



Name: Amanda Shaw
AKAs: Amanda Shaul
DOB: [REDACTED]
Address: [REDACTED]
DL/ID: New York # [REDACTED]
SSN: [REDACTED]
Physical: 5'9", 175 lbs., Brown/Hazel, W/F
Offense Date(s): July 2019 to February 2020

EXHIBIT A
PROBABLE CAUSE AFFIDAVIT
IN SUPPORT OF CHARGING INFORMATION
Case No. MFC-20-01196

SYNOPSIS

An investigation conducted by the Florida Attorney General’s Office Medicaid Fraud Control Unit (MFCU) revealed that **Amanda Shaw** engaged in the exploitation of victim [REDACTED] an elderly adult who permanently resides in a Medicaid-funded facility, located in Volusia County, Florida. In July 2019, **Amanda Shaw** obtained a Durable Power of Attorney for [REDACTED], appointing herself as [REDACTED] agent. **Amanda Shaw** used this document and status to gain control of two bank accounts belonging solely to [REDACTED]. Over the course of approximately six months, **Amanda Shaw’s** actions resulted in [REDACTED] bank accounts being depleted of approximately **\$98,498.84** through numerous purchases and withdrawals. **Amanda Shaw** permanently deprived [REDACTED] the use, benefit, and possession of [REDACTED] funds for **Amanda Shaw’s** own personal gain without [REDACTED] permission or knowledge. As a result, [REDACTED] lost all of her savings, causing her emotional distress and financial difficulty in paying for her support, maintenance, and residence.

DETAILS OF INVESTIGATION AND EVIDENCE:

Your Affiant, Robert Bolduc, being duly sworn, states: Your Affiant is a certified law enforcement officer by the State of Florida pursuant to Section 11B-27, Florida Administrative Code, relating to standards and training. Your Affiant is a Law Enforcement Investigator II assigned to the Orlando Bureau, Medicaid Fraud Control Unit (hereinafter referred to as “MFCU”), Office of the Attorney General (OAG), State of Florida. Your Affiant has been employed by the State of Florida as an investigator with the MFCU since January 24, 2020. Your Affiant has a Bachelor of Arts in Criminology from the University of Florida, a Graduate Certificate in the Modelling and Simulation of Behavioral Cybersecurity from the University of Central Florida, and a Master of Science in Digital Forensics from the University of Central Florida. Your Affiant attended and graduated in 2013 from the Basic Law Enforcement Academy at the Criminal Justice Institute at Valencia College in Orlando, Florida. Prior to the OAG/MFCU, Your Affiant was employed for over two years as a sworn United States Probation Officer in the Middle District of Florida, which included being a member of the district’s Digital Forensics Unit. Your Affiant has also served as a sworn Deputy Sheriff in Orange County, Florida for over four years in both a full-time and part-time capacity, and as a non-sworn Investigator, and later Investigator Supervisor, for the Florida Department of Health, Division of Medical Quality Assurance, Bureau of Enforcement, Investigative Services Unit for over two years. Your Affiant has completed numerous hours of advanced specialized courses including, but not limited to, interviews and interrogations, case preparation and court presentation, conspiracy investigations, financial crimes and fraud investigations, social media and open-source intelligence (OSINT), and digital forensic investigations, as well as many other in-service training sessions. Your Affiant has provided training to others in professional settings on the topics of healthcare crimes and fraud, narcotics investigations, and digital forensic investigations. Your Affiant has conducted and participated in regulatory and criminal investigations involving healthcare crimes, drug trafficking, child and elderly abuse and neglect, Medicare and Medicaid fraud, and other crimes against persons and property. Your Affiant has prepared numerous probable cause affidavits during his career. Your Affiant understands the proper procedure for arrest and search warrant preparation and the requirements to have one issued.

DEFINITIONS

The “**Medicaid Fraud Control Unit**” (“**MFCU**”) exists to investigate alleged patient abuse, neglect or exploitation (PANE) of residents and patients in health care facilities under the Medicaid program as outlined in F.S.S. Chapter 409.920(9). The MFCU is under the authority and supervision of the Office of the Attorney General of the State of Florida.

“**Medicaid**” is the state and federal partnership that provides healthcare coverage for selected categories of people with low incomes. The purpose of the program is to provide medical assistance and health care coverage for categories of individuals whose income and resources are insufficient to meet the costs of their medical services. The Medicaid Program is authorized by Title XIX of the Social Security Act. In Florida, the Medicaid Program is authorized by Chapter 409, Florida State Statutes, and Chapter 59G, Florida Administrative Code.

“**The Agency for Health Care Administration**” (“**AHCA**”) is the State of Florida agency that oversees the Medicaid Program to provide medical services for persons who have been found eligible to receive **Medicaid benefits**. Medicaid eligibility in Florida is determined either by the state Department of Children and Families (DCF) or the Federal Social Security Administration for Supplemental Security Income recipients.

“**Elderly Person**” is defined in § 825.101, Florida Statutes, as a person 60 years of age or older who is suffering from the infirmities of aging as manifested by advanced age or organic brain damage, or other physical, mental, or emotional dysfunction, to the extent that the ability of the person to provide adequately for the person’s own care or protection is impaired.

AFFIANT DEPOSES AND SAYS THE ABOVE AND THE FOLLOWING:

This investigation was predicated upon receipt of three separate complaints filed with the Medicaid Fraud Control Unit. The complaints were received from the [REDACTED], and the reporter of such complaints of vulnerable adult abuse are confidential pursuant to Florida statute.

