

23CF 5666 mB

0541600

ARREST / NOTICE TO APPEAR

- 1 Arrest (No Warrant)
- 2 Arrest (Warrant)
- 3 Request for Warrant
- 4 Request for Capias
- 5 Juvenile Referral
- 6 N.T.A.

1 JUVENILE

A D M I N I S T R A T I O N	OBTS Number		Agency ORI Number 0500200				Agency Name Boca Raton Police Department				Agency Report Number (N.T.A.'s only) 3, 2 2023-008327			
	Charge Type Check as many as apply:		<input type="checkbox"/> 1 Felony <input type="checkbox"/> 2 Traffic Felony		<input type="checkbox"/> 3 Misdemeanor <input type="checkbox"/> 4 Traffic Misdemeanor		<input type="checkbox"/> 5 Ordinance <input type="checkbox"/> 6 Other		If Weapon Seized Enter Type: Handgun		Multiple Clearance Indicator			
	Location of Arrest (Including Name of Business)						Location of Offense (Business Name, Address)							
	3228 GUN CLUB RD, WEST PALM BEACH 33406						[REDACTED]							
	Date of Arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle							
	07/02/2023	16:00												
	Name (Last, First, Middle) LABINER, BRANDON SCOTT						Alias (Name, DOB, Soc. Sec. #, Etc.)							
	Race: W - White Sex: M Date of Birth: [REDACTED]						Height: 5'10 Weight: 180		Eye Color: BROWN Hair Color: BROWN		Complexion: LIGHT Build: Medium			
	Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description): TATTL ARM / FOOT PRINT						Marital Status: M Religion: UNKNOWN		Indication of Alcohol Influence: Yes <input type="checkbox"/> No <input type="checkbox"/> Unk <input type="checkbox"/>		Drug Influence: Yes <input type="checkbox"/> No <input type="checkbox"/> Unk <input type="checkbox"/>			
	Local Address (Street, Apt. Number) (City) (State) (Zip)				Phone				Residence Type: 1. City 3. Florida 2. County 4. Out of State		Address Source: FL DL			
	Permanent Address (Street, Apt. Number) (City) (State) (Zip)				Phone				Address Source		Occupation: Attorney			
	Business Address (Name, Street) (City) (State) (Zip)				Phone				Occupation					
	LAW FIRM, 900 N FEDERAL HWY STE 200													
	D/L Number, State		Soc. Sec. Number		INS Number		Place of Birth (City, State)		Citizenship					
	L156077883330 / FL		[REDACTED]		[REDACTED]		MONTGOMERY, AL		US					
	Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth		<input type="checkbox"/> 1 Arrested <input type="checkbox"/> 3 Felony <input type="checkbox"/> 5 Juvenile		<input type="checkbox"/> 2 At Large <input type="checkbox"/> 4 Misdemeanor			
	[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		<input type="checkbox"/> 1 Arrested <input type="checkbox"/> 3 Felony <input type="checkbox"/> 5 Juvenile		<input type="checkbox"/> 2 At Large <input type="checkbox"/> 4 Misdemeanor			
	Parent <input type="checkbox"/> Other <input type="checkbox"/> Legal Custodian <input type="checkbox"/>		MARSY'S LAW INVOKED						Residence Phone		Business Phone			
	Address (Street, Apt. Number)		Confidential info Contained											
	Notified by (Name)		Date		Relationship		Date		2 TOT JAC		3 Incarcerated			
	Released To (Name)		Relationship		Date		Date							
	The above address was provided by <input type="checkbox"/> defendant and/or <input type="checkbox"/> defendant's parents. The child and/or parent was told to keep the Juvenile Court Clerk's Office (Phone 355-2526) informed of any change of address.						School Attended		Grade					
	Property Crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Description of Property		Value of Property									
	Drug Activity: N N/A, P Possess		S Sell, B Buy, T Traffic		R Smuggle, D Deliver, E Use		K Disperse/Distribute		M Manufacture/Produce/Cultivate		Z Other			
	Drug Type: N N/A, A Amphetamine		B Barbiturate, C Cocaine, E Heroin		H Hallucinogen, M Marijuana, O Opium/Deriv		P Paraphernalia/Equipment, S Synthetic		U Unknown, Z Other					
	Charge Description MURDER FIRST DEGREE PREMEDITATED WITH FIREARM						Statute Violation Number 782.04(1)(A)(1)		Violation of ORD #		[REDACTED]			
	Drug Activity		Drug Type		Amount / Unit		Offense #		Counts		Domestic Violence: <input type="checkbox"/> Y <input checked="" type="checkbox"/> N			
	[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]			
	Charge Description						Statute Violation Number		Violation of ORD #					
	Drug Activity		Drug Type		Amount / Unit		Offense #		Counts		Domestic Violence: <input type="checkbox"/> Y <input checked="" type="checkbox"/> N			
	[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]			
	Health / Apparent Physical Condition of Defendant						Any knowledge of the following: <input type="checkbox"/> Mental <input type="checkbox"/> Escape Risk <input type="checkbox"/> Medication <input type="checkbox"/> Deformities <input type="checkbox"/> Injuries		Explain:					
	Check which applies: <input type="checkbox"/> Released O.R. <input type="checkbox"/> Released to Parent/Guardian <input type="checkbox"/> TOT County Jail		PROPERTY - Received By		Released By		Released To							
	<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal		<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other		Date Transported		Time Transported		Other					
	INSTRUCTION NO. 1 - Mandatory appearance in court						Location (Court, Room)		INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.					
	[REDACTED]						South County 200 W Atlantic Ave Delray Beach, FL 33444		Court Date and Time					
	I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.													
	Signature of Defendant (or Juvenile and Parent/Custodian)						Date Signed							
	[REDACTED]						[REDACTED]							
	Held by Other Agency		Signature of Arresting Officer		Name Verification (Printed by Arrestee)		I.D. #		Agency		PAGE			
	[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		1 OF 1			
	Name of Arresting Officer (Print)		Transcribing Officer		Pouch #		Witness here if subject signed with an "X".							
	PECK, B. L.		[REDACTED]		[REDACTED]									

