

**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT
IN AND FOR ESCAMBIA COUNTY, FLORIDA**

**STATE OF FLORIDA
COUNTY OF ESCAMBIA
CASE NO.: MFCU-18-00445**

AFFIDAVIT IN SUPPORT OF AN ARREST WARRANT

BEFORE ME, W. Joel Boles, a Judge of the Circuit Court of the First Judicial Circuit of Florida, personally appeared Melody Barnard, a law enforcement Lieutenant with the Florida Attorney General's Medicaid Fraud Control Unit (MFCU), who being by me first duly sworn, deposes and further states as follows:

The MFCU operates under the supervision of the Florida Attorney General's Office and exists to investigate fraud in the Medicaid program. The MFCU is authorized to investigate the alleged abuse, neglect, or exploitation of patients in health care facilities receiving payments under the Medicaid program, in coordination with the Agency for Health Care Administration, pursuant to 42 USCA §1396b(q) and §409.920(9), Florida Statutes. The MFCU may investigate any criminal violations discovered during the course of those investigations, as provided by §16.59, Florida Statutes.

* is an elderly adult as defined in §825.101(4), Florida Statutes, whose date-of-birth is [redacted]. (*The name of the victim has been reduced to initials to avoid disclosure of confidential information pursuant to Federal HIPAA regulations, and Section 409.920(9)(f), 2014 Florida Statutes). [redacted] suffers from the infirmities of aging including [redacted]. On 02/02/18, C.R. was admitted to [redacted] (Consulate) located at [redacted].

On 05/21/18, Your Affiant went to [redacted] in response to FSFN 2018-526657. Executive Director Martin Yoemans and Business Office Manager Leslie McDuffie provided sworn recorded statements. McDuffie explained \$25,000 was transferred from [redacted]'s annuity at Mainstay/Integrity by [redacted] and Power of Attorney (POA), Evelyn Rankin (Rankin). McDuffie said she spoke to a representative at Mainstay who confirmed the transfer was made by Rankin in order to purchase a new car. According to McDuffie, Rankin then wrote a \$27,000 check from a Navy Federal Credit Union (NFCU) account.

McDuffie stated that prior to this transaction, she and [redacted] Business Manager Tonya Hall had discussed at length with Rankin her responsibilities as POA and what Rankin could and could not do pertaining to [redacted]'s assets because they were in the process of applying for Medicaid for [redacted]. McDuffie said Rankin was told she could not transfer any assets out of [redacted]'s name. Yoemans further explained Rankin acknowledged understanding that [redacted]'s money was to be spent only on items for [redacted].

Affiant's Initials WJB

Judges' Initials JAB

Yoemans and McDuffie stated [redacted] had capacity and was able to confirm what authorized related to her funds. [redacted] told McDuffie [redacted] did not authorize [redacted] to use funds for anything other than for [redacted]'s bills. [redacted] further told McDuffie [redacted] did not give Rankin permission to purchase a vehicle with her money.

While at [redacted] Your Affiant obtained a sworn recorded statement from [redacted] said [redacted] did not give permission to [redacted], "Evelyn", to use [redacted] money for the purchase of a vehicle or for Rankin's bills. [redacted] stated [redacted] assisted Rankin with bills prior to living in the facility, but [redacted] never told Rankin to use [redacted]'s money and spend it on herself. [redacted] stated Rankin went to Member's First Credit Union (Member's), closed [redacted]'s account, and told [redacted] afterward. [redacted] stated, "that's wrong." [redacted] said [redacted] told Rankin [redacted] should have discussed it with [redacted] first. According to [redacted], Rankin has gone outside her "boundaries."

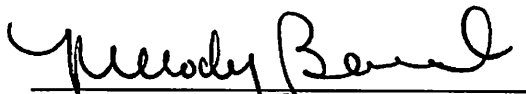
[redacted] remembered making Rankin POA after a visit to an attorney in Pensacola named James Taylor. [redacted] described how [redacted] worked and planned for [redacted] future and did not spend money on frivolous items. [redacted] said Rankin does not live in Pensacola anymore, but [redacted] did not know where [redacted] lived.

Certified records were subpoenaed from Integrity Life Insurance Company via affiliate Western & Southern Financial Group. The contract indicated [redacted] opened the fixed annuity through Mainstay Financial Group in Gulf Breeze, FL with Annalee Leonard, license #A153465. The stamp on the contract stated, "Received Distribution Center 2006 May 26 am 9:17". The listed beneficiary was Evelyn Rankin, who was named to receive "death benefit if annuitant dies." Included in the responsive records was a copy of a check that appears to have been written and signed by [redacted] on 05/23/06 for \$45,000 from a Member's account (the account number was redacted). Also provided by Integrity were copies of a partial withdrawal form dated 04/04/18 for \$25,000. The Partial Withdrawal/Policy Loan Request form appeared to be signed by Evelyn Rankin "POA for [redacted]" dated 03/19/18. The account number indicated for direct deposit indicated a Navy Federal Credit Union (NFCU) account ending in [redacted].

Certified bank records were obtained from NFCU which indicated there were two checking accounts as well as a savings account in Rankin's name. On 04/06/18, Rankin's checking account ending in [redacted] received a \$25,000 deposit from Integrity via Automatic Clearing House/ACH deposit. On the same date, \$27,215.00 was transferred to Rankin's NFCU checking account ending in [redacted]. Also, on 04/06/18, \$27,641.44 was transferred from account ending in [redacted] to Rankin's NFCU savings account ending in [redacted]. On the same date, a cashier's check made payable to Southeast Toyota Finance was drafted from the account in the amount of \$27,641.44.

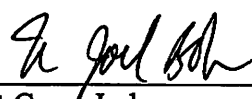
Certified records obtained from Southeast Toyota Finance indicated Rankin purchased a 2018 Toyota Corolla on 03/07/18 from Eastern Shore Toyota in Daphne, AL. Rankin's address listed on the application was 1719 Blair Castle Ct, Ruskin, FL, 33570. The date-of-birth listed was 09/17/1943. A copy of a NFCU cashier's check dated 04/06/18 for \$27,641.44 was included which indicated the Remitter was "Evelyn Rankin." A letter addressed to Rankin from Southeast Toyota Finance dated 04/10/18 indicated the account had been paid in full.

Based on the aforementioned facts, statements, and the totality of circumstances, Lieutenant Melody Barnard, who being duly sworn, deposes and says that she has reason to believe and does believe that probable cause exists to establish that between March 2018 and through April 2018, Evelyn Rankin, a black female, whose date of birth is 09/17/1943, whose last known address is 1719 Blair Castle Cir, Ruskin, FL 33570 did commit a violation of §825.103(1)(c), Florida Statutes: Exploitation of an elderly person or disabled adult, a second degree felony, within Escambia, Florida. F.S. states "If the funds, assets, or property involved in the exploitation of the elderly person or disabled adult is valued at \$10,000 or more, but less than \$50,000, the offender commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084."



Melody Barnard, Affiant
Law Enforcement Lieutenant
Medicaid Fraud Control Unit

SWORN TO AND SUBSCRIBED BEFORE ME THIS 22nd OF April, 2019.



Circuit Court Judge
First Judicial Circuit of Florida

Affiant's Initials MB

Judges' Initials AGB