothing. so now I hope that you will see what I'm talking about with Pablo Rodriguez falsifying Ed's statement in this Affidavit and taking it to the Judge and taking oath by stating that everything is true and correct. So thanks you for your time and I would be waiting for you to see that my allegation is true and Justice is serve against this bold lying Cop Pablo Rodriguez and he did it under oath !!!

Respectfully  
Pablo Rodriguez

2

**Citizens Review Board**

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**From:** Pablo Rodriguez  
**Sent:** Tuesday, February 03, 2009 3:41 PM  
**To:** Citizens Review Board  
**Subject:** RE: CRB File #07-001 (Omar Brown)

Thank You sir.

I forwarded the documentation and invitation to them. I also phoned them. I explained to them, that as much as I would like to the speak to the CRB and explain (to be able to resolve the complaint), I would follow their legal advise. I also emphasized that I wanted this to be resolved respectfully and quickly. I am confident common sense will prevail. We will contact you soon.

Respectfully,

Sgt. Pablo Rodriguez

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**From:** Citizens Review Board <crb@keywestcity.com>  
**Sent:** Tue, 2/3/2009 12:46pm  
**To:** Pablo Rodriguez <prodrigu@keywestcity.com>  
**Cc:** Citizens Review Board <crb@keywestcity.com> ; bryangreen <bryangreen@earthlink.net> ; kwlawyer <kwlawyer@bellsouth.net> ; Donald Lee <dlee@keywestcity.com> ; David T. Smith <dtsmith@keywestcity.com> ; Randall Smith <rsmith@keywestcity.com>  
**Subject:** CRB File #07-001 (Omar Brown)

Thanks Pablo for coming to my office and picking up copies the entire copy of the CRB #07-001 (Omar Brown) complaint file and audio recordings of the CRB meetings and minutes regarding this file. I think we are both in agreement that you should respond to the remaining allegation lodged (untruthfulness), but in the proper forum and manner.

I suggest your PBA representative simply write a letter explaining your response to this remaining allegation before the next CRB meeting on February 9, 2009 (6:00 p.m. at Old City Hall), and send that to me. I can then present that to the Board. In the alternative you and/or your representative can attend the meeting and communicate this response. I would like this file's documents to be balanced and your response would be helpful in that regard. I have attached hereto what I feel is the proper print out of Mr. Brown's prior adult criminal cases/arrests drawn from public records databases. Hopefully this helps.

Stephen C. Muffler, Esquire  
Executive Director  
Attorney at Law

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City of Key West  
Citizen Review Board  
P.O. Box 1946  
Key West, Florida 33041  
tel(305) 809-3887  
fax(305) 293-9827  
crb@keywestcity.com  
[www.keywestcity.com](http://www.keywestcity.com)

2/4/2009

**Note To Recipients:** *Under Florida law, this communication and any response or reply to it, will be subject to public records requests/disclosure laws, unless an applicable privilege or rule of evidence applies.*

**Note to Citizen Review Board Members:** *In accordance with the Florida Sunshine Law, please do not "reply to all" if there are other board members receiving this e-mail concerning Board business. Please only reply to non-board members when responding.*

## Citizens Review Board

---

**From:** Citizens Review Board  
**Sent:** Tuesday, February 03, 2009 12:47 PM  
**To:** Pablo Rodriguez  
**Cc:** Citizens Review Board; bryangreen@earthlink.net; kwlawyer@bellsouth.net; Donald Lee; David T. Smith; Randall Smith  
**Subject:** CRB File #07-001 (Omar Brown)  
**Attachments:** Brown Priors.PDF

Thanks Pablo for coming to my office and picking up copies the entire copy of the CRB #07-001 (Omar Brown) complaint file and audio recordings of the CRB meetings and minutes regarding this file. I think we are both in agreement that you should respond to the remaining allegation lodged (untruthfulness), but in the proper forum and manner.

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Brown Priors.PDF  
(240 KB)

criminal cases/arrests drawn from public records databases. Hopefully this helps.

Stephen C. Muffler, Esquire  
Executive Director  
Attorney at Law

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City of Key West  
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# M.C.S.O. Arrest Search Results by Name



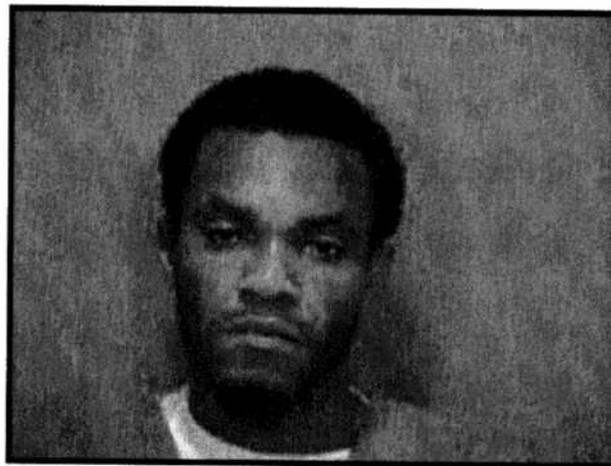
As of Monday, February 02, 2009 at 15:24

Remember: The person or people shown on these pages have been arrested, but **have NOT been found guilty in a court of law.**

For case dispositions, and for detailed information on criminal and civil court cases, visit the [Monroe County Clerk of the Courts web site](#).

For information on court dates and judges calendars, visit the [16th Judicial State Courts web site](#).

Please note that this information is inclusive from January 1, 2001.