The first complainant alleged **Amanda Shaw** falsely signed a Power of Attorney for [REDACTED], an elderly adult residing at [REDACTED] in Deland, Volusia County, Florida. Furthermore, the complaints alleged **Amanda Shaw** submitted these documents

to [REDACTED] banks, and that [REDACTED] no longer has enough money in her account to afford her expenses at the facility. Reportedly, **Amanda Shaw** will not cooperate in making the required payments.

The second complainant estimated over \$70,000 had been transferred out of [REDACTED] account without [REDACTED] knowledge, and identified **Amanda Shaw** as [REDACTED] [REDACTED]. The complaint alleged **Amanda Shaw** was spending [REDACTED] money recklessly and will no longer communicate with [REDACTED].

The third complainant identified **Amanda Shaw** as [REDACTED] who placed a Power of Attorney on all of [REDACTED] accounts. The complainant stated that [REDACTED] noticed the signature on the Power of Attorney was not hers, and her name was misspelled. **Amanda Shaw** made promises to make payment to [REDACTED] residence but did not, leaving [REDACTED] to pursue Medicaid eligibility in order to remain at [REDACTED].

A preliminary investigation initiated on February 11, 2020, revealed that the MFCU had jurisdiction under Florida Statute 409.920(9). Investigative research and interviews were conducted. Upon review of the evidence, it was revealed that **Amanda Shaw financially exploited an elderly person, [REDACTED] who resides at a Medicaid-funded facility,** by obtained Durable Power of Attorney that is alleged to have contained [REDACTED] misspelled name and forged signature, gaining access to [REDACTED] bank accounts, and depleting [REDACTED] funds for personal gain. **Shaw's** criminal actions prevented [REDACTED] from being able to afford her current support, maintenance, and residence.

Investigative research revealed the victim, [REDACTED], is 81 years old and is diagnosed with [REDACTED]
[REDACTED]
[REDACTED]. [REDACTED] uses a wheelchair to ambulate and requires assistance with her activities of daily living such as bathing and grooming. [REDACTED] is an elderly person, which is defined by Florida Statute 825.101(4) as “a person 60 years of age or older who is suffering from the infirmities of aging as manifested by advanced age or organic brain damage, or other physical, mental, or emotional dysfunction, to the extent that the ability of the person to provide adequately for the person’s own care or protection is impaired.”

TELEPHONIC INTERVIEW OF MANDY ADAM

On March 19, 2020, LEI Bolduc interviewed Mandy Adam by phone. Adam stated that she is the Business Officer Manager for ██████████ in Deland, Florida. She advised that she has had interactions with ██████ and was concerned of potential exploitation of ██████ by ██████ relative, **Amanda Shaw**. Adam made the following statements regarding her knowledge of the alleged exploitation:

██████ was admitted to ██████████ from the hospital as a Medicare A patient on approximately June 21, 2019. Adam worked with ██████ to determine how she would be able to pay for the facility. Once ██████ Medicare coverage had been exhausted, Adam reached out to **Amanda Shaw** to work with her on ensuring ██████ could afford the facility. **Amanda Shaw** told Adam she would call an attorney. ██████████, an elder care attorney, was retained by **Amanda Shaw**. Adam's records indicated that a Durable Power of Attorney (DPOA) naming **Amanda Shaw** as the power of attorney over ██████ was uploaded to their system on July 25, 2019, but Adam stated it could have been received earlier and just uploaded on that date. Regarding the POA, Adam stated it was odd that the document had listed the lawyer as the witness.

On January 28, 2020, Adam reached out to both **Amanda Shaw** and ██████ because little progress had been made and ██████ was accumulating bills at the facility. **Amanda Shaw** told Adam that the lawyer had "dropped" her, and contrastingly, ██████ told Adam that **Amanda Shaw** had "dropped" her. **Amanda Shaw** agreed to meet Adam and a "Medicaid Done Right" representative the next day to complete ██████ application for Medicaid.

Adam stated that **Amanda Shaw** did not show on January 29, 2020. When she called **Amanda Shaw**, **Amanda Shaw** told her that she could not make it because she lived in New York. Adam was unaware that **Amanda Shaw** lived in New York until this point, and believed she lived locally. **Amanda Shaw** was no longer responsive with Adam in resolving ██████ financial issues.

On February 6, 2020, Adam, Naomi Marr, the Nursing Home Administrator, and ██████ got together and called ██████ banks, Wells Fargo and TD Bank, to determine her financial status and how to proceed with paying for the facility. This is when ██████ learned that the balances of her accounts had been depleted, **Amanda Shaw** was listed as her POA, and that **Amanda Shaw** had a debit card on the account in **Amanda Shaw's** name. Adam stated ██████ was confused how **Amanda**

Shaw was on the account and did not recall the DPOA being executed. The fraud was reported to both banks, who immediately terminated **Amanda Shaw** from both accounts. ■ later went to both banks and obtained her recent bank statements, showing the loss through apparent spending by **Amanda Shaw**.

Adam stated to date, ■ has been unable to secure funding for the facility and has been unable to become a Medicaid recipient due to the inability to verify her financial status.

On July 29, 2019, Adam completed a sworn written statement to the above information.