HOLD

FILED PBC - GUN CLUB
23 JUL 3 AM 6:43

- COURT
- STAT ATTORNEY
- AGENCY
- CENTRAL RECORDS
- JAIL
- CRIME ANALYSIS
- P. I. O.
- DEFENDANT

PROBABLE CAUSE AFFIDAVIT

1 Arrest 2 NTA 3 Request for Warrant 4 Request for Capias

1 JUVENILE

OBTS Number	Agency ORI Number FL FLO500200		Agency Name BOCA RATON POLICE DEPARTMENT	Agency Report Number 3 2 2023-008327
Charge Type Check as many as apply	<input checked="" type="checkbox"/> 1 Felony <input type="checkbox"/> 2 Traffic Felony	<input type="checkbox"/> 3 Misdemeanor <input type="checkbox"/> 4 Traffic Misdemeanor	<input type="checkbox"/> 5 Ordinance <input type="checkbox"/> 6 Other	Special Notes

Name (Last, First, Middle) LABINER, BRANDON SCOTT	Alias	Race W	Sex M	Date of Birth [REDACTED]
Charge Description 782.04(1)(A)(1) AND 782.04(1)(A)(2) MURDER FIRST DEGREE	Charge Description	[REDACTED]		
Charge Description PREMEDITATED WITH FIREARMS	Charge Description MARSHY'S LAW INVOKED	[REDACTED]		

Victim's Name (Last, First, Middle) [REDACTED]	Confidential Info Contained	Race W	Sex M	Date of Birth 10/25/54
[REDACTED]	[REDACTED]	Address Source FL DL	[REDACTED]	
[REDACTED]	[REDACTED]	Phone N/A	Occupation ATTORNEY	

The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe that the above named Defendant committed the following violation of law.
 The Person taken into custody...
 committed the below acts in my presence
 confessed to _____
 was observed by _____ who told _____ that he/she saw the arrested person commit the below acts.
 was found to have committed the below acts, resulting from my (described) investigation.
 On the 2 day of July, 2023 at 16:18 (Specifically include facts constituting cause for arrest)