**BROWN, OMAR RICARDO**

DoB:11/04/1977 Age:24 Sex:M Race:B

Arrest Date: **04/09/2002** CAD #: Arrest #: **MCSO02ARR003634** Offense #:  
**KWPD020FF024308**  
Address:  
**917 CENTER ST, KEY WEST, FL 33040**  
Occupation:  
**MCSO00MNI425744**  
Arrest Location: **BLOCK PETRONIA STREET KEY WEST, 200**  
Charges:  
**3 Felony Count(s) of 893.13.1a1**

**SCHEDULE II COCAINE-SELL****3 Felony Count(s) of 893.13.1c1****WIT SELL MFG DELIVER WI 1000 FT SCH SCHED II COCAINE-POSSESS**Officer/Agency: **KWPD - KWPD** Bond Amount: **\$0**Arrest Date: **12/21/2003** CAD #: Arrest #: **MCSO03ARR010588** Offense #:**FHPE03088039535**

Address:

**917 CENTER ST, KEY WEST, FL 33040**

Occupation:

**MCSO00MNI425744**Arrest Location: **SR 5 MARATHON, MM47**

Charges:

**1 Misdemeanor Count(s) of 893.13.6b****NOT MORE THAN 20 GRAMS MARIJUANA-POSSESS****1 Felony Count(s) of 918.13.****EVIDENCE-DESTROYING - TAMPER WITH OR FABRICATE PHYSICAL**Officer/Agency: **FHP -** Bond Amount: **\$0**Arrest Date: **05/24/2005** CAD #: Arrest #: **MCSO05ARR004748** Offense #:**KWPD05OFF5494**

Address:

**917 CENTER ST, KEY WEST, FL 33040**

Occupation:

**MCSO00MNI425744**Arrest Location: **SOUTH ST AND THOMPSON STREET KEY WEST,**

Charges:

**1 Unknown Count(s) of 322.34.2****OPERATE WHILE SUSP/CANC/REVOKED-W/KNOWLEDGE**Officer/Agency: **KWPD - KWPD** Bond Amount: **\$0**Arrest Date: **02/25/2006** CAD #: **MCSO06CAD019498** Arrest #:**MCSO06ARR001807** Offense #: **MCSO06OFF001868**

Address:

**917 CENTER ST, KEY WEST, FL 33040**

Occupation:

**MCSO00MNI425744**Arrest Location: **5 AVE STOCK ISLAND, 5031**

Charges:

**1 Misdemeanor Count(s) of 843.02.****RESIST OFFICER - OBSTRUCT WO VIOLENCE****1 Misdemeanor Count(s) of 893.13.1a2****LESS THAN 20 GRAMS**Officer/Agency: **1119 - MCSO\ROAD PATROL - SECTOR 1** Bond Amount: **\$0**Arrest Date: **02/25/2006** CAD #: **MCSO06CAD019498** Arrest #:**MCSO05ARR008230** Offense #: **MCSO06OFF001868**

Address:

**917 CENTER ST, KEY WEST, FL 33040**

Occupation:

**MCSO00MNI425744**

Arrest Location: ,

## Charges:

**1 Misdemeanor Count(s) of 322.03.****NONMOVING TRAFFIC VIOL - OPERATE MOTOR VEHICLE WITH LICENSE EXPIRED**Officer/Agency: **1111 - MCSO\ROAD PATROL - SECTOR 1** Bond Amount: **\$2000**Arrest Date: **02/25/2006** CAD #: **MCSO06CAD019498** Arrest #:**MCSO05ARR006113** Offense #: **MCSO06OFF001868**

Address:

**917 CENTER ST, KEY WEST, FL 33040**

Occupation:

**MCSO00MNI425744**

Arrest Location: ,

Charges:

**1 Felony Count(s) of 817.563.****DRUGS MISBRANDED - SELL IN LIEU OF SCHED I II III IV CNTRL SUBS**Officer/Agency: **1111 - MCSO\ROAD PATROL - SECTOR 1** Bond Amount: **\$50000**Arrest Date: **06/07/2006** CAD #: Arrest #: **MCSO06ARR004954** Offense #:

Address:

**917 CENTER ST, KEY WEST, FL 33040**

Occupation:

**MCSO00MNI425744**Arrest Location: **COLLEGE RD STOCK ISLAND, 5501**

Charges:

**1 Misdemeanor Count(s) of 843.15.1b****FAILURE TO APPEAR FOR MISDEMEANOR OFFENSE**Officer/Agency: **KWPD - KWPD** Bond Amount: **\$10000**Arrest Date: **11/15/2006** CAD #: **MCSO06CAD110208** Arrest #:**MCSO06ARR007680** Offense #: **MCSO06OFF010457**

Address:

**917 CENTER ST, KEY WEST, FL 33040**

Occupation:

**MCSO00MNI425744**Arrest Location: **COLLEGE RD STOCK ISLAND, 5501**

Charges:

**1 Felony Count(s) of 812.014.2c****LARC - OVER 300 DOLLARS UNDER 20000 DOLLARS****1 Felony Count(s) of 812.13.2b****ROBBERY - WITH WEAPON**Officer/Agency: **D622 - MCSO\CORRECTIONS** Bond Amount: **\$250000**Arrest Date: **11/15/2006** CAD #: **MCSO06CAD110208** Arrest #:**MCSO06ARR007906** Offense #: **MCSO06OFF010457**

Address:

**917 CENTER ST, KEY WEST, FL 33040**

Occupation:

**MCSO00MNI425744**Arrest Location: **COLLEGE RD STOCK ISLAND, 5501**

Charges:

<p><b>1 Misdemeanor Count(s) of 843.15.1b</b>  <b>FAILURE TO APPEAR FOR MISDEMEANOR OFFENSE</b>  Officer/Agency: <b>D622 - MCSO\CORRECTIONS</b> Bond Amount: <b>\$20000</b></p>
<p>Arrest Date: <b>11/15/2006</b> CAD #: <b>MCSO06CAD110208</b> Arrest #:  <b>MCSO06ARR007854</b> Offense #: <b>MCSO06OFF010457</b>  Address:  <b>917 CENTER ST, KEY WEST, FL 33040</b>  Occupation:  <b>MCSO00MNI425744</b>  Arrest Location: <b>COLLEGE RD STOCK ISLAND, 5501</b>  Charges:</p>
<p><b>1 Felony Count(s) of 843.15.1a</b>  <b>FAILURE TO APPEAR FOR FELONY OFFENSE</b>  Officer/Agency: <b>D622 - MCSO\CORRECTIONS</b> Bond Amount: <b>\$100000</b></p>
<p>Arrest Date: <b>11/15/2006</b> CAD #: <b>MCSO06CAD110208</b> Arrest #:  <b>MCSO06ARR008982</b> Offense #: <b>MCSO06OFF010457</b>  Address:  <b>917 CENTER ST, KEY WEST, FL 33040</b>  Occupation:  <b>MCSO00MNI425744</b>  Arrest Location: <b>COLLEGE RD STOCK ISLAND, 5501</b>  Charges:</p>
<p><b>1 Misdemeanor Count(s) of 843.15.1b</b>  <b>FAILURE TO APPEAR FOR MISDEMEANOR OFFENSE</b>  Officer/Agency: <b>D622 - MCSO\CORRECTIONS</b> Bond Amount: <b>\$20000</b></p>
<p>Arrest Date: <b>11/15/2006</b> CAD #: <b>MCSO06CAD110208</b> Arrest #:  <b>MCSO06ARR007905</b> Offense #: <b>MCSO06OFF010457</b>  Address:  <b>917 CENTER ST, KEY WEST, FL 33040</b>  Occupation:  <b>MCSO00MNI425744</b>  Arrest Location: <b>COLLEGE RD STOCK ISLAND, 5501</b>  Charges:</p>
<p><b>1 Misdemeanor Count(s) of 843.15.1b</b>  <b>FAILURE TO APPEAR FOR MISDEMEANOR OFFENSE</b>  Officer/Agency: <b>D622 - MCSO\CORRECTIONS</b> Bond Amount: <b>\$20000</b></p>

BROWN, OMAR	11/4/1947	CFK96582-	5/19/1996	5/19/1996	POSS/SELL CONTROL SUBSTANCE	7/31/1996	Def Sent/Guilty - Non Jury Trial/Adj	
BROWN, OMAR	11/4/1977	CFK96583	5/15/1996	5/15/1996	POSS/SELL CONTROL SUBSTANCE			Consolidated
BROWN, OMAR	11/4/1977	CFK9630447	10/30/1996	7/18/1997	POSS/SELL CONTROL SUBSTANCE		10/14/1997	Def Sent/Guilty - Non Jury Trial/Adj
BROWN, OMAR RICARDO	11/14/1977	CFK02444	3/5/2002	5/1/2002	POSS/SELL CONTROL SUBSTANCE		4/14/2004	Def Sent/Guilty - Non Jury Trial/Adj
BROWN, OMAR ROCARDO	11/14/1977	CFK02445	3/5/2002	4/10/2002	POSS/SELL CONTROL SUBSTANCE			Consolidated
BROWN, OMAR RICARDO	11/14/1977	CFK02446	3/4/2002	4/10/2002	POSS/SELL CONTROL SUBSTANCE			Consolidated
BROWN, OMAR	11/4/1977	CFK9730257	6/5/1997	7/18/1997	POSS/SELL CONTROL SUBSTANCE		10/14/1997	Def Sent/Guilty - Non Jury Trial/Adj
BROWN, OMAR	11/4/1977	CFM03254	12/21/2003	1/7/2004	TAMPER WITH OR FABRICATE PHYSICAL EVIDENCE			Notle Prossed
BROWN, OMAR RICARDO	11/4/1977	CTK051788	5/24/2005	6/7/2005	DRIVING WHILE LICENSE SUSPENDED		11/30/2006	Def Sent/Guilty - Non Jury Trial/Adj
BROWN, OMAR	11/4/1977	CFK05674	5/19/2005	2/1/2006	SELL FRAUDULENT SUBSTANCE AS CONTROL SUB		11/8/2007	Def Sent/Adj Guilty
BROWN, OMAR RICARDO	11/4/1977	MMK06482	2/25/2006	3/10/2006	RESIST OR OBSTRUCT OFFICER WITHOUT VIOLENCE		11/30/2006	Def Sent/Guilty - Non Jury Trial/Adj
BROWN, OMAR	11/4/1977	MMK061539	5/21/2006	5/31/2006	POSS/SELL CONTROL SUBSTANCE			
BROWN, OMAR	12/26/1974	CFK061071-	9/2/2006	10/4/2006	ROBBERY			Filed



CITY OF KEY WEST  
Citizen Review Board  
P.O. Box 1946  
Key West, FL 33041  
Ph: (305) 809-3887  
Fax: (305) 293-9827

February 2, 2009

**VIA HAND DELIVERY TO KWPD/IA**

Sgt. Pabolo Rodriguez  
Key West Police Department  
1604 North Roosevelt Blvd.  
Key West, FL 33040

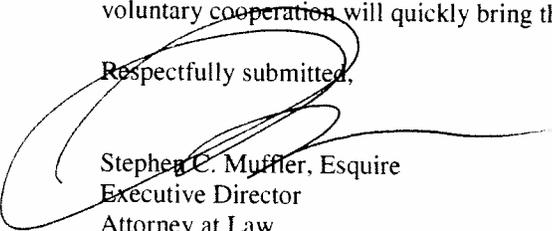
Complaint File: **CRB #07-001**  
**Complainant: Omar Brown**  
**Notice of CRB Investigation**

Dear Sgt. Rodriguez:

Per your request, please find a complete copy of above referenced file along with minutes and recordings of the meetings held on July 9, 2007, November 24, 2008, December 8, 2008, December 22, 2008 and draft minutes for the meeting on January 12, 2009. Please respond to the letter dated January 15, 2009, (copy enclosed) as the Board will be meeting on this issue and addressing the matters contained in that correspondence on Monday, February 9, 2009, at the Old City Hall, 510 Green Street, Key West Florida 33040 at 6:00 p.m

The Board would like to hear from yourself, via a personal appearance at the above referenced meeting and/or via letter to clarify this matter and bring it to a just and equitable conclusion. If you were to submit any type of writing to this office, please do so as soon as possible so that it can be uploaded to the Board's website and presented to the Board members in a timely fashion before the meeting. We hope that your voluntary cooperation will quickly bring this matter to a fair and full conclusion.