TELEPHONIC INTERVIEW OF ■ (RECORDED)

On March 20, 2020, LEI Bolduc interviewed ■ by phone. On speakerphone and present with ■ in her room at ■ was business office employee Mandy Adam and Deborah Kelsey, the facility's Director of Social Services. LEI Bolduc identified herself to ■ and discussed the nature of the investigation and the recording of this interview, which she had no concerns with. All parties verbally consented to the interview being recorded, both before and after the recording started. The following are excerpts from the recorded phone interview:

Regarding her finances, ■ stated "somebody took something." ■ said she had "ninety-two thousand dollars" in her two bank accounts, which are with "TD Bank in Deland" and Wells Fargo. ■ denied having a debit card for either account and stated if she ever needed to access her money from either account, she would write a check. ■ denied travelling to New York since her time at her current facility. Regarding the recent expenditures in her account in New York and transfer of funds, ■ said "I'm not aware of them and probably **Amanda** did it." ■ did not recall ever giving anyone permission to have access to her bank accounts, and that she told her family it would have to remain in her bank accounts until she passed on when she would no longer need it.

Regarding **Amanda Shaw**, stated that "S-H-A-U-L" was the correct family name spelling, and **Amanda Shaw** is the ■. ■ stated **Amanda Shaw** visited her "maybe twice" at her facility, possibly with a "son-in-law." She could not recall "their" names. According to ■, **Amanda Shaw** came to visit her "to try to get some money." ■ did not recall any specific conversations or signing any paperwork with **Amanda Shaw**. ■ was unaware that **Amanda Shaw**

was related to her until recently and denied her being a close relative or spending time with her in the past.

█ was not familiar with the address █ (Amanda Shaw's address) or that the Florida Department of Highway Safety and Motor Vehicles had this address on record for █ identification. █ stated that she knew she had not been receiving all of her mail. █ stated that she did live in Schenectady, New York in the past.

Although █ stated she was not having financial issues at her current residence/facility, Adam clarified that she is over \$40,000 past due in facility bills.

Kelsey stated when █ came to the facility, **Amanda Shaw** "found her." **Amanda Shaw** came to the facility and was "adamant" about getting paperwork completed. **Amanda Shaw** brought an attorney to complete a Durable Power of Attorney document, however Kelsey recalled the paperwork wasn't even completed properly because they spelled █ name incorrectly and it had to be redone.

On July 29, 2019, Adam completed a sworn written statement to the above information.

DELAND (FLORIDA) POLICE DEPARTMENT INVESTIGATION

Detective Thomas Gillan, Deland (Florida) Police Department (DPD), conducted a simultaneous investigation with the Medicaid Fraud Control Unit, as his agency had received a similar complaint of █ exploitation by **Amanda Shaw**. Det. Gillan requested to work jointly with the MFCU due to the number of charges that occurred outside of the DPD jurisdiction and scope of the investigation. Det. Gillan conducted an investigation into the exploitation and fraudulent charges occurring within Deland city limits. Det. Gillan provided LEI Bolduc a supplemental report to his investigation, █, which stated the following (excerpts):

On April 21, 2020, Det. Gillan went to the Comfort Inn hotel, located at 400 E International Speedway Blvd., Deland, Florida, and met with the general manager, Richard Avery. Avery researched the charges identified from the victim's bank account. No customer information was found for █. Customer information was found for **Amanda Shaw**, and Avery found four charges that had been made by **Amanda Shaw** using the debit card ending in █, associated with █

TD Bank checking account. The charges were as follows: **\$237.21** on July 27, 2019, **\$246.88** on August 16, 2019, **\$214.23** on August 17, 2019, and **\$460.43** on August 20, 2019.

Det. Gillan was unable to recover security video due to Comfort Inn only retaining recorded video for 30 days. The total spent by **Amanda Shaw** at Comfort Inn using the victim's funds was **\$1,158.75**.

On the same date, Det. Gillan then went to Walmart, located at 1699 N Woodland Blvd., Deland, Florida. Det. Gillan met with a loss prevention associate and researched the fraudulent charges by **Amanda Shaw**. Purchases on August 15, 2019 were made there using a debit card ending in [REDACTED], associated with [REDACTED] TD Bank checking account, for **\$71.79**. Items purchased included wash cloths, a V-neck shirt, four (4) iced coffees, peach tea and various other items that did not pertain to the care of [REDACTED]. Det. Gillan was unable to recover video surveillance from Walmart.

Purchases on August 16, 2019 were again made using the debit card ending in [REDACTED] at the same Walmart store for **\$79.39**. Items purchased included a chef knife, shorts, sandals, and various other items unrelated to [REDACTED] care.

Det. Gillan noted that during the time frame that **Amanda Shaw** was in Deland, Florida, she made a transaction through "Visa Direct" (located in Arizona) using the victim's funds through the TD Bank debit card ending in [REDACTED], in the amount of **\$2,500.00**. There was no indication this transaction was related to [REDACTED] maintenance, care or support.

Det. Gillan also provided LEI Bolduc surveillance video he obtained from TD Bank; see Subpoenas and Records Review – TD Bank Records section of this affidavit.

SUBPOENAS AND RECORDS REVIEW

During the course of the MFCU investigation, the Office of Attorney General issued subpoenas to numerous companies, requesting records related to the criminal investigation of **Amanda Shaw**.