*****Marsy's Law invoked*****

On 07/01/2023, at approximately 1626 hours, Boca Raton Police Department (BRPD) officers responded to the parking garage located at [REDACTED] after [REDACTED] called 911 and reported that [REDACTED], had been shot by [REDACTED] was heard hysterically screaming by Gregory Parrish who was located at 5455 N. Federal Hwy. Boca Raton, FL 33487. He located [REDACTED] in the parking garage and she appeared to be on the phone with 911. She repeatedly told him that her [REDACTED] "did it". Gregory later reported to BRPD officers that he heard four gunshots at approximately 1555 hours, when he was outside of 5455 N. Federal Hwy. smoking his vape pen, but he did not witness the shooting or call 911. BRPD officers arrived on scene and observed a white male unresponsive in a large pool of blood with several gunshot wounds in the central breezeway leading to the stairwell on the west side of the parking garage. Officers made contact with [REDACTED] who positively identified the unresponsive male as [REDACTED] further explained that she did not witness the shooting, but she suspected that [REDACTED], Brandon Labiner, was the suspect. Boca Raton Fire Rescue responded to the scene and pronounced [REDACTED] deceased at 1642 hours. [REDACTED] explained to officers that she was supposed to meet [REDACTED] at the Costco located nearby and when he did not arrive at Costco as planned, she drove to his place of business, located at [REDACTED] where she knew he was working earlier that day to check on him.

Upon my arrival on scene, I made the following observations: The parking garage is an underground parking garage located at [REDACTED]. The parking garage is below a two-story building with numerous businesses located in the building. The decedent was located on the west side of the parking garage, in the central walkway, that leads from the parking garage to the first floor of the building. The decedent was supine in a pool of blood with his legs crossed. He had his car keys in

SWORN AND SUBSCRIBED BEFORE ME <i>Sgt K Shifflett</i> SHIFFLETT, KELLY A NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) <u>07/02/2023</u> DATE	<i>[Signature]</i> SIGNATURE OF ARRESTING / INVESTIGATING OFFICER PECK, BRITINI LEE (750) NAME OF OFFICER (PLEASE PRINT) <u>07/02/2023</u> DATE
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PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

1 Arrest 3 Request for Warrant
2 N.T.A. 4 Request for Capias

1

JUVENILE

OBTS Number	Agency ORI Number FL FLO500200		Agency Name BOCA RATON POLICE DEPARTMENT	Agency Report Number 3 2 2023-008327
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Charge Type Check as many as apply	<input checked="" type="checkbox"/> 1. Felony	<input type="checkbox"/> 3. Misdemeanor	<input type="checkbox"/> 5. Ordinance	Social Notes
	<input type="checkbox"/> 2. Traffic Felony	<input type="checkbox"/> 4. Traffic Misdemeanor	<input type="checkbox"/> 6. Other	

Name (Last, First, Middle) LABINER, BRANDON SCOTT	Alias	Race W	Sex M	Date of Birth
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his right hand and his phone was on the ground near the right side of his body. His wallet containing cash and miscellaneous cards was located in his front left shorts pocket. The preliminary investigation indicated that there appeared to be a gunshot wound to his head, a gunshot wound to his upper chest, and two gunshot wounds to his lower body. Five spent .9mm shell casings were located near the decedent and three .9mm bullets (live rounds) were located just east of the decedent near the entrance to the walkway where he was located. An additional .9mm bullet (live round) was located in a trashcan in the parking garage just north of the walkway where the decedent was located.

MARY'S LAW INVOKED
Confidential Info Contained

Det. Murphy spoke with Brandon's sister (Arielle Bergman) and her husband (Alexander Bergman), who were already notified of [REDACTED] death by [REDACTED]. Det. Murphy advised that they explained the following: They suspect Brandon is the suspect, because Brandon and [REDACTED] had a bad relationship, due to a legal battle they have been involved in regarding their law firm. They also noted that Brandon has been under a lot of stress, because his unborn child died prior to birth and he is going through a divorce from his wife. Over the past year, there have been issues with Brandon allegedly hacking into [REDACTED] financial and personal accounts and also burglarizing [REDACTED] business. They stated these incidents were previously reported to the police and that Brandon was in the process of being disbarred from being an attorney in the State of Florida, due to these incidents involving [REDACTED]. Brandon also told them a few months ago that he purchased a firearm and Brandon made comments that it would be better if [REDACTED] was dead. Arielle and Alexander spoke with Brandon on the phone at 1721 hours and 1724 hours today (07/01/2023) and he told them he had nothing to do with what happened to [REDACTED] and stated that he doesn't even own a gun. They explained that he seemed very calm on the phone, which was odd because he usually sounds like he is under the influence of unknown substances. After their phone call with Brandon, he sent Arielle a text asking what time they wanted to meet tomorrow (07/02/2023), so that they could meet his cat. Arielle and Alexander also confirmed Brandon owns and operates a light blue 2023 Ford Mustang Mach E (FL tag BLABS) and works at 900 N. Federal Hwy. Suite 200, Boca Raton, FL 33432. This vehicle was confirmed to be registered to Brandon Labiner.

