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CLERK, SUPREME COURT

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Chief Deputy Clerk

**IN THE SUPREME COURT OF FLORIDA
(Before a Referee)**

THE FLORIDA BAR,

Complainant,

vs.

ALBERT LOUIS CARRICARTE,

Respondent.

**Supreme Court Case
No. 90,604**

**The Florida Bar File
No. 96-71,079 (11H)**

RESPONDENT'S SUPPLEMENT TO THE RECORD ON APPEAL - REPLY BRIEF

**ALBERT L. CARRICARTE
Attorney for Respondent
Florida Bar No.: 012235
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Miami, FL 33173-1615
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**List of the Lies Testified To Under Oath by the Complainant,
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and at my Final Hearing on June 4, 1998**

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Report**

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**LIST OF THE LIES TESTIFIED TO UNDER OATH BY THE COMPLAINANT,
MICHAEL A. CARRICARTE, TO THE FLORIDA BAR ON JANUARY 7, 1997 AND
AT MY FINAL HEARING ON JUNE 4, 1998**

**LIES TOLD BY MIKE CARRICARTE IN HIS JANUARY 7, 1997 SWORN
STATEMENT TO THE FLORIDA BAR WHICH WAS TAKEN PERSONALLY BY
BRANCH STAFF COUNSEL BILL J. HENDRIX AND ASSISTANT STAFF
COUNSEL RANDI LAZARUS, WHO WERE NOT INVOLVED IN THIS CASE, AND
NOT BY THE ASSIGNED BAR COUNSEL**

<u>LIE TOLD BY MIKE</u>	<u>PAGE</u>
1. That I threatened and/or discussed former Assistant Bar Counsel Rhonda Lapin	5-8
2. That the luncheon meeting was called at my insistence	9
3. That I ranted and raved about Rhonda Lapin	10
4. That I used expletives about the Florida Bar	10
5. That I am on "every prescription drug and maybe not prescription drugs, too."	10
6. That I take uppers to get up in the morning and downers to go to sleep.	10
7. That I threatened his kids and his grandchild	11
8. That I am not capable of performing day-to-day functions	12
9. That I pull guns on people where I live	14
10. That the State Attorney has two sealed envelopes on Segredo	14
11. That I made threats against his kids	15
12. That Mike has offices overseas	15
13. That I have thirty, forty guns	15
14. That I will end up in a tower one day	15-16
15. That I am always telling people that I can put the whole magazine of my pistol - - if I were here in	

	this deposition, I would have shown you my gun	16
16.	That Mike has court reports where judges have said to me, "I'm going to put you in jail, Mr. Carricarte."	16
17.	That I wrote a letter that I think I have Ninjas after me	17
18.	That the man that I described as a man his kids took karate classes from maybe six or seven years ago was going to send an affidavit to the Florida Bar	17
19.	That I need to be institutionalized	18
20.	That I called Mike and threatened to kill his son	18
21.	That I was going to kill Mike's Tae Kwon Do expert	18
22.	That the Florida Bar has a real concern for Rhonda Lapin's safety	19
23.	That Mike would pay for my getting help	19
24.	That I have had employees working at Mike's office	19
25.	That we shut down Mike's computers	19
26.	That Segredo can get into Mike's computer	20
27.	That a prosecutor sent a thing to the Bar years ago saying that I should not be practicing law	21
28.	That Mike has gotten over 500 pages of faxes from me	23
29.	That I had taken my weapon out at Mike's office when I thought there was a burglar or somebody <u>molesting</u> down there	24
30.	That Mike doesn't recall that in the ongoing litigation there was an evaluation ordered on me	24-25
31.	That there was an evaluation of Mr. Segredo that said that he was a con man and a thief	25
32.	That I use prescription drugs for which I do not have prescriptions	27

- | | | |
|-----|--|----|
| 33. | That I said that I was going to kill one of Mike's kids (Mike's problem in telling that lie to the police is that my phone number did not appear on his caller ID because no such call was ever made.) | 29 |
| 34. | That I tell people that I am fully armed before a deposition | 32 |
| 35. | That my former attorney, the late Steve Kogan, had to get some attorneys to fix up the thing | 32 |

NOTE TO THE FLORIDA SUPREME COURT: The Complainant, Michael A. Carricarte, told thirty-five (35) five lies under oath to the Florida Bar in his sworn statement of thirty-two (32) pages, or more than on (1) lie per double-spaced page.

