

# Document

# 24

---

## Reminder about ballot opening tomorrow

---

**Alana Brenner** <alana.brenner@cityoforlando.net>

Mon, Apr 2, 2012 at 8:54 AM

To: Amy Iennaco <amy.iennaco@cityoforlando.net>, Amanda Green <amanda.green@cityoforlando.net>, Tracey Duffield <tracey.duffield@cityoforlando.net>, Monica Varnado <monica.varnado@cityoforlando.net>, Carolyn Skuta <carolyn.skuta@cityoforlando.net>, Michelle Bach <michelle.bach@cityoforlando.net>, Rodolfo Seda <rudy.seda@cityoforlando.net>

Just a reminder that we will be opening absentee ballots tomorrow starting at 9:15 a.m. at the Supervisor of Elections office at 119 W. Kaley St. Please arrive about 9 a.m. so that we can get started as soon as the public inspection is completed. Please pull around to the back of the building and park near the warehouse. Enter the warehouse and look for the Absentee Ballot Opening room. Thanks!

--  
Alana C. Brenner  
City Clerk  
400 S. Orange Avenue, 2nd Floor  
Orlando, Florida 32801  
407-246-2251 (phone)  
407-246-3613 (fax)

# Document

# 25

**absentee ballot opening on April 3rd**

4 messages

**Alana Brenner** <alana.brenner@cityoforlando.net>

Thu, Mar 22, 2012 at 1:05 PM

To: Amanda Green <amanda.green@cityoforlando.net>, Amy Iennaco <amy.iennaco@cityoforlando.net>, Monica Varnado <monica.varnado@cityoforlando.net>, Tracey Duffield <tracey.duffield@cityoforlando.net>, Michelle Bach <michelle.bach@cityoforlando.net>, Eric Garcia <eric.garcia@cityoforlando.net>, Carolyn Skuta <carolyn.skuta@cityoforlando.net>

Good afternoon! You have been carefully selected to assist us in a very important task on Election day. From about 9:30 a.m. until noon, we will be opening absentee ballots at the Supervisor of Elections office. Please report to the office at 119 W. Kaley and go to the park of the building to the warehouse area. You will be looking for the Absentee Counting Room. Please plan to be there no later than 9:15 a.m.

So far, we have received over 5,000 absentee ballots and there are another 5,000 still outstanding so we will be busy! Thanks for your help! If for some reason you cannot assist on that day, please let me know immediately.

P.S. Amy - please share this invitation with Katarina, too.

--

Alana C. Brenner  
City Clerk  
400 S. Orange Avenue, 2nd Floor  
Orlando, Florida 32801  
407-246-2251 (phone)  
407-246-3613 (fax)

Florida has a very broad public records law. As a result, any written communication created or received by the City of Orlando officials and employees will be made available to the public and media, upon request, unless otherwise exempt. Under Florida law, email addresses are public records.

If you do not want your email address released in response to a public records request, do not send electronic mail to this office. Instead, contact our office by phone or in writing.

**Amy Iennaco** <amy.iennaco@cityoforlando.net>

Thu, Mar 22, 2012 at 1:10 PM

To: YEKATERINA KURBATOVA <yekaterina.kurbatova@cityoforlando.net>  
Cc: Martha Lombardy <lee.lombardy@cityoforlando.net>

Katerina,  
If you are available on Tuesday, April 3rd, we have an unusual task that we need help with. Please see me when you get a chance and I'll explain further.  
Thanks,  
Amy

[Quoted text hidden]

--

Amy T. Iennaco  
Chief Assistant City Attorney  
City of Orlando  
400 S. Orange Avenue  
Orlando, FL 32801  
407-246-3481

**YEKATERINA KURBATOVA** <yekaterina.kurbatova@cityoforlando.net>

Thu, Mar 22, 2012 at 8:40 PM

To: Amy Iennaco <amy.iennaco@cityoforlando.net>

I have a class until 10 am, but have a window between 10 am and 2:30 pm. If I do my homework ahead of time I can help out with whatever. I will talk to you tomorrow morning, I am there all day.