I made contact with [REDACTED] who provided the following additional information: She last spoke to [REDACTED] at 1544 hours over the phone and he stated that he was preparing to leave his office to meet her at Costco. The phone call lasted approximately one minute. At 1552 hours, she received a text message notification from [REDACTED] office camera that the office door was closed at 1552 hours. [REDACTED] did not hear from [REDACTED] again after this and could not reach him via phone call or text message.

Video surveillance from inside the parking garage located at [REDACTED] Boca Raton, FL 33487 was obtained and showed the following: On 07/01/2023, at approximately 1506 hours, a white male riding a dark maroon bicycle arrives in the parking garage. The male was wearing a black helmet, a white t-shirt, black pants, grey/green sneakers, and a drawstring backpack. The male proceeds to take a box out of his backpack and open it.

SWORN AND SUBSCRIBED BEFORE ME  SHIFFLETT, KELLY D. NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) 07/02/2023 DATE	 SIGNATURE OF ARRESTING / INVESTIGATING OFFICER PECK, BRITTINI LEE (750) NAME OF OFFICER (PLEASE PRINT) 07/02/2023 DATE
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OBTs Number Agency ORI Number FL FLO500200	PROBABLE CAUSE AFFIDAVIT SUPPLEMENT	1 Arrest 2 N.T.A 3 Request for Warrant 4 Request for Capias	1	JUVENILE
Agency Name BOCA RATON POLICE DEPARTMENT	Agency Report Number 3 2 2023-008327			
Charge Type Check as many as apply <input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other				
Name (Last, First, Middle) Alias LABINER, BRANDON SCOTT				
Race Sex Date of Birth W M				
<p>He then takes what appears to be a firearm out of the box. The male then sets the gun on the ground and puts on a black jacket over his white t-shirt. The male begins to pace around the parking garage until he moves his bicycle out of camera view (near the northeast side of the parking garage) at 1513 hours. The male then continues pacing around the parking garage. At approximately 1553 hours, the male appears to pick up an item from the ground and then he hides near the wall, on the north side of the walkway where the decedent was later located. A second white male (believed to be the decedent) wearing a dark shirt and dark shorts then appears on video from the area near the central walkway where the decedent was later located and the male was hiding. It appears that a scuffle ensues between the unknown male and the decedent and both subjects go out of view, towards the walkway where the decedent was located. The male wearing the white shirt then reappears briefly on camera and can be seen holding his right hand out and in a downward motion towards where the decedent was found, prior to running on foot towards the northeast corner of the parking garage and out of camera view.</p> <p>Video surveillance from Boca Marina Security (located at 5311 N. Federal Hwy. Boca Raton, FL 33487) was obtained and showed the following: On 07/01/2023 at 1505 hours a subject matching the description of the suspect seen in the above-described parking garage video travels northbound on a bicycle and enters the parking garage of [REDACTED] Federal Hwy. Boca Raton, FL 3387. The same subject then leaves the parking garage at 1555 hours.</p> <p>Det. Tyson responded to the police department with the video surveillance from the parking garage and met separately with [REDACTED] Arielle, and Alexander to show them the suspect observed in the video surveillance. [REDACTED] Arielle, and Alexander all separately positively identified the subject seen on the video surveillance with the bicycle and the white shirt as Brandon Labiner.</p> <p>License Plate Readers captured Brandon's vehicle (a light blue 2023 Ford Mustang Mach E bearing FL tag BLABS) traveling northbound in the area of N. Federal Hwy. near Palmetto Park Rd. on 07/01/2023, at approximately 1418 hours, which would be traveling towards the scene of the crime. The vehicle was then captured on license plate readers again traveling northbound in the same area on 07/01/2023 at approximately 1823 hours. At approximately 1829 hours, BRPD officers located the vehicle parked in the parking lot at 900 N. Federal Hwy. Boca Raton, FL 33432 which is where Brandon's office is located. Ofc. Bugallo observed a subject exit the vehicle and walk into the office building. It should be noted that Brandon's office is located at suite 200 on the second floor of this office building. The above time stamps show that Brandon's vehicle was traveling in the area shortly before and shortly after the crime was committed.</p> <p>It should be noted that at the time of this incident Brandon Labiner, had an active warrant for driving under the influence from Broward County. Multiple BRPD officers attempted to speak with Brandon via telephone regarding this incident, while he was</p>				
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>SWORN AND SUBSCRIBED BEFORE ME</p> <p><i>Sgt K. Shifflett</i></p> <p>SHIFFLETT, KELLY D</p> <p>NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)</p> <p>07/02/2023</p> <p>DATE</p> </div> <div style="width: 45%;"> <p><i>[Signature]</i></p> <p>SIGNATURE OF ARRESTING / INVESTIGATING OFFICER</p> <p>PECK, BRITTINI LEE (750)</p> <p>NAME OF OFFICER (PLEASE PRINT)</p> <p>07/02/2023</p> <p>DATE</p> </div> </div>				
<div style="display: flex; justify-content: flex-end;"> <div style="border: 1px solid black; padding: 2px;"> PAGE 3 OF 5 </div> </div>				