LIES TOLD BY MIKE CARRICARTE IN HIS SWORN TESTIMONY AT MY FINAL HEARING BEFORE THE REFEREE ON JUNE 4, 1998

<u>LIE TOLD BY MIKE</u>	<u>PAGE</u>
36. That during my employ with Mike, I had access to his client and agency lists	7
37. That I terminated myself in late December, 1994	7
38. That I called Mike in late December, 1994 (I did not speak to Mike at all after he fired me on 12/26/94 until he telephoned me on or about July, 1995)	8
39. That I ranted and raved at Mike	8
40. That I stated that it would be a cold day in hell before Mike saw that money again and that I was going to keep the money	9
41. That I said that Mike would never see that money again	9
42. That Mike finished a statement saying that we were	

	doing this under duress	11
43.	That I stated to Mike that it would be a cold day in hell before I would return his funds that I was holding in my trust account	12
44.	That I said that I did not care if Mike turned me over to the Florida Bar because by that time I would have spent the whole deposit of approximately \$110,000	12
45.	That I said that I would financially negotiate his company's database with his competitors (This is the <u>very same</u> database that Mike has <u>not</u> asked me to return for nearly four (4) years)	13
46.	That I sent Mike a fax in which I said that I was going to be waiting for him in Venezuela	15
47.	That Mike told the truth, the whole truth and nothing but the truth in everything that he testified to in this Bar complaint	41
48.	That to the best of Mike's knowledge he did not tell any lies in any of the testimony that he had given in this Florida Bar complaint	41
49.	That Mike told the truth, the whole truth, and nothing but the truth in every written statement or affidavit that he submitted in this Florida Bar complaint	42
50.	That I sent Mike 500 faxes	43
51.	That when Mike said 500 pages, he did not mean 500 different faxes	44
52.	That the State Attorney's Office has two sealed indictments against Arnold Segredo, one of which is for murder	47
53.	That I told Mike after the last deposition that there's two sealed indictments and one was for murder	48
54.	That I told Mike that if he kept fooling around with Segredo or me, the same thing would happen to him	48
55.	That Segredo bragged about a murder indictment	49

56. That a lady at the State Attorney's Office told Mike that there are two sealed envelopes on Segredo 49
57. That the State Attorney's Office has a sealed envelope on me 49
58. That I said to Mike that if he really knew what Segredo's envelopes were about, Mike would not be fooling with Segredo because one of them, a person got killed and the same thing could happen to Mike or his kids 50
59. That there are two envelopes that the State Attorney has on Segredo and there's one on me 50
60. That the State Attorney has two sealed envelopes on Segredo, and one is for murder 51
61. That someone at the State Attorney's Office absolutely told Mike that they had sealed envelopes on Segredo and me 52
62. That Segredo told Mike "that they had found a person in a canal and that the F.B.I. and the State Attorney had gone to see him and he said one of those envelopes is for murder." (This hysterically delusional lie is a quote from Mike's sworn testimony.) 52
63. That Mike has court reports where judges have said to me: "I'm going to put you in jail, Mr. Carricarte." 53
64. That Dade County Circuit Judge David Tobin told me: "I'm going to put you in jail, Mr. Carricarte." 53
65. That Dade County Circuit Judge David Tobin told me: "Before this thing is over, you will see the inside of a Dade County Jail." 53-54
66. That I told Mike in one of my faxes: "Judge Tobin threatens to throw me in jail." 54
67. That I said in one of my faxes how unfair it is, that Judge Tobin is going to throw me in jail 55
68. That there was a court ordered evaluation in the ongoing litigation that said that Arnold Segredo is a con man and a thief 59

69.	That Adorno & Zeder has that evaluation	59
70.	That Mike has no idea when I stole his computer database that is worth millions	61
71.	That on or about the end of December, 1994 I stated to Mike that I had a private and sensitive company database that his competitors would get, so he had to negotiate and not only would I keep the deposit, but I would financially negotiate his company database with his competitors." (This is the <u>very same</u> database that Mike has <u>not</u> asked me to return for nearly four (4) years)	63
72.	That I had the use of the information detailed in number 70, supra, on or about the end of December, 1994	64
73.	Mike <u>swore</u> in his first lawsuit me against that there was a secret computer password for access to the computer database and <u>now swears</u> that is <u>not</u> 100 per cent true	68
74.	That Mike does not know whether I stole the database	68
75.	That I sent Mike the database	69
76.	That I extorted \$25,000 from Mike on or about January 6, 1995	70
77.	That Mike signed our severance pay agreement of January 6, 1995 under duress (the agreement in which Mike wrote that the wished me "the very best")	71
78.	That Mike signed the top part of our severance agreement under duress but that he wrote that he wished me the very best and had intentions of only helping me at the bottom with a good heart	73
79.	That I was making all kinds of death threats against Mike and his family in the last week of December of 1994 and also in 1995, 1996, 1997 until May of 1998	74-75
80.	That Mike had reported many of these death threats to the police (Mike failed to produce a single police report at my final hearing despite the subpoena duces tecum that was served upon him)	75