Katerina

# **Press Kit Information**



# Absentee Request Form

## Requested from Sandra Lewis by Fax

Appear to be Ok	357	60.30%
Appear to be OK (Need More Time Research)	0	0.00%
Signature (No Match)	46	7.77%
Lake Mann Problem	40	6.76%
Date of Birth (No Match or Missing)	49	8.28%
Address (No Match)	41	6.93%
Duplication Request (DUP)	20	3.38%
First or last Name (No Match)	7	1.18%
Inactive	1	0.17%
Other Issues (NOT/NT/NR/Remove)	31	5.24%
Total Copies Received from Sandra Lewis as of 2/28/2012	592	100.00%

Appear to Be Ok	357	60.30%
Errors found by Orange County Supervisor of Election	235	39.70%
	592	100.00%

Review as of February 24, 2013 by Lawanna Gelzer

  
Sigutuire

2/25/2013  
Date

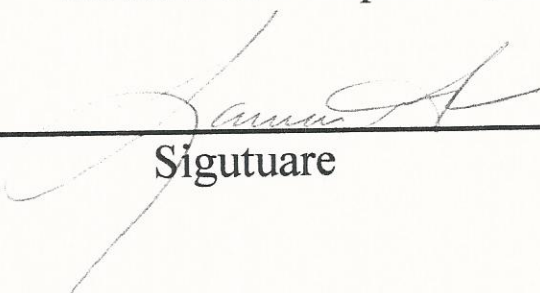

# Absentee Request Form

## Requested from Sandra Lewis by Fax

Appear to be Ok	110	16.13%
Appear to be OK (Need More Time Research)	268	39.30%
Signature (No Match)	63	9.24%
Lake Mann Problem	38	5.57%
Date of Birth (No Match or Missing)	95	13.93%
Address (No Match)	44	6.45%
Duplication Request (DUP)	23	3.37%
First or last Name (No Match)	7	1.03%
Inactive	1	0.15%
Other Issues (NOT/NT/NR/Remove)	33	4.84%
Total Copies Received from Sandra Lewis as of 2/28/2012	682	100.00%

	Appear to Be Ok	378	55.43%
Errors found by Orange County Supervisor of Election		304	44.57%
		682	100.00%

Review as of April 19, 2012 by Lawanna Gelzer

	
Signature	Date

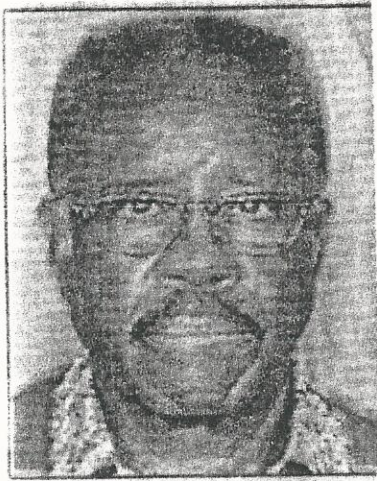
# Absentee Ballots Back In Spotlight

## An Orlando Election Probe And Civil Suit Focus On Ezzie Thomas' Work In Getting Out The Vote.

June 03, 2004|By Rich Mckay and Beth Kassab, Sentinel Staff Writers

Sam Ings, the only black candidate to challenge Dyer, said he believes it would be easy for Thomas to take advantage of elderly voters.

"Ezzie is a nice guy," Ings said. "But I think what's happening here is a little misguided in thinking you can be the kingpin of absentee ballots and brag about it."





# The Miami Herald

Posted on Thu, Aug. 02, 2012

## Hialeah absentee-ballot broker Cabrera arrested; state attorney recuses herself from ongoing case

By Patricia Mazzei, Daniel Chang, Charles Rabin and Christina Veiga  
[pmazzei@MiamiHerald.com](mailto:pmazzei@MiamiHerald.com)



Deisy Cabrera, the woman Miami-Dade police arrested and charged with absentee ballots fraud.