MARSHY'S LAW INVOKED
Confidential Info Contained

PROBABLE CAUSE STATEMENT

PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

1 Arrest 3 Request for Warrant
2 N.T.A 4 Request for Capias

1 JUVENILE

OBTS Number	Agency ORI Number FL FLO500200		Agency Name BOCA RATON POLICE DEPARTMENT	Agency Report Number 3 2 2023-008327
Charge Type Check as many as apply	<input checked="" type="checkbox"/> 1 Felony	<input type="checkbox"/> 3 Misdemeanor	<input type="checkbox"/> 5 Ordinance	Special Notes
	<input type="checkbox"/> 2 Traffic Felony	<input type="checkbox"/> 4 Traffic Misdemeanor	<input type="checkbox"/> 6 Other	

Name (Last, First, Middle) LABINER, BRANDON SCOTT	Alias	Race W	Sex M	Date of Birth
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inside the office building (900 N. Federal Hwy.). Brandon told officers that he did not wish to speak with them and provided the name and contact information for his attorney, Val Rodriguez. Contact was made with attorney Val Rodriguez who assisted officers with having Brandon exit the building. Once Brandon exited the building, he was taken into custody and placed under arrest for the active warrant out of Broward County for driving under the influence.

MARY'S LAW INVOKED
Confidential Info Contained

It should also be noted that [redacted] has three dogs and a cat within his office. Due to the concern for the animals' wellbeing, Ofc. Suboyu escorted Brandon's estranged wife [redacted] into the office to retrieve the three pets. While inside, Ofc. Suboyu observed a bicycle, in an open closet door, matching the description of the bicycle seen on the parking garage video surveillance. Once the pets were retrieved by [redacted], the unit was secured.

While officers were on scene at the 900 N. Federal Hwy. office building, they located the following items in the public restroom trash located on the second floor: a gun cleaning kit and a piece of paper with the name Val Rodriguez on it, which is the attorney that Brandon provided to officers earlier on the phone and via text message.

On 07/02/2023, video surveillance from the Boca Inn (located at 1801 N. Federal Hwy. Boca Raton, FL 33432) was located and showed the following: On 07/01/2023 at 1446 hours a white male matching the description of the suspect in the parking garage video is observed traveling on a bicycle northbound on the sidewalk of N. Federal Hwy. wearing a clear rain poncho. The Boca Inn is located approximately 2.4 miles from the scene of the homicide and approximately 1 mile from Brandon's office according to Google maps.

On 07/02/2023, video surveillance from the 4-95 Boca Car Wash (located at 1299 N. Federal Hwy. Boca Raton, FL 33432) was located and showed the following: On 07/01/2023 at 1606 hours, a white male matching the description of the suspect in the parking garage video is observed traveling on a bicycle southbound on the east sidewalk of N. Federal Hwy. The 4-95 Boca Car Wash is located approximately 2.7 miles from the scene of the homicide and approximately 0.6 miles from Brandon's office according to Google maps.

On 07/02/2023, Det. Murphy applied for and was granted a search warrant for Brandon Labiner's office, located at 900 N. Federal Hwy. Suite 200. This search warrant was executed on the same date and the following items of note were seized: a key fob to Brandon's light blue 2023 Ford Mustang Mach E, a maroon Trek bicycle (missing the front tire), a bicycle tire, a red bicycle light, a white bicycle light, a black Peloton water bottle, two cell phones, a Dell laptop, miscellaneous personal documents, and DNA/trace evidence (see the inventory and return for the complete list of items). It should be noted that the seized Trek bicycle and parts matches the description of the bicycle observed on the video surveillance from the parking garage where the homicide occurred.