81. That there are police reports where Mike called the police to report threats made by me against his kids (There is only the phony report that he made on or about December 14, 1996) 75
82. That the injunction in the ongoing litigation states that I could not make threats against Mike 77
83. That in the last three and a half years, I made 10, 12, 15 threats against Mike or somebody 79
84. That I have called Mike to say: "I'm going to kill your kids." 79
85. That the aforesaid threats were made on a monthly basis 79
86. That Mike never had conversations with me because of the flame throwing where I say filthy words on the telephone and hang up 81
87. That at our luncheon meeting of December 12, 1996, I started unzipping my pistol bag in a crowded restaurant with about 60 people around us 82
88. That I put my hand on the zipper which I had to remind Mike that it was a cocked, locked .45 83
89. That I put my hand on my gun while in a crowded restaurant surrounded by about 60 people 84
90. That Mike never saw Tae Kwon Do Master Diego Perez sitting at the table next to ours at our luncheon meeting of December 12, 1996 85
91. That I have some chemical imbalance 85
92. That Mike did not hire Diego Perez to ambush me outside my home on December 14, 1996 86
93. That I leave my gun by the shower 87
94. That I sleep with my gun (This is sheer hysteria - Does Mike also contend that I use my gun as a pillow?) 87

95.	That I told Mike that my gun is always loaded	87
96.	That I <u>showed</u> my gun around Mike's office two or three times a month	89
97.	That I let everybody know that I was totally armed at all times	89
98.	That I <u>showed</u> my gun around Mike's office approximately 200, 300 or 500 times while working around 120 employees	90
99.	That I could not enter a meeting unless I had my gun case with me	90
100.	That Mike told me that I was not to talk to his employees with my gun case	90
101.	That Mike didn't say that I was <u>showing</u> my gun (This lie totally contradicts Mike's lie #96 and lie #98, above, and lie #104, below. How can anybody believe <u>anything</u> that Mike says under oath?)	91
102.	That I went around reminding everyone that I had a gun case and a gun was in it	91-92
103.	That I always insinuated that I was fully armed	92
104.	That I both <u>displayed</u> and insinuated my gun	92
105.	That I would put my gun case there and I would start the meeting by saying: "Nobody touch this because there is a locked, cocked .45 pistol. Don't touch it."	93
106.	That there are a lot of Amedex offices around in Latin America (That is a lie because Mike only has <u>agents</u> and not <u>offices</u> outside of Miami)	95
107.	That Mike's company services and insures a million people in Latin America with four (4) underwriters	96