WELLS FARGO BANK RECORDS

Bank records were requested from Wells Fargo Bank for [REDACTED] account, which were subsequently reviewed by LEI Bolduc and analyzed by MFCU Audit Analyst Lee Rawlings. Records provided were for Wells Fargo account ending in [REDACTED] (debit card number [REDACTED]) for the victim [REDACTED] and **Amanda Shaw** (power of attorney for [REDACTED]).

Bank records revealed the following account actions relevant to the investigation: On July 18, 2019, **Amanda Shaw** placed herself on [REDACTED] account by signing a notarized “attorney-in-fact” affidavit at a Wells Fargo Branch in Jamaica, New York, stating that she is power of attorney (dated July 15, 2019) for [REDACTED] and has a mailing address of [REDACTED]. On February 6, 2020, [REDACTED] filed a letter with Wells Fargo branch in Deland, Florida revoking any and all power of attorneys, including **Amanda Shaw**. The letter stated that no one has power to execute financial decisions on [REDACTED] behalf.

It should be noted that account statements reviewed by LEI Bolduc dated between January 2019 to July 2019, prior to **Amanda Shaw** becoming power of attorney over [REDACTED] and beginning her exploitation of the victim, the account had minimal transactions consisting of several cashed checks and [REDACTED] retirement income monthly. There are no debit card transactions prior to July 19, 2019, when **Amanda Shaw** placed herself on [REDACTED] account.

Auditor Rawlings analyzed statements for the period July 2019 to February 2020. Preliminary summary findings of deposits and withdrawals are displayed in the table below. Deposits include Social Security Administration monthly benefit deposits for [REDACTED] totaling **\$12,220.00**. Other Withdrawals/Subtractions include, in part, ATM and Western Union cash withdrawals and payments for clothing and wholesale stores in New York, in the Albany/Schenectady area where **Amanda Shaw** resides.

Wells Fargo (Account Ending in [REDACTED])
Transactions between July 2019 to February 2020

Deposits/Additions

SSA Deposits	\$ 12,220.00
Other Additions	\$ 169.72
Total Deposits/Additions	\$ 12,389.72

Withdrawals/Subtractions

Food	\$ 615.55
Gas	\$ 708.32
Other	\$ 11,060.27
Total Withdrawals/Subtractions	\$ 12,384.14

TD BANK RECORDS

Bank records were requested from TD Bank for [REDACTED] accounts, which were subsequently reviewed by LEI Bolduc and analyzed by MFCU Audit Analyst Lee Rawlings.

Bank records revealed the following actions on account ending in [REDACTED] (Checking) and [REDACTED] (Savings) relevant to the investigation: Checking account [REDACTED] was opened by [REDACTED] on September 14, 2009. On December 3, 2014, [REDACTED] opened Savings account [REDACTED]. On or about July 20, 2019, **Amanda Shaw** provided power of attorney documents to TD Bank and placed herself on [REDACTED] accounts. Her identity was verified by New York driver license (with photo) # [REDACTED]. **Amanda Shaw** also provided her date of birth and social security number, and phone number of [REDACTED].

It should be noted that statements for the checking account ending in [REDACTED] were reviewed by LEI Bolduc. Between January 2019 to July 2019, prior to **Amanda Shaw** becoming power of attorney over [REDACTED] and beginning her exploitation of the victim, the account had minimal transactions consisting of only payments for utilities and health insurance and cashed checks. There are no debit card transactions prior to July 29, 2019, when **Amanda Shaw** placed herself on [REDACTED] account.

Auditor Rawlings analyzed statements for TD Bank Account ending in [REDACTED] for the time period of July 2019 to March 2020. Preliminary summary findings of deposits and withdrawals are displayed in the table below. Deposits/Additions include annuity deposits totaling \$3,211.02 for

benefit of victim [REDACTED]; and transfers from TD Bank Savings Account [REDACTED] in amount of \$45,780.00. Other Withdrawals/Subtractions include checks payable to **Amanda Shaw** for total of \$13,500.00; Peer-to-Peer (P2P) cash transfers for benefit of **Amanda Shaw** and “J. Shaw” totaling \$10,000.00; loan payments of \$12,327.87; and other retail/ATM/credit card purchases. An amount of \$33,990.81 is included in both deposits and withdrawals for the total of three Citi Auto Pay loan payments that were processed then returned for Non-sufficient Funds (NSF) in October 2019.

**TD Bank (Checking Account Ending in [REDACTED])
Transactions between July 2019 to March 2020**

Deposits/Additions

TIAA-CREF Distr. Annuity Deposits	\$ 3,211.02
Transfers from TD Savings Acct [REDACTED]	\$ 45,780.00
ACH Returned Item CITI Autopay *** [REDACTED]	\$ 33,990.81
Other Credits	\$ 2,295.23
Total Deposits/Additions	\$ 85,277.06

Withdrawals/Subtractions

Food	\$ 563.04
Gas	\$ 448.64
Other	\$ 96,249.21 **
Total Withdrawals/Subtractions	\$ 97,260.89

<i>** Total Other Withdrawals/Subtractions Includes</i>	<i>\$ 12,327.87</i>	<i>Loan Payments</i>
		<i>P2P Cash transfers (J. Shaw</i>
	<i>\$ 10,000.00</i>	<i>and A. Shaw)</i>
	<i>\$ 13,500.00</i>	<i>Checks payable to A. Shaw</i>
	<i>\$ 33,990.81</i>	<i>Citi Auto Pay</i>
		<i>Other retail/ATM/CC</i>
	<i>\$ 26,430.53</i>	<i>purchases</i>
	<i>\$ 96,249.21</i>	

Auditor Rawlings analyzed statements for TD Bank Account ending in [REDACTED] for the time period of January 2019 to March 2020. Preliminary summary findings of deposits and withdrawals are displayed in the table below. Deposits/Additions include Interest and other credits totaling \$540.91. Withdrawals/Subtractions include transfers to TD Bank checking account [REDACTED] for a total of \$45,780.00; one withdrawal of \$22,769.62; and maintenance fees of \$75.00.