Respectfully submitted,

  
Stephen C. Muffer, Esquire  
Executive Director  
Attorney at Law  
Encl.

cc: Jim Scholl, City Manager (w/o copies)  
Donald Lee, Chief of Police (w/copies previously sent)  
File

## Citizens Review Board

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**From:** Citizens Review Board  
**Sent:** Saturday, January 31, 2009 6:37 PM  
**To:** Pablo Rodriguez  
**Cc:** Bryan Green; Donald Lee; David T. Smith; Randall Smith; Citizens Review Board; Robert Cintron  
**Subject:** RE: CRB# 07-01

Hello Pablo. Thanks for your e-mail. I will make copies of everything for you and can get them to you by Wednesday (Hopefully by Tuesday). Yes, the Board wants to proceed to hear this file at its next meeting. I did dispatch a memo to you, inviting you to this upcoming meeting and sent it to IA (interoffice mail) for delivery to you earlier in the week. I will send you a copy of that notice as well in the packet again--but either Randy Smith or David Smith should have it and should give it to you. Our procedure is to deliver items to IA for forwarding to the individual involved officer(s). I hope you received my last letter with enclosures dated several weeks ago (I am out of the office so I don't have its date). It explains the issues in full. I hand delivered it to Lt. David Smith several weeks ago to give to you.

If you wish to see the files/items (most of what you request is posted on the website) you should review the meeting documents found at the below website and then click on the meeting dates in blue for 11/24/08, 12/08/08, 12/12/08, 1/12/09 and then click on "Brown file" or "Omar Brown File" (CRB file #07-001). These links comprise 90% of the documents you request. I will get you everything in hard copies though by mid-next week.

<http://www.keywestcity.com/department/index.asp?fDD=36-0>

I do appreciate your communication and hopefully we can get this all cleared up with your input.

Stephen C. Muffler, Esquire  
Executive Director  
Attorney at Law

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City of Key West  
Citizen's Review Board  
P.O. Box 1946  
Key West, Florida 33041  
tel. (305) 809-3887  
fax. (305) 293-9827  
crb@keywestcity.com  
[www.keywestcity.com](http://www.keywestcity.com)

*Note To Recipients: Under Florida law, this communication and any response or reply to it, will be subject to public records requests/disclosure laws, unless an applicable privilege or rule of evidence applies.*

*Note to Citizen Review Board Members: In accordance with the Florida Sunshine Law, please do not "reply to all" if there are other board members receiving this e-mail concerning Board business. Please only reply to non-board members when responding.*

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**From:** Pablo Rodriguez <prodrigu@keywestcity.com>  
**Sent:** Fri, 1/30/2009 9:32pm  
**To:** Citizens Review Board <crb@keywestcity.com>

2/2/2009

**Subject:** CRB# 07-01

Dear Steven Muffler:

Today, I was notified that I am being investigated again for a complaint by Mr. Omar Brown, CRB # 07-001, KYPD PS 07-011, I would like to respectfully request you to provide me with any documents, minutes and recordings in reference to this case, to date.

I also heard that I had been invited to attend a meeting. I would like to inform you I did not receive such invitation (written or verbal).

Please let me know if this request is proper. If not, please guide me in following the proper steps to attain the material necessary for me to be better informed and make the proper decisions.

To my knowledge, this complaint was resolved during the early months of 2007. I guess I have some catching up to do.

Thank you in advance. Respectfully,

**Sgt. Pablo Rodriguez**  
**305 797 5544**  
**prodrigu@keywestcity.com**

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### Traffic/Criminal Case Detail Information

<b>Defendant Name</b>	<b>Date of Birth</b>
BROWN, OMAR	12/26/1974
<b>Case Number</b>	<b>Uniform Case Number</b>
CFK061071-	442006CF001071000AKW
<b>Defense Attorney</b>	<b>Judge</b>
PRO, SE	Jones, Mark

### Scheduled Court Appearances

Date	Time	Location/Court Room	Description
12/7/2006	1/1/1900 8:45:00 AM	KW COURTROOM B	ARRAIGNMENT
12/22/2006	1/1/1900 8:45:00 AM	KW COURTROOM B	MOTION
1/3/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
1/31/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
2/8/2007	1/1/1900 10:30:00 AM	KW COURTROOM B	MOTION
2/22/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	MOTION
3/2/2007	1/1/1900 1:00:00 PM	KW COURTROOM B	PRE TRIAL/CRIMINAL
3/28/2007	1/1/1900 1:00:00 PM	KW COURTROOM B	PRE TRIAL/CRIMINAL
5/4/2007	1/1/1900 1:00:00 PM	KW COURTROOM B	PRE TRIAL/CRIMINAL
6/29/2007	1/1/1900 1:00:00 PM	KW COURTROOM B	PRE TRIAL/CRIMINAL
8/1/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
10/3/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
11/28/2007	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
1/30/2008	1/1/1900 8:45:00 AM		PRE TRIAL/CRIMINAL
3/5/2008	1/1/1900 8:45:00 AM		PRE TRIAL/CRIMINAL
3/28/2008	1/1/1900 8:45:00 AM		MOTION

4/9/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
5/15/2008	1/1/1900 10:30:00 AM		MOTION
5/28/2008	1/1/1900 8:45:00 AM		PRE TRIAL/CRIMINAL
6/13/2008	1/1/1900 10:30:00 AM		MOTION
7/2/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
7/18/2008	1/1/1900 8:45:00 AM		MOTION
7/30/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
8/22/2008	1/1/1900 8:45:00 AM		MOTION
10/1/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
10/20/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	TRIAL/FELONY
11/5/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
11/17/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	TRIAL/FELONY
12/3/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	PRE TRIAL/CRIMINAL
12/15/2008	1/1/1900 8:45:00 AM	KW COURTROOM B	TRIAL/FELONY
1/6/2009	1/1/1900 10:00:00 AM		PRE TRIAL/CRIMINAL
2/9/2009	1/1/1900 9:30:00 AM		TRIAL/FELONY
2/17/2009	1/1/1900 10:00:00 AM		CF - PRETRIAL / CRIMINAL
3/9/2009	1/1/1900 9:30:00 AM		CF - TRIAL / FELONY