OFFENSE-INCIDENT REPORT

	Gang Related	METRO-DADE POLICE DEPARTMENT	Juvenile In Report	Juvenile Warrant/Detention	1. Original 2. Supplement
ADM	Date of Supplement	Agency Report Number 381191341143			
EVENT DATA	Original Date Reported 06-25-89	Time (mm)	Time Dispatched (mm)	Time Arrived (mm)	Time Completed (mm)
	2:58 PM	2:02 PM	2:21 PM	2:26 PM	2:30 PM
	Incident Type 1. Felony 2. Traffic Felony	3. Misdemeanor 4. Traffic Misdemeanor	5. Ordinance 6. Other	Incident Date From	Time (mm)
				06-25-89	2017
	OFFENSE #1	Type	Description	Statute Violation Number	NCIC/UCR Code
	#1	1	AGG. ASSAULT	784-H-021	130A
	OFFENSE #2	Type	Description	Statute Violation Number	NCIC/UCR Code
	#2				
	Incident Location	City	Zip	Block	Case
	87 AVE SW 72 ST	Miami	33173	015	175303
	Business Name/Area Identifier	Forced Entry	Occupancy		
	REXDAWAY	0. N/A 2. No	0. N/A 2. Unoccupied		
	Location Type				
	01. Residence-Single 02. Apartment/Condo 03. Residence-Other 04. Hotel/Motel 05. Convenience Store	06. Gas Station 07. Liquor Sales 08. Bar/Nightclub 09. Supermarket 10. Dept/Discount Store	11. Specialty Store 12. Drug Store/Hospital 13. Bank/Financial Inst 14. Commercial/Office Bldg 15. Industrial/Mfg	16. Storage 17. Gov/Public Bldg 18. School/University 19. Jail/Prison 20. Religious Bldg	21. Airport 22. Bus/Rail Terminal 23. Construction Site 24. Other Structure 25. Parking Lot/Garage
					26
	# OFFENSE	# Victims	# Offenders	# Prom. Ent.	# Veh. Stolen
	01	04	02	00	00
	V/W Code	Victim Type	Race	Type Weapon	02. Rifle
	V-1 W-1 C-Reporting Person	01. N/A 2. Juvenile 3. Adult	N/A W-White B-Black U-Unknown	00. N/A 01. Handgun 04. Firearm	03. Shotgun 05. Blunt Object
	Injury Type	03. Laceration 04. Unconscious 01. Gunshot 02. Stabbed	07. Loss of Teeth 08. Burns 09. Abrasions/Bruses 99. Other	Victim Relationship to Offender	06. Parent 07. Brother/Sister 08. Child 09. Co-Habitant 09. Step Parent
				10. Step Child 11. In Law 12. Other Family 13. Student 14. Teacher 15. Child of Boy/Girl 16. Neighbor 17. Sitter/Day Care 18. Employee 19. Other Known	10.3
	OFFENSE Indicator	V/W Code	V. Type	Name (Last, First, Middle or Business)	Residence Phone
	1	V-1	3	CARRANTE, GRACIELA	305-666-7869
	Address (Street, Apt. Number)	City	State	Zip	Business Phone
	7001 SW 61 AV	Miami	FL	33143	
	Other Contact Info (Time Available Interpret, etc.)	Duplicate of Veh #1			
	V. W. or P	Place	Sex	Date of Birth or Age	Res. Type
	W	W	F	06-17-55	2
	Extent of Injury	Injury Type	Relationship	Ethnicity	Will victim prefer charges?
	0	0	0	0	Yes
	OFFENSE Indicator	V/W Code	V. Type	Name (Last, First, Middle or Business)	Res. Phone
	1	V-2	3	GOODMAN, RICHARD	(305) 274-8361
	Address (Street, Apt. Number)	City	State	Zip	Business Phone
	11315 SW 123 AV	Miami	FL	33186	305-593-1126
	Other Contact Info (Time Available Interpret, etc.)	Duplicate of Veh #2			
	V. W. or P	Place	Sex	Date of Birth or Age	Res. Type
	W	W	M	06-05-64	2
	Extent of Injury	Injury Type	Relationship	Ethnicity	Will victim prefer charges?
	0	0	0	0	Yes
	OFFENSE Indicator	Suspect Code	Arrested	Name (Last, First, Middle)	Place of Birth
	1	1	5	GOODMAN, RICHARD	
	Maiden Name	Full Name/Street Name	City	State	Zip
			Miami	FL	33186
	Last Known Address (Street, Apt. Number)	City	State	Zip	Residence Phone
	11315 SW 123 AV	Miami	FL	33186	(305) 274-8360
	Occupation	Employer/School	Address	City	State
				Miami	FL
	Driver's License State Number	Immigration and Naturalization Number	Other I.D. Number	OBTS Number (Arrested)	FCIC/NCIC
	FL				
	Clothing (Describe)	Scars/Marks/Tattoos (Location/Description)			
	Place	Sex	Date of Birth or Age	Height	Weight
	W	M	06-05-64		
	Complexion	Build	Facial Hair	Teeth	Speech/Voice
	NOTE: V # 2 IS ALSO THE SUBJ. OF 2 ASSAULTS AS NOTED IN THE REPORT.				
	CONT.				
	Person/Unit Notified	Time	Related Report Number(s)		
	Officer(s) Reporting	I.D. Number	Routed To	Unit	Date
	T. Williams	1944-53	MCT	5332	6-25-89
	Officer Reviewing (if Applicable)	Case #	Arrested	By	Date
	Sgt. J. Edmond	1944-53	4	STANKIEWICZ	6-27-89
	Exception Type	2. Arrest on Primary Offense Secondary Offense Without Prosecution	3. Threat of Force 4. V/W Injured to Clearance	5. Prosecution Declined A. Juvenile/No Custody	OBTS Number
					ENTERED

(11)

NARRATIVE CONTINUATION

Case No.	Agency Report Number	Original in Report	1 Original	2 Supplement
Date of Supplement	METRO-DADE POLICE DEPARTMENT		7	
Original Date Reported	Original Primary Offense Description	Victim's Name	Original NCIC UCR Case	
06.25.89	AGG ASSAULT	CARRICARTE, G.		
Original Off/INC Location	Primary Offense Changed To	A. Attempted B. Committed	New Statute Violation Number	New NCIC UCR Case

