

BROWARD COUNTY  
ARREST # **DV09-1206**

SHADED FIELDS MUST BE ANSWERED IF DEFENDANT NOT IN CUSTODY

ARREST FORM

OBTS #

Filing Agency <b>DAVIE PD</b>		Offense Report <b>09-013182</b>		Local ID #	FDLE	FBI	SS #			
Defendant's Last Name <b>MARTINEZ</b>			First <b>SIBIA</b>	Middle	SUF	Alias/Street Name		Citizenship <b>HN</b>		
Race <b>W</b>	Sex <b>F</b>	Hgt <b>505</b>	Wgt <b>130</b>	Hair <b>BLACK</b>	Eyes <b>BLACK</b>	Comp <b>MBR</b>	Age <b>21</b>	DOB <b>10/19/1987</b>		
Permanent Address						Scars, Marks, TT				
Residence Type: (1) City (2) County (3) Florida (4) Out of State						Local Address		Place of Employment	Length	
How long defendant in Broward County:		Breathalyser By/CCN	Reading	Place of Arrest <b>1230 S. NOB HILL RD</b>		Date/Time Arrested <b>08/27/2009 02:56</b>		Arresting Officer(s) CCN <b>CORNS, JEFFREY (692)</b>		
Officer Injured: Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	Unit	Zone	Beat	Shift	Trans. Unit	PMD: Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	Transporting Officer/CCN		Pick-up Time	Time Arrived/BSO
<b>TYPE / ACTIVITY:</b>	Type: N-NA A-Amphetamine B-Barbiturate C-Cocaine	E-Heroin H-Hallucinogen M-Marijuana O-Opium/Deriv.	P-Paraphernalia/ Equipment S-Synthetic U-Unknown Z-Other	Activity: N-NA P-Possess S-Sell B-Buy	T-Traffic A-Smuggle D-Deliver E-Use	M-Manufacture/ Produce/Cultivate K-Dispense/ Distribute Z-Other	Indication of: Alcohol Influence <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Drug Influence <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			

Attach  
Defendant's  
Photo

Defendant's Vehicle Make: \_\_\_\_\_ Type: \_\_\_\_\_ Year: \_\_\_\_\_ Color: \_\_\_\_\_ VIN: \_\_\_\_\_  
 Vehicle Towed To: \_\_\_\_\_ Tag # \_\_\_\_\_ Other Identifiers or Remarks: \_\_\_\_\_

Name of victim(s) (if corporation, exact legal name and state of incorporation): <b>MATUTE-HERNANDEZ, JOSE MANUEL 3751 SR84 103, DAVIE, FL 33312</b>			
Count #	Offenses Charged	WC# / Citation # (if applicable)	FS or Capias/Warrant #
<b>1</b>	<b>MURDER PREMEDITATED</b>		<b>782.04(1)(A)1</b>

**Probable Cause Affidavit**

Before me this date personally appeared **CORNS, JEFFREY (692)** who being first duly sworn deposes and says that on **5** day of **March**, (year) **2009** at **3751 SR84 103, DAVIE, FL 33312** (crime location) the above named defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows:

**On March 5, 2009, at approximately 10:04 p.m., Officers from the Davie Police Department responded to 3751 SR 84, Apt. #103, Davie, FL. in reference to a twenty-nine (29) year old male with a gunshot wound. The Officers were advised that the 911 caller was the victims' wife, who stated that she had just arrived home and found her husband deceased from an apparent gunshot wound.**

**\* \* \* Continued \* \* \***

I swear the above statement is correct and true to the best of my knowledge and belief.

*[Signature]*  
Officer/Affiant's Signature

**CORNS, JEFFREY (692)**  
Officer's Name/CCN

**Crimes Against Persons Division**  
Officer's Division

STATE OF FLORIDA  
COUNTY OF BROWARD

Sworn to (or affirmed) and subscribed before me this **27** day of **August**, **2009** (year), by **DETECTIVE CORNS, JEFFREY** (name and title), who is personally known to me or has produced \_\_\_\_\_ as identification.

*[Signature]*  
Notary Public, Deputy Clerk of the Court, or Assistant State Attorney

**DET 1749**  
Title/Rank and CCN

Print, Type or Stamp Commissioned Name of Notary Public

(SEAL)

Seventeenth Judicial Circuit  
Broward County  
State of Florida

FIRST APPEARANCE/ARREST FORM

- Orig - Court
- 2nd - State Attorney
- 3rd - Filing Agency
- 4th - Arresting Agency

(SHOULD ADDITIONAL SPACE BE NEEDED, USE THE PROBABLE CAUSE AFFIDAVIT CONTINUATION (BSO DB#2a))

BSO DB-#2 (Revised 05/00)