**Charges**

Offense Date	Statute Code	Statute Description	Date	Disposition
9/2/2006	812.13(1)	ROBBERY		Filed
9/2/2006	812.014	THEFT		No Action Taken By State

**Docket Information**

Date	Time	Description	Text
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1/16/2009	Deposition of	D.GUEVREMONT
1/13/2009	Pretrial Court Minutes	1/6/09 pre-trial
1/8/2009	Order Granting Pretrial Continuance	
1/7/2009	Stipulated Motion to Continue	
1/7/2009	Stipulated Motion to Continue	
12/23/2008	Amended Witness List	
12/23/2008	Supplemental Discovery Response	
12/18/2008	Amended Witness List	
12/12/2008	Deposition of	OF DET.D.LIPINSKI
12/12/2008	Deposition of	DET.D,LIPINSKI
12/9/2008	Order Granting Pretrial Continuance	
12/9/2008	Pretrial Court Minutes	
12/4/2008	SUB RET UNSERVED <*M/DD/YYYY>	OFC R. SUNDERMAN
12/4/2008	SUB RET UNSERVED <*M/DD/YYYY>	OFC P. RODRIGUEZ
12/4/2008	SUB RET UNSERVED <*M/DD/YYYY>	DET D. LIPINSKI
11/17/2008	Notice of Taking Deposition	R.SUNDERMAN/OFC.P.RODRIGUEZ/DET.D.LIPINSKI
11/12/2008	Pretrial Court Minutes	MINUTES FROM NOV 5 PRE-TRIAL
11/6/2008	Order Granting Pretrial Continuance	
10/24/2008	SUBPEONA RET SERVED	OFC R. SUNDERMAN
10/22/2008	SUBPEONA RET SERVED	OFC J. VALDES
10/22/2008	SUBPEONA RET SERVED	OFC P. RODRIGUEZ
10/22/2008	SUB RET UNSERVED <*M/DD/YYYY>	DET D. LIPINSKI
10/22/2008	SUB RET UNSERVED <*M/DD/YYYY>	CLARA WHITT
10/22/2008	Supplemental Discovery Response	
10/17/2008	Deposition of	CAROLYN SMITH
10/17/2008	Deposition of	REBECCA KASPER
10/17/2008	Deposition of	JOSEPH LARIZ
10/17/2008	Deposition of	FRANK ZAMORA
10/17/2008	Deposition of	TOM NEARY
10/17/2008	Deposition of	ALVARO RODRIGUEZ
10/7/2008	Notice of Taking Deposition	CLARA WHITT
10/7/2008	Notice of Taking Deposition	DET D. LIPINSKI OFC P. RODRIGUEZ OFC R. SUNDERMAN OFC J. VALDES
10/6/2008	Order Granting Pretrial Continuance	
10/6/2008	MOTION COURT MINUTES *	
10/3/2008	Pretrial Court Minutes	10/1 Pretrial minutes cont to 10/6

9/5/2008	SUB RET UNSERVED <*M/DD/YYYY>	SUBP. MS. CLARA WHITT
9/3/2008	SUB RET UNSERVED <*M/DD/YYYY>	OFC R SUNDERMAN
9/2/2008	SUBPEONA RET SERVED	C SMITH
8/28/2008	SUB RET UNSERVED <*M/DD/YYYY>	Ofc. Jimmy Valdes
8/28/2008	SUBPEONA RET SERVED	Ofc. Pablo Rodriguez
8/28/2008	SUBPEONA RET SERVED	Ofc. Donald Guevremont
8/28/2008	SUBPEONA RET SERVED	Det. Dianne Lipinski
8/22/2008	Amended Witness List	
8/22/2008	MOTION COURT MINUTES *	
8/13/2008	Notice of Taking Deposition	Carolyn Smith/ Clara Whitt/ Det. Dianne Lipinski
8/13/2008	Notice of Taking Deposition	Ofc. Donald Guervremont/ Ofc. Robert Sunderman/ Ofc. Jimmy Valdes/ Ofc. Pablo Rodriguez
8/1/2008	Order Granting Pretrial Continuance	
8/1/2008	Pretrial Court Minutes	
7/21/2008	ORDER *	TO COMPEL A BETTER ADDRESS
7/18/2008	MOTION COURT MINUTES *	Motion to Compel Better Address Held/SAO 15 days to provide
7/18/2008	ORDER *	to Compel a Better Address
7/18/2008	ORDER GRANTING *	TO COMPEL A BETTER ADDRESS
7/16/2008	SUBPEONA RET SERVED	Carolyn Smith
7/9/2008	MOTION *	to Compel a Better Address
7/9/2008	NOTICE OF HEARING *	on 07/18/08 at 0845 am
7/3/2008	Pretrial Court Minutes	
7/2/2008	Order Granting Pretrial Continuance	
7/2/2008	SUB RET UNSERVED <*M/DD/YYYY>	Maria Denise Terrell
7/2/2008	SUBPEONA RET SERVED	Rebecca Kasper
7/2/2008	SUB RET UNSERVED <*M/DD/YYYY>	Dominic Christopher Terrell
7/2/2008	SUB RET UNSERVED <*M/DD/YYYY>	Kiefa Kianta Edgerton
6/27/2008	SUBPEONA RET SERVED	Ofc. Pablo D Rodriguez
6/18/2008	ORDER TO SHOW CAUSE *	
6/16/2008	Deposition of	Garfield Williams
6/13/2008	Notice of Taking Deposition	Ofc. Pablo D Rodriguez/Dominic Christopher Terrell/ Maria Denise Terrell
6/13/2008	MOTION COURT MINUTES *	Rule to Show Cause
6/13/2008	Notice of Taking Deposition	Kiefa Kianta Edgerton/Rebecca Kasper/Carolyn Smith
6/12/2008	SUBPEONA RET SERVED	Ofc. Tom Neary