A Hialeah boletera at the center of a weeklong absentee-ballot investigation that muddled the Miami-Dade mayor's race was arrested Thursday after police say she fraudulently obtained an absentee ballot from a terminally ill woman in a nursing home.

Deisy Penton de Cabrera, 56, was charged with absentee-ballot fraud, a third-degree felony, and two misdemeanor counts of violating a county ordinance that makes it illegal for anyone to possess more than two ballots belonging to other voters. Investigators say Cabrera illegally collected at least 31 absentee ballots for the Aug. 14 primary election.

Hours after her office made the arrest, Miami-Dade State Attorney Katherine Fernández Rundle, who is seeking reelection, announced she would recuse herself from any further involvement in the case to avoid a potential conflict of interest with an unnamed person who may be linked to both Cabrera and her campaign.

The arrest quelled some of the speculation in the case, which for a week has roiled Hialeah and the races for Miami-Dade's state attorney and mayor — though for whom Cabrera was working is still unknown.

in Hialeah and working for one or more candidate or campaign consultants. Though candidates and political committees are required to disclose what they pay consultants, the way consultants then spend the money is not publicly reported.

With Fernández Rundle stepping aside, it will fall to Gov. Rick Scott to appoint a special prosecutor to handle the ongoing case. Scott spokesman Brian Burgess said the governor will review Fernández Rundle's request on Friday and make a decision.

"Unsubstantiated allegations have recently been brought to my attention that a person who has been assisting in my campaign was alleged to have been seen in the company of this defendant," Fernández Rundle said in a statement, without naming the person. "I am therefore taking this action to avoid even the possibility that my pending election will cause any distraction to the prosecution of this case."

Cabrera was released from jail Thursday evening after posting a nominal bond.

The investigation against Cabrera began last week, when police followed her over two days. On July 24, according to an arrest affidavit unsealed Thursday, she carried an orange shopping bag to the Miami-Dade



elections department in Hialeah and submitted "a small stack of absentee ballot request forms." Then she dropped off 19 absentee ballots at a Hialeah post office.

The next day, detectives followed Cabrera into a nursing home, where she went into the room of a woman identified by police as Z.G. The officers overheard Cabrera telling Z.G. that she was sent there by the woman's sister to get her signature. A few minutes later, Cabrera left.

When the detectives went into the room to speak to Z.G., they found she was unresponsive. The detective said hello and waved to Z.G., whose eyes were open, the warrant says, "but she [stared] off into space and did not respond to the greeting."

Cabrera then visited five more assisted-living facilities before police stopped her and found 12 absentee ballots in her possession. They also detained and questioned Matilde M. Rendueles, the woman driving Cabrera around in a red Toyota Corolla. (Rendueles had earlier been identified in reports as Matilde Martinez.)

Detectives visited the unresponsive woman at the nursing home two more times, according to the warrant. They also interviewed Z.G.'s sisters, one of whom said the woman is terminally ill and "cannot write, comprehend or communicate."

The second sister, Olga Gomez, said she had recently been helped by Cabrera to fill out her absentee ballot. Gomez said Cabrera, whom Gomez said she has known for a couple of years, asked for and took her ill sister's blank absentee ballot.

El Nuevo Herald identified Z.G. as 81-year-old Zulema Gomez, who went into the Miami Springs nursing home five months ago after suffering from a brain tumor.

Zulema Gomez's ballot included a handwritten, misspelled note in Spanish saying, "This lady is my sister. I sign like this because she has arthritis and she has difficulty signing. Thank you."

Olga Gomez denied filling out and signing her sister's ballot, or writing the note.

The 31 ballots linked to Cabrera have been segregated at the Miami-Dade elections department. According to the arrest warrant, detectives have attempted to interview all of the voters involved.