**TD Bank (Savings Account Ending in [REDACTED])
Transactions between January 2019 to March 2020**

Deposits/Additions	
Interest and other credits	\$ 540.91
Total Deposits/Additions	\$ 540.91
Withdrawals/Subtractions	
Transfer to TD checking account [REDACTED]	\$ 45,780.00
Cashier's Check [REDACTED] *	\$ 22,769.62
Maintenance fees	\$ 75.00
Total Withdrawals/Subtractions	\$ 68,624.62

***This Cashier's Check was used to purchase a 2019 Nissan Frontier for the sole benefit of **Amanda Shaw**. See "Classic Honda Car Dealership Records" section of this affidavit.*

In addition, surveillance footage from the Downtown Orlando TD Bank branch, located at 100 S. Orange Avenue, Orlando, Florida was obtained by Deland Police Department Detective Gillan by subpoena. LEI Bolduc reviewed the footage provided by Detective Gillan. The surveillance footage showed an individual, who possessed similar physical characteristics and appearance as **Amanda Shaw**, obtaining a certified check for \$22,769.62 (check # [REDACTED]) at the above branch on August 19, 2019.

CRESCENT BANK RECORDS

Bank records were requested, received, and reviewed from Crescent Bank. The account appeared to be an auto loan opened on or about March 19, 2013, in the amount of \$36,000. The loan was in

the name of **Amanda Shaw**, borrower, and Loxie Shaw, co-applicant. The loan was for a 2009 Cadillac CTS-V6, VIN No. [REDACTED]. Loan application and due diligence documents were provided, which contained several documents positively identifying **Amanda Shaw**. The documents included a copy of **Amanda Shaw's** New York State driver license, as well as signatures that appear to match power of attorney and signature card documents provided by TD Bank and Wells Fargo (in relation to victim [REDACTED] accounts) and W2 form. In addition, there were numerous notices sent to **Amanda Shaw** regarding the account being delinquent from 2015 to August 2019 to her addresses of record at the time ([REDACTED]).

Current borrower information as provided that matched **Amanda Shaw's** known email address, home address, and social security number.