6/3/2008	SUBPEONA RET SERVED	Sgt. Frank Zamora
6/3/2008	SUBPEONA RET SERVED	Ofc. Jimmy Valdes
6/3/2008	SUBPEONA RET SERVED	Det. Dianne M Lipinski
5/30/2008	ORDER *	on Petition for Rule to Show Cause/Ofc. A Rodriguez
5/28/2008	Pretrial Court Minutes	
5/28/2008	Order Granting Pretrial Continuance	
5/28/2008	ORDER *	on Petition for Rule to Show Cause/Served/Ofc. Neary
5/27/2008	Notice of Taking Deposition	Issued/ Tom Neary
5/19/2008	SUBPEONA RET SERVED	Ofc. Robert Sunderman
5/19/2008	SUB RET UNSERVED <*M/DD/YYYY>	Ofc. Tom Neary
5/19/2008	SUBPEONA RET SERVED	Sgt. Frank Zamora
5/19/2008	SUBPEONA RET SERVED	Ofc. Joseph Bradley Lariz
5/19/2008	SUBPEONA RET SERVED	Ofc. Donald L. Guevremont
5/19/2008	SUBPEONA RET SERVED	Ofc. Jimmy Valdes
5/19/2008	SUBPEONA RET SERVED	Det. Dianne M Lipinski
5/19/2008	SUBPEONA RET SERVED	Ofc. Alvaro Rodriguez
5/16/2008	Notice of Taking Deposition	Det. Dianne M Lipinski/Ofc. Jimmy Valdes/Sgt. Frank Zamora
5/16/2008	ORDER *	on Petition for Rule to Show Cause
5/16/2008	ORDER *	on Petition for Rule to Show Cause
5/15/2008	MOTION COURT MINUTES *	for Petition to Show Cause
5/12/2008	NOTICE OF HEARING *	on 05/15/08 at 1030 am
5/8/2008	Notice of Taking Deposition	Ofc. Donald L. Guevremont/Ofc. Joseph Bradley Lariz/Det. Dianne M Lipinski/Ofc. Tom Neary/Ofc. Alvaro Rodriguez/Ofc. Robert Sunderman/Ofc. Jimmy Valdes/Sgt. Frank Zamora
5/2/2008	PETITION *	for Rule to Show Cause
4/17/2008	LETTER FROM DEFENDANT	
4/16/2008	Order Granting Continuance	
4/9/2008	Pretrial Court Minutes	
4/3/2008	Deposition of	OFC.T.BULNES
3/31/2008	SUB RET UNSERVED <*M/DD/YYYY>	OFC.R.SUNDERMAN
3/28/2008	SUBPEONA RET SERVED	OFC.T.NEARY
3/28/2008	SUBPEONA RET SERVED	DET.J.TORRES
3/28/2008	SUBPEONA RET SERVED	OFC.A.RODRIGUEZ
3/28/2008	MOTION COURT MINUTES *	for PTS Release/denied
3/28/2008	SUBPEONA RET SERVED	SGT.F.ZAMORA
3/28/2008	SUBPEONA RET SERVED	SGT.G.WILLIAMS
3/20/2008	Deposition of	Det. Sgt. Bernardo Barrios

3/20/2008	Deposition of	Det. Janet Delcid
3/20/2008	Deposition of	Ofc. Monica Diaz
3/18/2008	Notice of Taking Deposition	Ofc. Tom Neary/Ofc. Alvaro Rodriguez/Ofc. Robert Sunderman/Det. Juan Ramon Torres/Sgt. Garfield E Williams/Sgt. Frank Zamora
3/11/2008	Order Granting Pretrial Continuance	
3/10/2008	NOTICE OF HEARING *	on 03/28/08 at 0845 am
3/10/2008	MOTION *	for PreTrial Release
3/5/2008	Pretrial Court Minutes	
2/11/2008	SUBPEONA RET SERVED	Det. Dianne M Lipinski
2/11/2008	SUBPEONA RET SERVED	Ofc. Robert Bulnes
2/11/2008	SUBPEONA RET SERVED	Ofc. J. Delcid
2/11/2008	SUBPEONA RET SERVED	Ofc. Monica Diaz
2/11/2008	SUBPEONA RET SERVED	Det. Bernardo Barrios
1/31/2008	Order Granting Pretrial Continuance	
1/30/2008	Notice of Taking Deposition	Det. Bernardo Barrios/Ofc. Robert Bulnes/Ofc. J Delcid/Ofc. Monica Diaz/Det. Dianne Lipinski
1/30/2008	Pretrial Court Minutes	
1/17/2008	Deposition of	Det. Dianne M. Lipinski
12/4/2007	Order Granting Pretrial Continuance	
12/4/2007	Order Granting Pretrial Continuance	
11/28/2007	Pretrial Court Minutes	
10/15/2007	Order Granting Pretrial Continuance	
10/9/2007	SUBPEONA RET SERVED	DET.D.LIPINSKI-10/9/07
10/9/2007	SUBPEONA RET SERVED	OFC.J.DELCID-10/9/07
10/3/2007	Pretrial Court Minutes	
9/21/2007	NOTICE OF TAKING DEPO *	NOTICE OF TAKING DEPO /OFC. J DELCID/DET. DIANNE M LIPINSKI
8/15/2007	SUPPLEMENTAL DISCOVERY RESPONSE	SUPPLEMENTAL DISCOVERY RESPONSE
8/8/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO (RETURNED NOT SERVED)/OFC. J. DELCID
8/8/2007	-	ORD CONTINUING TRIAL DATE AND PRETRIAL CONFERENCE
8/8/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO /SERVED/DET. DIANNE LIPINSKI
8/8/2007	-	PRETRIAL HEARING <10/03/2007> 08:45 A.M.
8/8/2007	-	JURY TRIAL SET <10/15/2007> 08:45 A.M.
8/1/2007	PRE-TRIAL COURT MINUTES	PRE-TRIAL COURT MINUTES
7/24/2007	NOTICE OF TAKING DEPO *	NOTICE OF TAKING DEPO /OFC. J. DELCID/DET. DIANNE LIPINSKI/SUB ISSUE
7/23/2007	SUPPLEMENTAL DISCOVERY RESPONSE	SUPPLEMENTAL DISCOVERY RESPONSE