Several of those voters, interviewed Thursday by Miami Herald reporters, said they had spoken to police officers, who in some cases showed them their ballots and photographs of Cabrera.

Bernarda Sosa, 90, initially told a reporter that she filled out, signed and mailed her ballot herself. When pressed, however, she admitted she watched Cabrera fill out the ballot.

"She filled out the ballot, but I voted for who I wanted, not who she wanted," Sosa said. Then, Sosa said, she closed her own envelope. "I put it in the mailbox," she insisted.

But somehow, the ballot ended up in Cabrera's hands.

Another voter, 88-year-old Blas Hernandez, said Cabrera has long assisted him in voting. He said he marked his ballot for Miami-Dade Mayor Carlos Gimenez and let Cabrera fill out the rest because the other races "didn't interest" him. He told her to vote for Republican candidates — though some races are nonpartisan, and others pit two Republicans against each other in a primary.

He signed his own ballot, Hernandez said.

"She said, 'Since you can't walk, if you want, I'll take it and put it in the mail,'" he said. "She put it in an envelope, and she took it. Since she has been doing this for years, I thought she was doing this legally."

A third voter, Ana M. Perez, 56, said she filled out and signed her ballot, and put a stamp on it, before Cabrera came to pick it up.

Cabrera, whom Perez said she knows as an acquaintance from Cuba, approached her about a month ago, offering to collect the ballot. Perez, who said she does not drive and suffers from a variety of ailments — including a brain tumor, high blood pressure and nerves — agreed as a matter of convenience.



Now, however, Perez said she feels betrayed and regrets trusting Cabrera with her ballot.

"How could she do this to me?" Perez said. "She did me wrong. What a mess.... I don't even want to see her face anymore."

A Herald reporter inspected the 31 sealed envelopes containing the ballots at the elections department Thursday morning and found many of them filled out in similar handwriting. They all had similar stamps. And about half misspelled Hialeah on the return address as "Hialiah."

Cabrera, accompanied by her lawyer, Eric Castillo, turned herself in to authorities Thursday morning at the state attorney's office. She did not speak to reporters. Castillo did not return a call seeking comment.

Miami-Dade prosecutors had held off on arresting Cabrera as they tried to build a case for the more-serious felony charge. The arrest warrant suggests Zulema Gomez, the woman in the nursing home, was misled, or her ballot was altered, by Cabrera.

The investigation was made public last week after a private investigator, Joe Carrillo, tipped off public-corruption investigators about Cabrera. Carrillo obtained one of Cabrera's business cards, in which she identified herself as "Daisy Cabrera" and included a handwritten message in Spanish on the back: "When the ballot arrives you call me. I work every election."

Carrillo followed and videotaped Cabrera as she visited several Hialeah residences and the building where the Hialeah campaign office of Gimenez, who is seeking reelection, is based. Cabrera has also been photographed at a Gimenez campaign event.

Gimenez has adamantly denied that he or any of his campaign consultants hired Cabrera; a dozen of his consultants have signed sworn affidavits to that effect. There are several other contested races in Hialeah.

"Believe me, I don't need this kind of support," Gimenez said Thursday at the taping of a mayoral debate moderated by WFOR-CBS 4 investigative reporter Jim DeFede. "This, to me, is a cardinal sin of our electoral process."

At the debate, which will air at 8:30 a.m. Sunday on Facing South Florida, Gimenez's chief rival, County Commission Chairman Joe Martinez, said he doesn't know Cabrera and believes that Gimenez doesn't, either.

"If I were a politician, this would be the perfect position to jump all over him," Martinez said. "I don't believe she works for him. I do believe she knows him."

Fernández Rundle, the state attorney, came under pressure earlier this week from her Democratic primary opponent, defense attorney Rod Vereen, who called on her to remove herself from the case because one of her campaign consultants, Al Lorenzo, also works for Gimenez.