ACCORDING TO BOTH VICTIMS 1&2 THIS INCIDENT STARTED AS A TRAFFIC DISPUTE. MS. CARRICARTE ALLEGES, MR. GOODMAN KEPT FOLLOWING HER AND TRIED TO HIT HER VEH. (CONTACT WAS NEVER MADE) MR. GOODMAN STATED, HE WAS ONLY FOLLOWING HER BECAUSE SHE HAD RUN HIM OFF THE ROAD AND HE THOUGHT SOMETHING WAS WRONG. MS. CARRICARTE SAID SHE CIRCLED HER HOME 3 TIMES IN AN ATTEMPT TO LOSE MR. GOODMAN. MS. CARRICARTE STATED, WHEN IT APPEARED MR. GOODMAN WAS NOT GOING TO LEAVE, SHE PULLED UP TO HER GATE AND BLEW THE HORN AND YELLED TO HER HUSBAND "HELP ME SOMEBODY IS FOLLOWING ME" AT THIS POINT HER HUSBAND CAME RUNNING OUT - ACCORDING TO THE HUSBAND WHEN HE TRIED TO ASK MR. GOODMAN WHAT HE WANTED HE REACTED IN A THREATENING MANNER AND STILL WOULD NOT LEAVE THE AREA. THE SON WHO WAS WATCHING THE INCIDENT RAN INTO THE HOUSE AND RESPONDED WITH A SHOT GUN. MR. GOODMAN AND HIS WIFE ALLEGED THE SHOT GUN WAS POINTED AT THEM, ALL OTHER PERSONS STATE THE SHOTGUN WAS NEVER POINTED AT ANYONE. THE SON MICHAEL C. ALLEGES THAT MR. GOODMAN TRIED TO HIT HIM WITH HIS VEH. AT WHICH TIME HE (MICHAEL) KICKED THE DOOR AND HIT THE HOOD. MR. GOODMAN THEN TOOK OFF WITH MR. CARRICARTE IN PURSUIT. FARA PULLED BOTH PARTIES OVER AT 87AVE SW 72 STG BECAUSE OF CONFLICTING STORIES AND NO INDEPENDENT WITNESSES NO ARREST OR CHARGES WERE MADE. BOTH PARTIES ADVISED TO CONTACT S.W. GIU WITH THEIR WITNESSES TO FURTHER PURSUE CHARGES.

*THE SON HANDDED HIS FATHER THE SHOTGUN (FATHER IS THE SHOT)

Suspect Code	Code	Offense Indicator	Residence Type	Citizenship	Drug Indication	Alcohol Indication
S - Suspect A - Arrested		1 - 1 Both	1 City 2 Florida 3 County 4 Out of State		1 Yes 2 Unknown 3 No	1 Yes 2 Unknown
Drug Activity	R Smuggle	D Dispense	M Manufacture	Drug Type	B Barbiturate	H Hallucinogen
5 Sell	D Deliver	U Distribute	2 Other	N N/A	C Cocaine	P Paraphernalia
N N/A	E Use			A Amphetamine	E Heroin	M Marijuana
B Bus						O Opium Der
P Peddle						S Synthetic
T Traffic						U Unknown
1 Person	Name of Parent or Custodian (Last, First, Middle)				Residence Phone	
2 Legal Custodian						
3 Other					Business Phone	
Address (Street, Apt. No., Box)	(City)		(State)		(Zip)	
Notified By: (Name)	Date	Time	Juvenile Disposition		1. Handled/Processed When Det. and Released	
Released to: (Name)	Relationship		2. Turned Over to HRS/CYP		3. Increase County Jail	
Person/Unit Notified	Time	Arrest Report Number(s)				
Officer(s) Reporting	ID. Number	Referred To	Referred To	Assigned To	By	Date
T. Williams	53-5259			5332		6-25-89
Officer Reviewing (If Applicable)	ID. Number	Referred To	Referred To	Assigned To	By	Date
Case Status	Charge Type	3. Unfounded	A. Adult	Date Cleared	Jail Number	Number Arrested
1. Arrest	1. Arrest	4. Open Pend.	J. Juvenile			
2. Exceptional	2. Exceptional					
3. Death of Offender	3. Death of Offender					
4. Y/N Refused to Cooperate	4. Y/N Refused to Cooperate					
5. Prosecution Declined	5. Prosecution Declined					
6. Juvenile Has Custody	6. Juvenile Has Custody					
OBTS Number						

(12)

PERSON(S) REPORT

Months in Report 1 Original 2 Supplement 1

METRO-DADE POLICE DEPARTMENT Agency Report Number **3,1,4,3,41**

Date of Supplement **062589** Primary Offense Description **KIDN. ASSAULT** Victim of Name **CARRICARTE, G.**

V/W Code V Victim W Witness C Reporting Person	Victim Type 0 N/A 1 Injured 2 E. Abuse 3 Adult	Race N N/A W White B Black O Oriental/Asian U Unknown	Sex M Male F Female U Unknown	Residence Type 0 N/A 1 City 2 County	Residence State 3 Florida 4 Out of State	Residence Status 0 N/A 1 Full Year 2 Part Year 3 Non-Resident	Error of Injury 10 None 11 Minor 12 Serious 13 Fatal
Injury Type 01 Laceration 02 N/A 03 Unconscious 04 Bruise 05 Puncture 06 Fracture 07 Other	07 Loss of Teeth 08 Burns 09 Abrasion/Scrub 10 Other	Victim Relationship to Offender 00 N/A 01 Unintentional 02 Stranger	03 Spouse 04 Ex Spouse 05 Co-Habitant	06 Parent 07 Brother/Sister 08 Child 09 Step Parent	10 Step Child 11 In Law 12 Other Family	14 Teacher 15 Child of Boy/Girl 16 Friend 17 Neighbor 18 Neighbor 19 Other Day Care 20 Employee	21 Friend 22 Landlord/Tenant 23 Acquaintance 24 Other Known