7/16/2007	-	RE-NOTICE OF TAKING DEPOSITION/OFC. J. DELCID/OFC. MONICA DIAZ/DET. DI / ANNE M LIPINSKI
7/10/2007	-	JURY TRIAL SET <08/13/2007> 08:45 A.M.
7/10/2007	-	PRETRIAL HEARING <08/01/2007> 08:45 A.M.
7/9/2007	-	ORD CONTINUING TRIAL DATE AND PRETRIAL CONFERENCE
6/29/2007	PRE-TRIAL COURT MINUTES	PRE-TRIAL COURT MINUTES
6/27/2007	SUPPLEMENTAL DISCOVERY RESPONSE	SUPPLEMENTAL DISCOVERY RESPONSE
5/24/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO /NOT SERVED/DET. DIANNE LIPINSKI
5/24/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO (RETURNED NOT SERVED)/OFC. J. DELCID
5/24/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO (RETURNED NOT SERVED)/OFC. MONICA DIAZ
5/18/2007	NOTICE OF TAKING DEPO *	NOTICE OF TAKING DEPO /SUB ISSUE/OFC. J DELCID/OFC. MONICA DIAZ/DET. D / IANNE LIPINSKI
5/16/2007	-	WITNESS LIST
5/9/2007	-	JURY TRIAL SET <07/23/2007> 08:45 A.M.
5/9/2007	-	ORD CONTINUING TRIAL DATE AND PRETRIAL CONFERENCE
5/9/2007	-	PRETRIAL HEARING <06/29/2007> 01:00 P.M.
5/4/2007	PRE-TRIAL COURT MINUTES	PRE-TRIAL COURT MINUTES
4/3/2007	DEPO *	DEPO OF EVELING DARCE (TELEPHONIC)
4/3/2007	DEPO *	DEPO (TELEPHONIC) OF OFC. GEORGE VILLAREAL
3/29/2007	-	JURY TRIAL SET <05/14/2007> 08:45 A.M.
3/29/2007	-	ORD CONTINUING TRIAL DATE AND PRETRIAL CONFERENCE
3/29/2007	-	PRETRIAL HEARING <05/04/2007> 01:00 P.M.
3/28/2007	Conversion: Bond Information	Bond Amount: 250000.0
3/28/2007	PRE-TRIAL COURT MINUTES	PRE-TRIAL COURT MINUTES
3/22/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO /SERVED/EVELING DARCE
3/21/2007	-	DEFENDANT'S DEMAND FOR DISCOVERY
3/20/2007	-	ORDER STRIKING DEFENDANT'S, PRO-SE, MOTION TO BE HEARD
3/12/2007	PRE-TRIAL COURT MINUTES	PRE-TRIAL COURT MINUTES
3/9/2007	-	ORDER GRANTING STATE'S MOTION TO COMPEL DISCOVERY
3/7/2007	-	ORD CONTINUING TRIAL DATE AND PRETRIAL CONFERENCE
3/6/2007	-	JURY TRIAL SET <04/16/2007> 08:45 A.M.
3/6/2007	-	PRETRIAL HEARING <03/28/2007> 01:00 P.M.

3/6/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO /SERVED/OFC. ROBERT BULNES
3/2/2007	PRE-TRIAL COURT MINUTES	PRE-TRIAL COURT MINUTES
2/28/2007	NOTICE OF TAKING DEPO *	NOTICE OF TAKING DEPO /SUB ISSUE/EVELING DARCE/OFC. ROBERT BULNES/OFC. / GEORGE VILLAREAL
2/23/2007	-	NOTICE OF HEARING ON 03/02/07 AT 0845 AM
2/23/2007	MOTION TO COMPEL	MOTION TO COMPEL DISCOVERY
2/20/2007	-	MOTION TO BE HEARD
2/20/2007	-	MOTION HEARING <02/22/2007> 08:45 A.M.
2/12/2007	-	NOTICE OF HEARING ON 02/22/07 AT 1030AM
2/12/2007	SUPPLEMENTAL DISCOVERY RESPONSE	SUPPLEMENTAL DISCOVERY RESPONSE
2/12/2007	-	MOTION HEARING <02/22/2007> 10:30 A.M.
2/9/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO /SERVED/OFC. ROBERT BULNES
2/9/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO /SERVED/OFC. GEORGE VILLAREAL
2/8/2007	SUBPOENA FOR DEPO *	SUBPOENA FOR DEPO /SERVED/EVELING DARCE
2/8/2007	-	MOTION COURT MINUTES FOR PROTECTIVE SERVICE
2/6/2007	-	JURY TRIAL SET <03/12/2007> 08:45 A.M.
2/6/2007	-	PRETRIAL HEARING <03/02/2007> 01:00 P.M.
2/5/2007	-	MOTION HEARING <02/08/2007> 10:30 A.M.
2/2/2007	NOTICE OF TAKING DEPO *	NOTICE OF TAKING DEPO /EVELING DARCE/OFC. ROBERT BULNES/GEORGE VILLAREAL
2/1/2007	NOTICE OF TAKING DEPO *	NOTICE OF TAKING DEPO /EVELING DARCE/ROBERT BULNES/GEORGE VILLAREAL
1/31/2007	-	ORD CONTINUING TRIAL DATE AND PRETRIAL CONFERENCE
1/31/2007	PRE-TRIAL COURT MINUTES	PRE-TRIAL COURT MINUTES
1/26/2007	-	SUPPLEMENTAL DISCOVERY RESPONSE
1/25/2007	-	NOTICE OF HEARING 02/08/2007 1030 AM/MOTION FOR PROTECTIVE ORDER (ON S / AME SHEET)
1/23/2007	AFFIDAVIT OF ESTIMATED EXTRADITION EXPENSE *	AFFIDAVIT OF ESTIMATED EXTRADITION EXPENSE 528.77
1/17/2007	-	ORD CONTINUING TRIAL DATE AND PRETRIAL CONFERENCE
1/12/2007	-	ORDER FOR DNA SAMPLES
1/9/2007	-	JURY TRIAL SET <02/12/2007> 08:45 A.M.
1/9/2007	-	PRETRIAL HEARING <01/31/2007> 08:45 A.M.
1/4/2007	AFFIDAVIT OF ESTIMATED EXTRADITION EXPENSE *	AFFIDAVIT OF ESTIMATED EXTRADITION EXPENSE 528.77
1/3/2007	PRE-TRIAL COURT MINUTES	PRE-TRIAL COURT MINUTES