Fernández Rundle had responded by saying that police have found no evidence linking Lorenzo — who signed one of the Gimenez campaign affidavits — to the case.

Miami Herald staff writer Mary Ellen Klas contributed to this report from Tallahassee.

---

© 2012 Miami Herald Media Company. All Rights Reserved.  
<http://www.miamiherald.com>



**KATHERINE FERNANDEZ RUNDLE  
STATE ATTORNEY**



**ELEVENTH JUDICIAL CIRCUIT  
IN AND FOR MIAMI-DADE COUNTY**

**FOR IMMEDIATE RELEASE**

**STATEMENT FROM KATHERINE FERNANDEZ RUNDLE**

Miami – August 2, 2012

“Now that the arrest of Deisy Penton De Cabrera has been accomplished and she is facing a felony and two misdemeanor charges related to absentee ballot fraud, I have today asked the Governor’s office for an Executive Assignment of this case to another prosecutor’s office.

Unsubstantiated allegations have recently been brought to my attention that a person who has been assisting in my campaign was alleged to have been seen in the company of this defendant. I am therefore taking this action to avoid even the possibility that my pending election will cause any distraction to the prosecution of this case. I am also doing this with the intent of toning down the rhetoric so that this case can progress in a normal and expeditious manner for the benefit of our community.

Any and all other pending voter fraud investigations and resulting prosecutions will continue to be handled by my office.

As I have previously stated, when it reconvenes, I will be asking the Miami-Dade County Grand Jury to take on the entire issue of absentee ballots and to look closely into the practices and procedures associated with them.”

Katherine Fernandez Rundle  
Miami-Dade State Attorney

FOR FURTHER  
INFORMATION CONTACT:

Terry Chavez, Public Information Officer  
(305) 547-0885

[TerryChavez@MiamiSAO.com](mailto:TerryChavez@MiamiSAO.com)



WARRANT TYPE: ARREST WARRANT  
AWPS#: 12000576  
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: PENTON DE CABRERA  
LAST

DEISY  
FIRST

MIDDLE

TTL

AKA(S):

STR/APT/CITY/ST/ZIP: 1290 W 41 STREET

/ 203 / HIALEAH

/ FL/ 33012

DOB: 08/21/1955 RACE: W SEX: F HEIGHT:

WEIGHT:

HAIR:

EYES:

SOC SEC #:

---

SID #:

FBI #:

IDS #: 2703433

SCARS, MARKS, TATTOOS:

DRIVERS LICENSE #:

STATE: FL

VEH TAG #:

STATE:

MAKE:

MODEL:

YEAR:

COLOR:

COMMENTS:

PROBATION:

\*\*\*\*\*

BEFORE ME PERSONALLY CAME GARCIA, JOAQUIN (AFFIANT) WHO, BEING DULY  
SWORN, STATES THAT THE DEFENDANT \*\* PENTON DE CABRERA, DEISY \*\*, DID COMMIT THE  
ACTS STATED IN THE ATTACHED STATEMENT OF FACTS. BASED UPON THIS SWORN STATEMENT  
OF FACTS, I FIND PROBABLE CAUSE THAT \*\* PENTON DE CABRERA, DEISY \*\* DID COMMIT  
THE CRIME(S) OF:

F 3 104.047(2)

VOTING ABSENTEE/DESIGNATE ON BALLOT OF ANOTHER \$5000<sup>00</sup>

C 0 12-14

ELECTION/RE/PIC/RET/MORE THAN 2 ABSENTEE BALLOTS \$1000<sup>00</sup>

C 0 12-14

ELECTION/RE/PIC/RET/MORE THAN 2 ABSENTEE BALLOTS \$1000<sup>00</sup>

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

POLICE CASE #: PD120725282724 AGENCY: MIAMI DADE POLICE

ASSISTANT STATE ATTORNEY: VANDERGIESEN, TIM.

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 GARCIA, JOAQUIN

COURT ID 030-019 2501

SO ORDERED THIS 2 DAY OF August, 2012.