On August 29, 2019, a loan payment was made using victim [REDACTED] TD Bank debit card, ending in [REDACTED]. The following information was provided showing that the payment was made by **Amanda Shaw**:

```
ib [REDACTED]
sea verf// tt Amanda Shaw
ci to make afull payment on the acct

Confirmation number: [REDACTED]
Payment Date: Aug 29, 2019, 10:12:04 AM
Payment Type: Auto Loan Payment
Account Number: [REDACTED]
Payment Method: Visa (Debit)
Card: [REDACTED]
Payment Amount: $3,435.81
Processing Fee: $5.00
Total Amount Charged: $3,440.81
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Records provided by the New York Medicaid Fraud Control Unit showed that the above vehicle was registered to **Amanda Shaw** in New York as recently as March 30, 2020. All other information, including current phone number, address, date of birth, social security number, all match **Amanda Shaw's** information.

Amanda Shaw used a total of **\$3,440.81** of the victim's funds to pay off **Amanda Shaw's** and Loxie Shaw's delinquent debt on the Crescent Bank auto loan.

CLASSIC HONDA CAR DEALERSHIP RECORDS

Records were received and reviewed from Classic Honda, a car dealership located at 4000 W. Colonial Drive, Orlando, Florida, for the sale of a 2019 Nissan Frontier, VIN No. [REDACTED]. A Buyers Order in the dealership file revealed that **Amanda Shaw** and her husband, Loxie Shaw, purchased the vehicle on August 19, 2019 for \$22,769.62. The vehicle was paid for by TD Bank check number [REDACTED], dated August 19, 2019, in the name of **Amanda Shaw**, which is an exact match of the certified check Amanda Shaw withdrew from TD Bank on the same date and amount. The dealership file also contained numerous documents with **Amanda Shaw's** phone number of [REDACTED], home address of [REDACTED], and photocopies of New York driver licenses for both **Amanda Shaw** and Loxie Shaw.

The 2019 Nissan Frontier was purchased using \$22,769.62 of the victim's funds.

BEST BUY RETAIL RECORDS

Records were received and reviewed from Best Buy. Several transaction receipts from purchases at the Best Buy located at 1 Crossgates Mall Rd., Albany, New York were provided, along with rewards account information.

Best Buy Rewards Account				
Account #	Name	Address	Phone #	Email
[REDACTED]	Amanda Shaw	[REDACTED]	[REDACTED]	[REDACTED]

Best Buy Transactions of Note			
Purchase Date	Transaction Description	Total	Last 4 of Card #
7/29/2019	Samsung Galaxy Note 9 Blue 128 GB (IMEI: [REDACTED]), with accessories.	\$971.97	[REDACTED]

8/24/2019	JVC KWV850BT car stereo, installation kit for a 2013-up Nissan Frontier, and other car stereo accessory items	\$653.30, less \$18.35 in returned items	████
9/12/2019	Canon XA11 digital camera	\$1,418.03	████
Total of Transactions Using the Victim's Funds:		\$ 3,024.95	

It should be noted that the transaction on August 24, 2019 was for stereo equipment that appears to be compatible with **Amanda Shaw's** 2019 Nissan Frontier that she obtained with the victim's funds during the course of her criminal activity.

BJ'S WHOLESALE CLUB INTERVIEW AND RETAIL RECORDS

On May 11, 2020, LEI Bolduc spoke with Renee Burdick by phone. Burdick stated that she is an Assistant Store Manager for BJ Wholesale Club, located at 70 W. Campbell Road, Rotterdam, New York. Burdick stated she completed a review of records pursuant to the subpoena request served on April 28, 2020.

Burdick located a customer account in the name of **Amanda Shaw**, which all purchases requested were made with. No accounts were located for the names Loxie Shaw or Jane Shaw. The account information provided will have date of birth, driver license number, e-mail, and address.

The transaction noted in the subpoena were located, however, transactions prior to approximately November 2019 do not contain detailed transaction information due to the store database retention schedule. Additionally, surveillance footage is only kept for 60 days; no surveillance footage of the transactions using the requested card numbers remains. Shaw performed all of the transactions on register numbers 51-54, which are self-checkout and don't require the presentation of a membership card or ID to an employee. Burdick stated that Shaw is still an active customer, with transactions (on different cards than the victim's debit cards) as recently May 10, 2020.

Records were subsequently received and reviewed from BJ's Wholesale Club. Several transaction receipts were provided. In addition, an active membership account was found for **Amanda Shaw**:

BJ's Wholesale Club Membership Information				
Membership #	Name	Date of Birth	Phone #	Driver License #
██████████	Amanda Shaw	██████████	██████████	NY ██████████
Email		Address		
████████████████████		██		

Numerous transactions receipts were provided from November 11, 2019 to December 24, 2019. The purchases appeared to consist of household supplies, food, drinks, and clothes. The transactions were often split using an EBT Food Stamps card ending in ██████. The total of transactions using the victim's funds from BJ's Wholesale Club was \$431.22.

WALGREENS RETAIL RECORDS

Records were received and reviewed from Walgreens. Data from four (4) transactions at the Walgreens located at 1203 Eastern Avenue, Schenectady, New York were provided, along with rewards account information.

Walgreens Balance Reward Customer IDs					
ID #	Name	Date of Birth	Address	Zip Code	Phone
██████████	Jane Shaw	██████████	██████████	██████████	██████████
██████████	Amanda Shaw	██████████	(Blank)	██████████	██████████

The transaction data provided was from purchases between August 8, 2019 to January 3, 2020. The transactions were almost all for multiple prescriptions. The total of transactions using the victim's funds was \$225.67.

WALMART RETAIL RECORDS

Records were received and reviewed from Walmart pursuant to a Walmart's Law Enforcement Records Request form. Numerous transaction receipts were received and reviewed between July 20, 2019 and January 17, 2020. Transactions occurred at Walmart stores located in Schenectady,