12/27/2006	-	MOTION COURT MINUTES FOR DNA
12/20/2006	-	PAYMENT ACCEPTED / RECEIPT # - 00039807
12/20/2006	-	MOTION FOR DNA SAMPLES
12/20/2006	-	NOTICE OF HEARING ON DEC 22,2006 AT 8:45 A.M.
12/19/2006	-	MOTION HEARING <12/22/2006> 08:45 A.M.
12/8/2006	PRETRIAL ORDER	PRETRIAL ORDER
12/8/2006	-	PRETRIAL HEARING <01/03/2007> 08:45 A.M.
12/8/2006	-	WRIT PLEA OF NG. DEMAND FOR JURY TRIAL AND NOTICE OF DISCOVERY
12/8/2006	-	JURY TRIAL SET <01/16/2007> 08:45 A.M.
12/7/2006	-	ARR COURT MINUTES
12/4/2006	-	NOTICE OF ARRAIGNMENT RESET ON DEC 7,2006 AT 8:45
12/1/2006	ARRAIGNMENT RESET	ARRAIGNMENT RESET <12/07/2006> 08:45 A.M.
11/28/2006	ORIGINAL WARRANT RECEIVED	ORIGINAL WARRANT RECEIVED
11/21/2006	PRISONER TRANSPORTATION COST	PRISONER TRANSPORTATION COST
11/20/2006	-	ARRAIGNMENT SET <12/05/2006> 08:45 A.M.
11/17/2006	-	FIRST APPEARANCE FORM
11/17/2006	-	WAR RET SERVED <11/15/2006> NOT VOP
11/17/2006	-	ARREST FORM
10/4/2006	INFORMATION FOR CONSOLIDATION FILED	INFORMATION FOR CONSOLIDATION FILED
10/4/2006	-	AMENDED INFORMATION
10/4/2006	-	AMENDED WARRANT INFORMATION FORM
10/4/2006	-	NO ACTION FILED COUNT * COUNT 002
10/4/2006	-	FILED COUNT 001
9/6/2006	AFFIDAVIT & APPLICATION FOR ARREST WARRANT	AFFIDAVIT & APPLICATION FOR ARREST WARRANT
9/6/2006	WAR ISSUED <*M/DD/YYYY> BOND IS *	WAR ISSUED <09/03/2006> BOND IS \$250000.00

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Citizen Review Board  
City of Key West Florida  
Executive Director's Memo

TO: Lt. David Smith  
FROM: Stephen Muffler, Esquire  
DATE: 1/27/09  
RE: CRB Agenda for 02/09/09

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Attached please find the agenda for the above referenced CRB meeting. Also enclosed please find the respondent officers' notices. **Would you please forward these notices to the individual officers so that they are aware of this upcoming meeting?** It would be desirable for a representative from your office attend this meeting to help address the Board's specific questions on any files or procedures. Please note that all of the Board materials are now available for yourself or the respondent officer's to view on the CRB website.

# **AGENDA**

Citizen Review Board Meeting  
Old City Hall, 510 Greene Street

**Monday, February 9, 2009**  
**6:00 p.m.**

1. CALL THE MEETING TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF MINUTES:
  - a. January 12, 2009;
  - b. Previous Minutes in 2008 to be submitted also
5. TRACKING CHART REVIEW
6. CONTINUED OR NEW BUSINESS
  - a. Review File: Arian Fisher---CRB#08-013
  - b. Review File: Omar Brown---CRB#07-001
7. COUNSEL'S REPORT
8. CHAIRMAN'S REPORT
9. BOARD MEMBERS REPORT/GENERAL COMMENTS
10. EXECUTIVE DIRECTOR'S REPORT
  - a. 4<sup>th</sup> Annual Report Review, Modifications and Final Approval
  - b. Executive Director's Presentation: Legal Developments & Dealing with Press
  - c. Outlining Process for the Review of Applicants/Applications for Board Opening (to be done as final Agenda Item b/f end of meeting)
11. PSO/IA COMMENTS/FOLLOW-UP
12. PUBLIC INPUT
13. MEDIA AND PRESS QUESTIONS
14. REVIEW OF APPLICANTS/APPLICATIONS FOR OPEN BOARD POSITION
15. ADJOURNMENT



Citizen's Review Board  
City of Key West Florida  
Executive Director's Memo

TO: Sgt. Pablo Rodriguez  
FROM: Stephen Muffler, Esquire  
DATE: 1/27/09  
RE: CRB Complaint #07-001/Brown

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Attached please find a copy of the proposed Agenda for the CRB meeting to be held at 6:00 p.m. at the Old City Hall on February 9, 2009. One or more of the Board Members and/or the Executive Director as placed the above referenced file on the Agenda for discussion. You are a respondent in this file and are invited to attend this meeting to help clarify the matter to the Board members. You are under no obligation to attend nor speak to the Board, but your input on the matter would be carefully weighed and would assist the Board in reaching a fair and just recommendation. You may attend personally, via a union representative or through legal counsel. Materials on this file may be viewable via the CRB website.

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