\$7000<sup>00</sup>  
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

## AFFIDAVIT IN SUPPORT OF WARRANT

### INTRO:

Your Affiant is Detective Joaquin Garcia, a sworn Deputy Sheriff of the Miami-Dade Police Department (MDPD), located in Miami-Dade County, Florida. Your Affiant has been a police officer with the MDPD for twenty four (24) years. Your Affiant is currently a detective assigned to the Public Corruption Investigations Bureau (PCIB), of the MDPD and has been assigned to PCIB for approximately seven (7) years. The PCIB is the entity within the MDPD charged with the responsibility of investigating corruption by elected officials and employees of governmental entities and their subdivisions. This affidavit is based upon information known personally to your Affiant and information obtained from others who have investigated this matter and/or have personal knowledge of the facts therein. Your Affiant has participated in this investigation, spoken with other law enforcement agents, and has reviewed documents and transcripts related to the investigation.

### BODY:

Your Affiant, along with other detectives in the PCIB, has been conducting an investigation into alleged criminal activities organized by Deisy Marti Penton De Cabrera.

On July 23, 2012, at approximately 8:00 p.m., your Affiant met with Jose Carrillo. Mr. Carrillo provided your Affiant with information, concerning allegations of absentee ballot fraud. Specifically, Mr. Carrillo stated that Ms. Penton De Cabrera was collecting absentee ballots from numerous Hialeah residences. Mr. Carrillo provided your Affiant and PCIB Detective Luis Robainas, with a business card (red, white & blue in color); with the name Daisy Cabrera written on the top and the home and cellular telephone numbers printed on the bottom. On the back of the card, there was a handwritten

WJ 10

TV



message (in Spanish) stating quote 'Cuando lleque la bolete me llamas, trabajo toda las elecciones.' Which translates (in English) to 'When the ballots arrive, call me because I work all the elections.' Mr. Carillo provided your Affiant with the residential address of 1290 W. 41 Street, Apartment 203, Hialeah, Florida 33012, for Deisy Marti Penton De Cabrera.

On July 24, 2012, surveillance was conducted on Ms. Penton De Cabrera, who was followed to numerous locations throughout the city of Hialeah, Florida. At approximately 10:20 a.m., Ms. Penton De Cabrera was followed to 1490 W. 68 Street, Hialeah, Florida. Approximately five (5) minutes later, Ms. Penton de Cabrera was followed to her residence, located at 1290 W. 41 Street, Unit #205, Hialeah, Florida 33012. Approximately five (5) minutes later, Ms. Penton de Cabrera was observed exiting her residence while carrying a shopping bag (orange in color). Ms. Penton de Cabrera was then followed to the Miami-Dade Elections Department, located at 2700 NW 87 avenue, Doral, Miami-Dade County, Florida 33172. Ms. Penton De Cabrera was followed into the Elections Department, where she was observed submitting a small stack of absentee ballot request forms.

Ms. Penton De Cabrera was then followed to the United States Postal Office, located at 2200 NW 72 Avenue, Miami, Miami-Dade County, Florida 33152. Ms. Penton de Cabrera was followed into the postal office by (PCIB) Detective Alex Baldor and Detective Dennis Delgado and was observed putting an unknown number of absentee ballots, inside the mail service slot/shoot. Miami-Dade Police Department (MDPD), Public Corruption Investigations Bureau (PCIB), Detective Alejandro Baldor (#5333) and Detective Dennis Delgado (#4318) secured the above listed mail service slot/shoot; along with the assistance of the post office personnel and United States Postal Police Captain Martin. Subsequently, a total of nineteen (19) absentee ballots were recovered, documented, photographed and photocopied (under the constant supervision of the United States Postal Police). The above listed ballots were then allowed to continue throughout the normal mail cycle, without further incident.