Off/INC Indicator 1 2 3 Both
 V/W Code V 1 W 3
 V. Type Name (Last, First, Middle or Business) **GOODMAN, JENNIFER**
 Address (Street, Apt. Number) **11315 SW 123 RD**
 City **Miami** State **FL** Zip **33156**
 Other Contact Info. (Time Available Interpret. etc.)
 Residence Phone **305, 279-8360**
 Business Phone **305, 557-2835**

Synopsis of Involvement: **WIFE OF DRIVER #2**

N W/W Code W F Race Sex Date of Birth or Age 03 25 64 Res. Type 2 Res. Status 1 Error of Injury 0 Injury Type 00 Relationship 01 Ethnicity Will victim prefer charges? Yes No

Off/INC Indicator 1 2 3 Both
 V/W Code V 1 W 4
 V. Type Name (Last, First, Middle or Business) **CARRICARTE, MICHAEL G.**
 Address (Street, Apt. Number) **7001 SW 61 RD**
 City **Miami** State **FL** Zip **33143**
 Other Contact Info. (Time Available Interpret. etc.)
 Residence Phone **305, 666-7869**
 Business Phone

Synopsis of Involvement: **SON OF DRIVER #1**

N W/W Code W M Race Sex Date of Birth or Age 12 07 67 Res. Type 2 Res. Status 1 Error of Injury 0 Injury Type 00 Relationship 01 Ethnicity Will victim prefer charges? Yes No

Off/INC Indicator 1 2 3 Both
 V/W Code V 1 W 4
 V. Type Name (Last, First, Middle or Business) **CARRICARTE MICHAEL A.**
 Maiden Name **S2** Nickname/Street Name Place of Birth **Miami**
 Last Known Address (Street, Apt. Number) **7001 SW 61 AVE** City **Miami** State **FL** Zip **33142**
 Occupation _____ Employer/School _____ Address _____ Social Security Number _____
 Driver's License State/Number _____ Immigration and Naturalization Number _____ Other ID Number _____ OST's Number (All states) _____ FICINCK
 Clothing (Describe) _____
 Race **W** Sex **M** Date of Birth or Age **06 20 42** Height _____ Weight _____ Eye Color _____ Hair Color _____ Hair Length _____ Hair Style _____
 Complexion _____ Build _____ Facial Hair _____ Teeth _____ Speech/Voice _____ Special Identifiers _____

Off/INC Indicator 1 2 3 Both
 V/W Code V 1 W 4
 V. Type Name (Last, First, Middle or Business) _____ Maiden Name _____ Nickname/Street Name _____ Place of Birth _____ Residence Phone _____
 Last Known Address (Street, Apt. Number) _____ State _____ Business Phone _____
 Occupation _____ Employer/School _____ Address _____ Social Security Number _____
 Driver's License State/Number _____ Immigration and Naturalization Number _____ Other ID Number _____ OST's Number (All states) _____ FICINCK
 Clothing (Describe) _____
 Race _____ Sex _____ Date of Birth or Age _____ Height _____ Weight _____ Eye Color _____ Hair Color _____ Hair Length _____ Hair Style _____
 Complexion _____ Build _____ Facial Hair _____ Teeth _____ Speech/Voice _____ Special Identifiers _____

Incident Type 1 Runaway 2 Parental 3 Involuntary 4 Disabled 5 Endangered	6 Disaster 7 Victim 8 Voluntary 9 Adul. 0 Unknown	Found Play Suspected? 1 Yes 2 No	Missing Before? 1 Yes 2 No	Fingerprints Available? 1 Yes 2 No	Photo Available? 1 Yes 2 No	Parent Record Available? 1 Yes 2 No	MCIC Form Provided? 1 Yes 2 No
---	---	--	----------------------------------	--	-----------------------------------	---	--------------------------------------

Date Last Seen _____ Time Last Seen _____ Location Last Seen (Address, City, State) _____ Accompanied By _____
 Mental/Physical Condition _____ Medication Required/Type _____ Doctor/Dentist (Name, Phone Number) _____
 Property Carried _____ ID Type/Number _____ ID Type Number _____
 Probable Destination _____ Name/Address _____ Transportation Mode _____
 Recovery Information
 0 N/A
 1 Voluntary
 2 Located - Not Returned
 3 Hospitalized
 4 MRS Custody
 5 Law Enforcement Custody
 6 Returned to Parent