Glenville, Albany, and Latham, New York. Additionally, transactions occurred in Deland, Florida on July 26, 2019 and August 16-20, 2019.

The purchases appeared to consist of mostly vehicle maintenance, household goods, stationery, toiletries, food, drinks, and clothes. Some transactions were paid in part by an EBT SNAP card ending in [REDACTED]. **Amanda Shaw** used funds from the victim's Wells Fargo checking account (debit card ending in [REDACTED] and [REDACTED]) and TD Bank checking account (debit card ending in [REDACTED]). The total of transactions using the victim's funds from Walmart was \$4,580.52.

SAMSUNG ELECTRONICS ONLINE PURCHASES

Records were received and reviewed from Samsung Electronics America, Inc. (Samsung). Samsung provided the following data from transactions conducted on their online store.

Samsung Electronics America, Inc. Customer Information			
Name	Phone #	Email	Shipping/Billing Address
Amanda Shaw	[REDACTED]	[REDACTED]	[REDACTED]

Samsung Electronics America, Inc. Online Transactions					
Order	Timestamps (Eastern)	IP Address	Product One	Product Two	Product Three
M16PZAJ0T0	Friday August 9, 2019 15:16:34	[REDACTED]	Name: Galaxy Note10+ 256GB (Unlocked) Product ID: SM-N975UZWAXAA IMEI: N/A Shipped via FedEx: 119881178224 Status: Return refunded 9/27/2019	Name: Galaxy Fit Product ID: SM-R370NZSAXAR IMEI/Serial Number: RFAM511YPSY Shipped via FedEx: 450274946742 Status: Delivered	Name: Galaxy Buds Product ID: SM-R170NZKAXAR IMEI/Serial Number: N/A Shipped via FedEx: 119881178224 Status:

			Refunded: \$377.99	8/23/2019 Net Price: \$21.72	Delivered 8/23/2019 Net Price: \$28.26
S17FP3J0UU	Friday August 23, 2019 13:14:53	██████████	Name: Galaxy Note10+ 256GB (Unlocked)** Color: White Product ID: SM- N975UZWAXAA Shipped via FedEx: 121886754019 Status: Delivered, 9/5/2019 Net Price: \$1099.99 IMEI: ██████████ Bluetooth Address: ██████████ MAC Address: ██████████ Serial Number: RF8M825PG7X	Name: Galaxy Fit, Black Product ID: SM- R370NZKAXAR IMEI/Serial Number: RFAM60188XY Shipped via FedEx: 450275849024 Status: Delivered, 9/5/2019 Net Price: \$85.00	Name: Galaxy Buds Product ID: SM- R170NZKAXAR IMEI/Serial Number: N/A Shipped via FedEx: 121886754019 Status: Delivered 9/5/2019 Net Price: \$115.00
U193H7X02U	Tue Sep 24 2019 19:16:46	N/A	Trade-In Adjustment Charge; Trade in never received	N/A	N/A

It should be noted there was a one-cent discrepancy between the victim's bank statements and the receipts received from Samsung. The net prices of the Order Numbers **M16PZAJ0T0** and **S17FP3J0UU** total **\$1349.97**. The net debit and credits from Samsung Electronics America, Inc.

(shown as “DRG SAMSUNG” on the statements) appearing on the victim’s TD Bank Debit Card (Visa ending in [REDACTED]) between August 22, 2020 and September 30, 2020 total **\$1349.96**.

Although Order Number **U193H7X02U** indicated a “Trade-In Adjustment Charge” on September 24, 2019 without a corresponding amount of the charge on the receipt information provided by Samsung, the victim’s TD Bank Debit Card (Visa ending in [REDACTED]) statement revealed a charge of **\$600.00** on October 10, 2020 from Samsung Electronics America, Inc.

The total amount of transactions from Samsung Electronics America, Inc. using the victim’s funds was **\$1949.96**.

PAYPAL ACCOUNT AND PURCHASES

Records were received and reviewed from PayPal. PayPal account information was located in the name of **Amanda Shaw**, with an email address ([REDACTED]), SSN, date of birth, and phone number ([REDACTED]) known to be associated with **Amanda Shaw**. **Amanda Shaw’s** current address of [REDACTED] (added February 2, 2020) is attached to the account. Furthermore, additional addresses on the account are consistent with addresses found to be associated with **Amanda Shaw** during the course of the investigation. There are several debit/credit cards listed on the account, in the names **Amanda Shaw** and Loxie Shaw, including the debit cards associated with the victim’s TD Bank and Wells Fargo Bank accounts that **Amanda Shaw** obtained in her name to exploit the victim.

IP addresses for transactions were reviewed. A pattern was identified that online transactions typically occurred with IP address ranges associated with the Internet Service Providers (ISPs) Verizon Wireless and Spectrum.

The following transactions were identified to have been conducted using the victim’s funds:

PayPal Transactions of Note					
Date	Payment To	Description	Transaction Amount	Last 4 of Card #	Shipping Address
8/27/2019*	Ashley Legons	For hedges and lawn cut	\$617.70	[REDACTED]	N/A

SUBSCRIBER RECORD

Target Details	67.248.244.173, 3/1/2019 12:01:00 AM, GMT, 0; 67.248.244.173, 4/1/2020 12:01:00 AM, GMT, 0			
Subscriber Name:	Amanda Shaw			
Subscriber Address:	[REDACTED]			
User Name or Features:	[REDACTED]			
Phone number:	[REDACTED]			
Advanced Subscriber Info				
Account Number:	[REDACTED]			
Equipment Details				
MAC:	30B7D4C4B724			
Other Details				
Other Information:	IP Type:	DHCP	Original Lease Start:	
	IP Address:	[REDACTED]	Current Lease Start:	1/15/2019 1:43:35 PM
	MAC:	[REDACTED]	Lease End:	4/9/2019 8:43:13 AM
	CM MAC:	[REDACTED]	Region:	0
	MOP:			
	MASTERCARD [REDACTED]			
	EFT PAY [REDACTED]			
	VISA [REDACTED]			
	VISA [REDACTED]			
	VISA [REDACTED]			

IP address 67.248.244.173 was consistent with several transactions conducted using the PayPal account in **Amanda Shaw's** name.

VERIZON CELL PHONE SERVICE RECORDS

Records were received and reviewed from Verizon. Information provided from Verizon indicated that phone number [REDACTED] was associated with a Device ID (ICCID) of [REDACTED] and an IMEI of [REDACTED]. Further records were indicated to be in possession of the 3rd party service provider, Tracfone Wireless, Inc.

It should be noted that the phone number [REDACTED] and IMEI of [REDACTED] **match** the Samsung Electronics America, Inc. Galaxy Note10+ 256GB, order number S17FP3J0UU, that was purchased using the victim's funds.

TRACFONE CELL PHONE SERVICE AND BILLING RECORDS