SWORN AND SUBSCRIBED BEFORE ME <i>Sgt K. Shifflett</i> SHIFFLETT, KELLY D NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) 07/02/2023 DATE	SIGNATURE OF ARRESTING / INVESTIGATING OFFICER <i>Brittini Lee</i> PECK, BRITTINI LEE (750) NAME OF OFFICER (PLEASE PRINT) 07/02/2023 DATE
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PROBABLE CAUSE AFFIDAVIT
SUPPLEMENT

1 Arrest
2 N.T.A.
3 Request for Warrant
4 Request for Capias

1 JUVENILE

OBTS Number	Agency ORI Number FL FLO500200		Agency Name BOCA RATON POLICE DEPARTMENT	Agency Report Number 3 2 2023-008327
Charge Type Check as many as apply <input checked="" type="checkbox"/> 1 Felony <input type="checkbox"/> 2 Traffic Felony <input type="checkbox"/> 3 Misdemeanor <input type="checkbox"/> 4 Traffic Misdemeanor <input type="checkbox"/> 5 Ordinance <input type="checkbox"/> 6 Other				Special Notes

Name (Last, First, Middle) LABINER, BRANDON SCOTT	Alias	Race W	Sex M	Date of Birth
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The personal documents also confirm the ongoing legal and financial issues that were occurring between [REDACTED] and Brandon Labiner. It should be noted that while executing this search warrant small pieces of black debris was observed to be covering most of the items in the suite. The debris appeared to be soot. Boca Raton Fire Inspector Kim Puchalski responded to the scene to inspect the debris and advised that the soot appeared to have been created by a relatively fresh burn. Puchalski also advised that the sprinklers in the office appeared to be in working condition; however, they would not activate unless the temperature rose to approximately 155 degrees Fahrenheit. Additionally, there did not appear to be smoke detectors in the office.

On 07/02/2023, Det. Desiderato applied for and was granted a search warrant for Brandon Labiner's vehicle, a light blue 2023 Ford Mustang Mach E bearing FL tag BLABS. This search warrant was executed on the same date and the following items of note were seized from the vehicle: a clear rain poncho, a black drawstring backpack, a .9mm firearm magazine, multiple boxes of various brands of .9mm ammunition, a box for a .9mm firearm, a gas can, a lighter, and a trash can containing gloves, a face mask, DNA/trace evidence, and a garbage bag with gray/blue sneakers and clothes (the interior of the trash can appeared to be burnt). See the inventory and return for the complete list of items. It should be noted that the ammunition and the firearm box both match the same caliber of spent casings and live rounds recovered from the scene of the homicide. The black drawstring backpack also matched the description of the backpack the suspect was in possession of in the parking garage video surveillance. Based on the trash can being burnt, the gas can, and the lighter, it appeared that these items may have been used to attempt to destroy evidence. The clear poncho also matched the poncho the suspect was observed wearing in the video surveillance from the Boca Inn, traveling in the direction of the crime scene prior to the incident.

Based on the above information, Brandon Labiner did unlawfully from a premeditated design to effect the death of a human being, kill and murder [REDACTED], a human being, by shooting him four times with a firearm. Brandon Labiner did actually possess a deadly weapon, a firearm or destructive device as those terms are defined in section 790.001, Florida Statutes, and further during the course of committing or attempting to commit any offense listed in Florida Statute 775.087(2)(a)1, Brandon Labiner discharged a firearm or destructive device as defined in section 790.001, Florida Statutes, and, as the result of the discharge, death or great bodily harm was inflicted upon [REDACTED], contrary to Florida Statutes 775.087(1), 775.087(2)(a)1, 775.087(2)(a)2, 775.087(2)(a)3, 782.04(1)(a)1 and 782.04(1)(a)2. It should be noted that [REDACTED], Arielle, and Alexander all emphasized that they are in fear for their lives and are concerned that Brandon would cause harm to them in the future. Probable cause exists for Brandon Labiner for the charge of Murder First Degree Premeditated with Firearm, contrary to F.S.S. 782.04(1)(a)(1) and 782.04(1)(a)(2).