On Wednesday, July 25, 2012, surveillance was established at Ms. Penton De Cabrera's residence. At approximately 9:30 a.m., Ms. Penton de Cabrera was observed

WB ①

TV

leaving in a vehicle (Toyota Corolla, red in color). The vehicle was being driven by an unknown, elderly, white, female. The individual was later identified as being Matilde M. Rendueles. Ms. Penton de Cabrera was followed to a nursing home, located in Miami-Dade County, Florida. PCIB Detective Eduardo Torga (#4473) followed Ms. Penton de Cabrera and Ms. Rendueles into the nursing home. Detective Torga overheard Ms. Penton de Cabrera asking the front desk personnel for assistance in locating a resident at the facility. The resident was later identified as an elderly female with initials Z.G., hereinafter referred to as "Z.G." Detective Torga followed Ms. Penton de Cabrera and Ms. Rendueles to a room where Z.G. was living. Detective Torga overheard Ms. Penton de Cabrera speaking to Z.G. Ms. Penton de Cabrera introduced herself to Z.G. and advised her that she was sent by Z.G.'s sister to retrieve her signature. Detective Torga did not hear Z.G. respond to any statements or questions made by Ms. Penton de Cabrera. Detective Torga was not able to see what occurred while Ms. Penton de Cabrera was in the room. A few minutes later, Ms. Penton de Cabrera left Z.G.'s room and the nursing home. Once Ms. Penton De Cabrera left, Detective Torga entered Z.G.'s room to speak with her. Detective Torga approached Z.G. and said "Hola" (hello) and waived his hand to try and get her attention. Z.G.'s eyes were open but she stared off into space and did not respond to the greeting. Detective Torga said "Hola" again to Z.G. to try to engage her in conversation. Z.G. was unresponsive and did not acknowledge any of Detective Torga's attempts to speak with her.

Ms. Penton de Cabrera was then followed to five (5) other residential locations, which all appeared to be assisted living facilities (ALF).

Ms. Penton De Cabrera was stopped on Wednesday, July 25, 2012, at approximately 1:20 p.m. As a result, the investigative stop revealed that Ms. Penton de Cabrera had in her immediate possession, a total of twelve (12) absentee ballots. The twelve (12) ballots in her possession were signed, sealed and appeared completed. The absentee ballots were held for safe keeping (following a strict chain of custody throughout the process); then were subsequently released to the Miami-Dade Elections Department. Ms. Penton De Cabrera was transported to the Miami-Dade Police Department, Public Corruption Investigations Bureau for an interview. Post Miranda and

VAB

e

TV



per Miami-Dade Police Department Miranda Waiver Form, Ms. Penton De Cabrera initially denied being at the United States Postal Office on 07/24/2012. She later changed her statement and admitted to being at the United States Postal Office. Penton De Cabrera subsequently invoked her right to have an attorney, at which point the interview was terminated. The investigation also revealed that one of the absentee ballots in Ms. Penton de Cabrera's possession originated from Z.G.'s residence located at the nursing home where Ms. Penton De Cabrera had traveled earlier the same day.

During the course of the investigation, Detectives from Miami-Dade Police Department PCIB attempted to interview the nineteen (19) electors listed on the ballots that were delivered to the post office by Ms. Penton De Cabrera and the twelve (12) electors listed on the ballots taken from her during the investigative stop.

Your Affiant and Detective Baldor responded on two separate occasions to attempt to interview Z.G in the nursing home. On Friday, July 27, 2012, your Affiant along with Detective Baldor attempted to speak with Z.G., however Z.G. was unresponsive and unable to communicate. Your Affiant and Detective Baldor attempted to engage Z.G. in conversation, by introducing themselves and asking a series of simple questions. Z.G. was unresponsive and stared blankly into space.

On Monday, July 30, 2012, your Affiant along with PCIB Sergeant J. Ryan met separately with the sisters of Z.G., identified as Marte Vilarchow and Olga Gomez. The interview of Ms. Marte Vilarchow revealed that Z.G. is terminally ill and her illnesses have severely affected her mental and physical capacities. Specifically, Marte Vilarchow stated that Z.G. cannot write, comprehend or communicate.