Officer(s) Reporting **T. Williams** ID Number **53-5259** Unit **5332** Date **6-25-89**
 Officer Reviewing (if Applicable) _____ ID Number _____ Routed To _____ Referred To _____ Assigned To _____ By _____ Date _____
 ADMINISTRATIVE _____

PERSON(S) REPORT

Juvenile In Report 1. Original
 2. Supplement 1

Date of Supplement	METRO-DADE POLICE DEPARTMENT			Agency Report Number 3,14,341,1	
Original Date Reported 06.25.89	Primary Offense Description AGG. ASSAULT			Victim #1 Name CARRICATE, G.	
V/W Code	Race	Sex	Date of Birth or Age	Res. Type	Res. Status
0 N/A 1 Male 2 Female 3 Unknown	0 N/A 1 American Indian 2 White 3 Black 4 Other	0 N/A 1 Male 2 Female 3 Unknown	24	1	0
OFF/INC Indicator	V.W. Code	V. Type	Name (Last, First, Middle or Business)	Residence Phone	
1 at 3 Both 2 #2	1	2	VEGA,		
Address (Street, Apt. Number)			City	State	Zip
FHP TROOPER					
Other Contact Info. (Time Available, Interpreter, etc.)			Synopsis of Involvement		
ID # 1260			TROOPER ON SCENE		
OFF/INC Indicator	V.W. Code	V. Type	Name (Last, First, Middle or Business)	Residence Phone	
1 at 3 Both 2 #2					
Address (Street, Apt. Number)			City	State	Zip
Other Contact Info. (Time Available, Interpreter, etc.)			Synopsis of Involvement		
OFF/INC Indicator	Suspect Code	Escalation	Harassment	Code	Juvenile
1 at 3 Both 2 #2	5 Suspect 6 Arrested 7 Missing	0 Escalation 1 Missing	0 Harassment 1 Missing		
Maiden Name		Nickname/Street Name		Place of Birth	
Last Known Address (Street, Apt. Number)			City	State	Zip
Occupation			Employer/School		Address
Driver's License State/Number		Immigration and Naturalization Number		Other ID Number	
Clothing (Describe)			Scars/Marks/Tattoos (Location/Describe)		
Race	Sex	Date of Birth or Age	Height	Weight	Eye Color
Complexion	Build	Facial Hair	Teeth	Speech/Voice	Special Identifiers
OFF/INC Indicator	Suspect Code	Escalation	Harassment	Code	Juvenile
1 at 3 Both 2 #2	5 Suspect 6 Arrested 7 Missing	0 Escalation 1 Missing	0 Harassment 1 Missing		
Maiden Name		Nickname/Street Name		Place of Birth	
Last Known Address (Street, Apt. Number)			City	State	Zip
Occupation			Employer/School		Address
Driver's License State/Number		Immigration and Naturalization Number		Other ID Number	
Clothing (Describe)			Scars/Marks/Tattoos (Location/Describe)		
Race	Sex	Date of Birth or Age	Height	Weight	Eye Color
Complexion	Build	Facial Hair	Teeth	Speech/Voice	Special Identifiers
Incident Type	Foul Play Suspected?	Missing Before?	Fingerprints Available?	Photo Available?	Dental Records Available?
1 Runaway 2 Parental 3 Involuntary 4 Drugged 5 Endangered	1 Yes 2 No	1 Yes 2 No 3 Unknown	1 Yes 2 No 3 Unknown	1 Yes 2 No 3 Unknown	1 Yes 2 No 3 Unknown
Date Last Seen	Time Last Seen	Location Last Seen (Address, City, St)		Accompanied By	
Mental/Physical Condition		Medication Required/Type		Doctor/Dentist (Name, Phone Number)	
Property Carried		ID Type/Number		ID Type/Number	
Probable Destination		Name/Address		Transportation Mode	
Recovery Information		3 Hospitalized		5 Law Enforcement Custody	
0 N/A 1 Voluntary		4 IRS Custody		6 Returned to Parent	
Officer(s) Reporting		ID Number(s) Locator Code		Unit	
T. Williams		53-8259		5332	
Officer Reviewing (if Applicable)		ID Number	Routed To	Referred To	Assigned To
				Date	
				6-25-89	

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VEHICLE REPORT

METRO-DADE POLICE DEPARTMENT

Agency Report Number 314341J

1 Original Supplement 7

Date of Supplement: 06.25.89; Original Date Reported: 06.25.89; Primary Offense Description: AGG. ASSAULT; Victim #1 Name: CARRICATE, G

Person Code, Status Code, Damage Code, Type, Year, Make, Model, Style, Recovery Code, Stolen / Recovered

Person Code # Veh # Status Damage Type Year Make Model Style: V11 01 9 0 1 88 CHYS Le Baron Conv

Color (Top Bottom): BLACK / RED; Description: NO DAMAGE; Recovery Address, Date Recovered, Value Recovered

Person Code # Veh # Status Damage Type Year Make Model Style: V12 03 9 9 1 88 HONDA Accord 4DR

Color (Top Bottom): BLUE / BLUE; Description: HOOD DENTED - DOOR (PASS) DENTED; Recovery Address, Date Recovered, Value Recovered

VEHICLE INVENTORY NARRATIVE section with multiple empty rows for detailed description.