Records were received and reviewed from Tracfone Wireless, Inc., a company based in Miami, Florida. The following subscriber information was provided (excerpt):

Service Profile

Serial Number	990005893691585	SIM	[REDACTED]	Contact Name	Amanda copy_3 Shaw	Next Charge Date	
Hex Serial Number	990005893691585	SIM Status	SIM ACTIVE	Lid		Rate Plan	TF
Part Number	ST256PBYOPNHD	MIN	[REDACTED]	Group Id	81756187	Service Plan Objid	20
Technology	CDMA (LTE SIM REMOVABLE)	MSID	[REDACTED]	Activation Date	03/28/2018	Service Type	Ur
Brand	STRAIGHT_TALK	MIN Status	ACTIVE	Deact Date		Auto-Refill	
Sequence	0	Zip	[REDACTED]	Cards In Reserve	0	Next Refill Date	
Dealer	28108 BYOP	Carrier	122794 VERIZON PR...	Service End Date	07/06/2020	Warranty Exchanges	
Phone Status	ACTIVE	Customer Id	1303563688			Basic Warranty	Ex

Profile							
Customer Id	[REDACTED]	Last Name	Shaw	City	[REDACTED]	Email	[REDACTED]
Lid		Phone	[REDACTED]	State	[REDACTED]		
First Name	Amanda copy_3	Address	[REDACTED]	Zip	[REDACTED]		
Account							
Brand	STRAIGHT_TALK	4 Digits	[REDACTED]	Secret Answer	[REDACTED]		
Account Id	[REDACTED]	Security PIN	[REDACTED]				
Acc Customer Id	[REDACTED]	Date of Birth	[REDACTED]				
		Secret Question	[REDACTED]				

It should be noted that the account customer name, date of birth, phone number, and email all **match** Amanda Shaw's personally identifying information. The address of file **matches** an address historically associated with Amanda Shaw. The customer's "Secret Question" answer is [REDACTED]. The security PIN for the account is [REDACTED]. The SIM (ICCID) **matches** the ICCID provided by Verizon of [REDACTED].

Furthermore, airtime purchases for the account were made using the victim the victim's Wells Fargo Bank funds, utilizing debit card numbers ending in [REDACTED] and [REDACTED], on December 3, 2019 and January 3, 2020, respectively. A total of \$101.11 of the victim's funds was spent for Amanda Shaw's Tracfone account airtime, for Amanda Shaw's own personal gain.

DURABLE POWER OF ATTORNEY FOR [REDACTED]

A copy of the Durable Power of Attorney (DPOA) for [REDACTED] was obtained from the [REDACTED]. The document indicated it was notarized on July 15, 2019 and entered into the Clerk's records on July 16, 2019. [REDACTED] signature was compared with signatures from [REDACTED] financial records, obtained from Wells Fargo Bank and TD Bank. Despite being the document indicated as being notarized by [REDACTED], a licensed attorney in Deland, Florida, [REDACTED] signature on the DPOA **is not** consistent with signatures contained in [REDACTED] financial records from Wells Fargo Bank and TD Bank. In addition, the DPOA signature for [REDACTED] is misspelled (missing a letter in her first name) and missing her middle initial (which she appeared to use consistently when signing documents official documents).

SURVEILLANCE OF [REDACTED]

[REDACTED] is the owner of [REDACTED], and resided at the address [REDACTED] residence prior to moving into [REDACTED]. On March 23, 2020, LEI Bolduc conducted covert surveillance of the residence. Large hedges surrounded the property, obstructing clear view of side and back yards. Also observed were a series of two chained and locked chain-link fence gates at the entrance of the property/driveway and a posted No Trespassing sign from the sheriff's office. No activity or vehicles were observed at the residence. It appeared the residence was currently unoccupied and had been for some time, however, the hedges and lawn did not appear overgrown.

During the course of the investigation, LEI Bolduc found that **Amanda Shaw** had been added to the public property record under "In Care of Mailing Address" for [REDACTED] property at [REDACTED]. The address [REDACTED] is listed for **Amanda Shaw**. It is believed that this change to the property record occurred sometime between March and July 2020 and is believed to be evidence of **Amanda Shaw's** continued to attempt exploit [REDACTED] and permanently deprive her of her assets and property.

CONCLUSION

The MFCU investigation found that **Amanda Shaw**, exploited [REDACTED], an elderly person who resides in a Medicaid provider facility, by obtaining a Durable Power of Attorney for [REDACTED] and breaching her fiduciary duty to [REDACTED]. **Amanda Shaw** endeavored to obtain and did obtain an elderly person's funds, assets, and property with the intent to temporarily or permanently deprive the elderly person of the use, benefit, or possession of the funds, assets, or property, and to benefit someone other than the victim, [REDACTED]. **Amanda Shaw** knew or reasonably should have known that the elderly person lacked the capacity to consent. **Amanda Shaw** exploited [REDACTED] for a total of at least **\$98,498.84**. **Amanda Shaw** took these funds and utilized them for the personal gain of herself and others, to no benefit of the elderly person and victim. This criminal act depleted all of the victim's checking and savings accounts, placing both a burden on [REDACTED] and her assisted living facility and leaving no funds to cover the living expenses and care of [REDACTED]. This placed [REDACTED] in direct risk of losing care, support, and housing.

SUMMARY OF CHARGES

Based on the MFCU investigation, including review of the documents obtained by subpoena and testimony from the witnesses, it is the belief that Your Affiant has probable cause to believe and does believe that **AMANDA SHAW** committed the violations of **Count 1 – Exploitation of an Elderly Person, Florida Statutes 825.103(1)(c) and 825.103(3)(a)**, and **Count 2 – Scheme to Defraud, Florida Statute 817.034(4)(a)1**, by engaging in a systematic and ongoing course of conduct with the intent to exploit victim [REDACTED], an elderly person, from July 2019 to February 2020, resulting in **AMANDA SHAW** exploiting [REDACTED] in the amount of **\$98,498.84**.

FURTHER AFFIANT SAYETH NOT

Affiant: Robert Bolduc

Law Enforcement Investigator II

Sworn to and subscribed before me this ____ day of _____, 2020

Law Enforcement Officer: _____