The interview of Ms. Olga Gomez revealed that she has known Ms. Penton de Cabrera for approximately two (2) years and Ms. Penton de Cabrera had recently been to her residence. Ms. Olga Gomez indicated that Ms. Penton De Cabrera assisted her in completing her absentee ballot and took Ms. Olga Gomez' ballot with her when she left. Additionally, Ms. Olga Gomez stated that Ms. Penton De Cabrera asked for Z.G.'s absentee ballot and Ms. Penton De Cabrera left with it. Ms. Olga Gomez clearly stated that Z.G.'s absentee ballot was blank when it was provided to Ms. Penton De Cabrera.

MS

TV

Ms. Penton De Cabrera said she was going to take the absentee ballot to Z.G. to see if she was able sign it. It should be noted that when Z.G.'s ballot was reviewed by your Affiant and Detective Baldor, after being found in the possession of Ms. Penton de Cabrera, there was a handwritten note located above the signature block on the ballot that stated in Spanish 'La senora que es mi hermana, firmo asi por que tiene artritrist le cuesta firmar Gracias. When translated into English it reads 'The lady who is my sister signed this way because she has arthritis...it's hard for her to sign. Thanks.' The note was not written on the absentee ballot when Ms. Olga Gomez gave it to Ms. Penton De Cabrera and Ms. Olga Gomez denied writing anything on Z.G.'s absentee ballot. When questioned about Z.G.'s physical and mental condition, Ms. Olga Gomez stated that Z.G. was unable to write and was not aware of what was happening on a daily basis.

On Wednesday, August 1, 2012, your Affiant along with Detective Baldor responded to the nursing home and made contact with Z.G., in which time a recorded statement was taken in order to confirm that Z.G. was not physically or mentally capable of completing or assisting in the completion of her absentee ballot. During the course of questioning Z.G., she was unable to provide the current day of the week, day of the month or month of the year. She could not provide her own date of birth. Z.G. was asked to provide a sample of her signature. When your Affiant tried to provide her with a pen and paper, Z.G. was physically unable to lift her arm or hold a pen. Z.G. indicated during her conversation with your Affiant and Detective Baldor, that she never received a ballot to vote and doesn't "deal with politics." It should be noted that numerous times during the interview, Z.G. would stare off into space and was unresponsive to simple questions posed by your Affiant and Detective Baldor. When asked specific questions such as who are the candidates for various offices; Z.G. consistently replied 'Manny Diaz.' It should be noted that although at times Z.G. had the ability to verbally respond to questions, nearly without exception her answers to those questions were inappropriate and/or inaccurate.

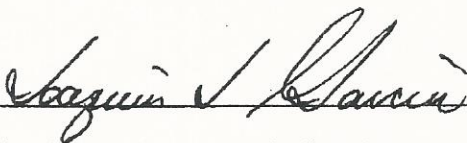
Your Affiant now makes application for a Warrant for the arrest of Deisy Marti Penton De Cabrera. Your Affiant submits that there is probable cause to believe that Deisy Marti Penton De Cabrera committed two (2) counts of violation of the Absentee

WS 10

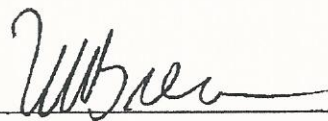
TV



Ballots Ordinance, Section 12-14 of the Code of Miami-Dade County, Florida one (1)  
count of Voting Absentee/Designate on Ballot, Third Degree Felony, in violation of  
Florida Statute § 104.047(2).

  
Affiant/Detective, Joaquin Garcia

Sworn to and subscribed before me, this 2<sup>nd</sup> day of  
August, 2012.

  
Circuit/County Judge  
Eleventh Judicial Circuit of Florida

MB @

TV