ADMINISTRATIVE	SWORN AND SUBSCRIBED BEFORE ME <i>Sgt. K. Shifflett</i> SHIFFLETT, KELLY D NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)	<i>[Signature]</i> SIGNATURE OF ARRESTING / INVESTIGATING OFFICER
	07/02/2023 DATE	PECK, BRITTINI LEE (750) NAME OF OFFICER (PLEASE PRINT)
		07/02/2023 DATE

VICTIM NOTIFICATION FORM

This form must be completed when one of the following crime(s) has been committed:

- Homicide (Ch. 782)
- Attempted Murder
- Stalking (F.S. 784.048)
- Domestic Violence - (This includes any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking or any criminal offense resulting in physical injury or death of one family member or household member by another, who is or was residing in the same single dwelling.)
- Sexual Offense (Ch. 794)
- Attempted Sexual Offense

Upon completion, this form must accompany the booking paperwork.
If applying for a warrant, attach this form to the filing packet.

1. Incident Report#: 2023-008327 Agency: BOCA RATON PD
Offense: HOMICIDE
Suspect/Offender: LABINER, BRANDON
D.O.B. [REDACTED] Race: W Sex: M

2. Warrant#(s): N/A

3.a. [REDACTED]

b. [REDACTED]

SUSPECT/OFFENDER: LABINER, BRANDON
COURT CASE/WARRANT#: _____
(FOR WARRANTS USE ONLY)

NOTE: PURSUANT TO F.S. 119.07, THE CONTENTS OF THIS FORM MAY BE SUBJECT TO CONFIDENTIALITY.

Victim/Relation Notification Waiver and Confidential Information Request.

(check applicable boxes)

- Waiver: I choose not to be notified when the arrestee is released from custody.
- Confidential: Pursuant to F.S. 119.07 (3)(S)1, I request that the address and telephone number on this form be kept confidential (applicable only to sexual battery, aggravated child abuse, aggravated stalking, harassment, aggravated battery, or domestic violence cases).
Other confidentiality provisions of Florida State Statutes may also be applicable

Signature of person waiving notification: _____

Printed name of person waiving notification: _____

Officer's Name: DET. PECK I.D.# 750 Date: 7/2/23
White/Corrections or State Attorney (Warrant Application) Yellow/Warrants Section Pink/Central Records



Palm Beach County Sheriff's Office – Arrests Only

	X	Florida State Statute	Description	Page Number(s)
L/E Exemptions	<input type="checkbox"/>	119.071(2)(d)	Surveillance techniques, procedures and personnel; inventory of law enforcement resources, policies or plans pertaining to mobilization deployment or tactical operations.	
	<input type="checkbox"/>	943.053, 943.0525	NCIC/FCIC/FBI and in-state FDLE/DOC.	
	<input type="checkbox"/>	119.071(4)(c)	Undercover personnel.	
	<input type="checkbox"/>	119.071(2)(f)	Confidential informants (CIs).	
	<input type="checkbox"/>	119.071(2)(e)	Confession.	
Public Info. Exemptions	<input type="checkbox"/>	985.04(1)	Juvenile offender records.	
	<input type="checkbox"/>	119.071(h)(i)	Assets of a crime victim.	
	<input type="checkbox"/>	395.3025(7)(a), 456.057(7)(a)	Medical information.	
	<input type="checkbox"/>	394.4615(7)	Mental health information.	
	<input type="checkbox"/>	119.071(4)(d)(2)(a)	Home address, telephone, Social Security number, date of birth, or photos of active/former LE personnel, spouses, and children.	
Florida Rules of Judicial Administration 2.420 (Rule of 23)	<input checked="" type="checkbox"/>	(iii) 119.0714(1)(i)-(j), 2)(a)-(e)	Social Security, bank account, charge, debit, and credit card numbers.	2
	<input type="checkbox"/>	(viii) 394.4615(7)	Clinical records under the Baker Act.	
	<input type="checkbox"/>	(xii) 741.30(3)(b)	The victim's address in a domestic violence action on petitioner's request.	
	<input type="checkbox"/>	(xiii) 119.071(2)(h), 119.0714(1)(h)	Protected information regarding victims of child abuse or sexual offenses.	
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
Other	<input checked="" type="checkbox"/>	119.071(4)(d)2.f.	Other: State Attorney	1-2,4-8
	<input type="checkbox"/>		Other:	

REVIEW COMPLETED BY

Booking Number: 2023017209	Date: 7/3/2023
	Specialist Name/ID: R.Castro/40259