Administrative section: Officer Reporting (Williams), I.D. Number (53-5259), Unit (5332), Date (6-25-89), Case Status, Clearance Type, Exception Type

NARRATIVE CONTINUATION

Date of Report 0 7 0 1 8 9		METRO-DADE POLICE DEPARTMENT		Agency Report Number 3 1 4 3 4 1 J	Juvenile In Report 1 Original 2 Supplement 2
Original Date Reported 0 6 2 5 8 9	Original Primary Offense Description AGG ASSAULT	Victim #1 Name CARRICARTE, Graciela	Original NCIC/UCR Code 130 A	New NCIC UCR Code	
Original OFF/INC Location Sw 87 Ave 72 St	Primary Offense Changed To	A Attempted C Committed	New Florida Violation Number		

On 06-27-89 1500 hrs the victims Brother-in-Law contacted this investigator and advised of the facts in this case as they related to the victim and her husband involvement.

On 06-28-89 2000 hrs this investigator responded to the victims residence and spoke with all parties involved and verified all the information in the original report.

on 06-29-89 1730 hrs this investigator responded to the subjects/victims residence and spoke with him and his wife here too the facts in the original report were verified.

On 06-30-89-1430 hrs Connie Brehn ASA was contacted and apprised of the facts of this case. At this time she advised that as there are no independant witness; the facts can not be judged as to who did what and to prove this case without these witness' would be impossible so she advised she would not file charges in the case and the case can be closed out.

On 07-01-89 1230 hrs the victims and subjects were advised of the finding of the SAO that no charges would be filed, they were satisfied with this finding.

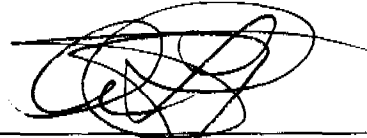
DIAPO: EXCEPTIONALLY CLEARED

Suspect Code 1 Suspect 2 Legal Custodian 3 Other	Code 1 A 2 B 3 C 4 D 5 E 6 F	Offense Indicator 1 1st 2 2nd 3 3rd	Residence Type 1 Florida 2 County 3 Out of State 4 Other	Citizenship 1 Yes 2 No	Drug Indication 1 Yes 2 No	Alcohol Indication 1 Yes 2 No
Drug Activity 1 N/A 2 Marijuana 3 Cocaine 4 Heroin 5 Other	Offense 1 Aggravated Assault 2 Assault 3 Battery 4 Sexual Offense 5 Other	Discharge 1 Discharge 2 Probation 3 Other	Drug Type 1 Cocaine 2 Marijuana 3 Heroin 4 Other	Relationship 1 Relative 2 Acquaintance 3 Other	Paraphernalia 1 Yes 2 No	Equipment 1 Yes 2 No
Arrested By Det R Stankiewicz	Date 7-1-89	Time 12:05	Juvenile Disposition 1 Released 2 Held 3 Other	Relationship 1 Parent 2 Other	Turned Over to HRS/CVF 1 Yes 2 No	Incarcerated (County Jail) 1 Yes 2 No
Person/Unit Notified	Time	Related Report Number(s)		ID Number(s)/Locator Code 2715-54	Unit 5631	Date 7-1-89
Officer(s) Reporting Det R Stankiewicz	Officer Reviewing (If Applicable) Sgt Marshall	ID Number 541585	Assigned To Stankiewicz	Date Cleared 7-1-89	Jail Number 0	Number Arrested 0
Exception Type 1 Estimation 2 Declined	Arrest on Primary Offense Secondary Offense Without Prosecution	3 Unfounded 4 Open Pend	5 Death of Offender 6 V/W Permitted to Continue	7 Produced on Outlines 8 Juvenile / No Custody	9 Other	Page 1 of 1

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy was mailed to Cynthia Lindbloom, Bar Counsel, The Florida Bar, 444 Brickell Avenue, Suite M-100, Miami, Florida 33131 and to John Anthony Boggs, Staff Counsel, The Florida Bar, 650 Apalachee Parkway, Tallahassee, Florida 32399-2300 this 12th day of December, 1998. I further certify that the size and style of type used in the Respondent's Reply Brief is 12 point Arial Rounded MT Bold.



ALBERT L. CARRICARTE

certificate of service-
supplement to the
record on appeal -
reply brief