**COURT COPY**

BROWARD COUNTY

SHADED FIELDS MUST BE ANSWERED IF DEFENDANT NOT IN CUSTODY

ARREST FORM

ARREST # DV09-1205

OBTS #

Filing Agency <b>DAVIE PD</b>		Offense Report <b>09-013182</b>		Local ID #	FILE	FP	SD			
Defendant's Last Name <b>BANEGAS</b>			First <b>CESAR</b>	Middle	SUF	Alias/Street Name		Citizenship		
Race <b>W</b>	Sex <b>M</b>	Hgt <b>5'07</b>	Wgt <b>205</b>	Hair <b>BLACK</b>	Eyes <b>BROW</b>	Comp <b>LBR</b>	Age <b>24</b>	DOB <b>01/31/1985</b>	Birth Place	
Permanent Address							Scars, Marks, TT			
Residence Type: (1) City (2) County (3) Florida (4) Out of State							Local Address		Place of Employment	Length
How long defendant in Broward County:		Breathalyser By/CCN		Reading	Place of Arrest <b>1230 S. NOB HILL RD</b>		Date/Time Arrested <b>08/27/2009 02:44</b>	Arresting Officer(s) CCN <b>CORNS, JEFFREY (692)</b>		
Officer Injured: Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	Unit	Zone	Beat	Shift	Trans. Unit	PMD: Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	Transporting Officer/CCN		Pick-up Time	Time Arrived/BSO
<b>TYPE / ACTIVITY:</b>	Type: N-N/A A-Amphetamine B-Barbiturate C-Cocaine	E-Heroin H-Hallucinogen M-Manjuana O-Opium/Deriv.	P-Paraphernalia/ Equipment S-Synthetic U-Unknown Z-Other	Activity: N-N/A P-Possess S-Sell B-Buy	T-Traffic A-Smuggle D-Deliver E-Use	M-Manufacture/ Produce/Cultivate K-Dispense/ Distribute Z-Other	Indication of: Alcohol Influence Y <input type="checkbox"/> N <input type="checkbox"/> UK <input type="checkbox"/> Drug Influence <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			

Attach Defendant's Photo

Defendant's Vehicle Make: \_\_\_\_\_ Type: \_\_\_\_\_ Year: \_\_\_\_\_ Color: \_\_\_\_\_ VIN: \_\_\_\_\_

Vehicle Towed To: \_\_\_\_\_ Tag # \_\_\_\_\_ Other Remarks or Remarks: \_\_\_\_\_

Name of victim(s) (if corporation, exact legal name and state of incorporation):  
**MATUTE-HERNANDEZ, JOSE MANUEL** **3751 SR84 103, DAVIE, FL 33312**

Count #	Offenses Charged	WC# / Citation # (If applicable)	FS or Capias/Warrant #
1	<b>MURDER PREMEDITATED</b>		<b>782.04(1)(A)</b>

Probable Cause Affidavit

Before me this date personally appeared CORNS, JEFFREY (692) who being first duly sworn deposes and says that on 5 day of March (year) 2009 at 3751 SR84 103, DAVIE, FL 33312 (crime location) the above named defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows:

**On March 5, 2009, at approximately 10:04 p.m., Officers from the Davie Police Department responded to 3751 SR 84, Apt. #103, Davie, FL. in reference to a twenty-nine (29) year old male with a gunshot wound. The Officers were advised that the 911 caller was the victims' wife, who stated that she had just arrived home and found her husband deceased from an apparent gunshot wound.**

\* \* \* Continued \* \* \*

I swear the above statement is correct and true to the best of my knowledge and belief.

Officer/Affiant's Signature

**CORNS, JEFFREY (692)**  
Officer's Name/CCN

**Crimes Against Persons Division**  
Officer's Division

STATE OF FLORIDA  
COUNTY OF BROWARD

Sworn to (or affirmed) and subscribed before me this 27 day of August, 2009 (year),  
by DETECTIVE CORNS, JEFFREY (name and title), who is personally known to me or has produced  
\_\_\_\_\_ as identification.

Notary Public, Deputy Clerk of the Court, or Assistant State Attorney  
*[Signature]*  
\_\_\_\_\_  
Notary Public

*DET. 362*  
Title/Rank and CCN

Print, Type or Stamp Commissioned Name of Notary Public

(SEAL)

Seventeenth Judicial Circuit  
Broward County  
State of Florida

FIRST APPEARANCE/ARREST FORM

BSO DB-#2 (Revised 05/00)

(SHOULD ADDITIONAL SPACE BE NEEDED, USE THE PROBABLE CAUSE AFFIDAVIT CONTINUATION (BSO DB#2a))

- Orig - Court
- 2nd - State Attorney
- 3rd - Filing Agency
- 4th - Arresting Agency

COURT COPY

SHADED FIELDS MUST BE ANSWERED IF DEFENDANT NOT IN CUSTODY

ARREST FORM

BROWARD COUNTY  
ARREST # DV09-1203

OBTs #

Filing Agency <b>DAVIE PD</b>		Offense Report <b>09-013182</b>		Race/ID #		DOB		SSN	
Defendant's Last Name <b>SUAREZ</b>			First Middle SUF <b>JOSE ADRIAN</b>			Alias/Street Name			Citizenship <b>US</b>
Race <b>W</b>	Sex <b>M</b>	Hgt <b>5'09</b>	Wgt <b>160</b>	Hair <b>BROW</b>	Eyes <b>BROW</b>	Comp <b>MBR</b>	Age <b>22</b>	DOB <b>10/07/1986</b>	Birth Place
P									Scars, Marks, TT <b>TATT RIGH ANKLE / ASIAN LETTERING; TATT RIGH</b>
Residence Type: (1) City (2) County (3) Florida (4) Out of State						Local Address <b>3401 NW 78TH AVE, DAVIE, FL</b>			Place of Employment <b>UNEMPLOYED,</b>
How long defendant in Broward County:		Breathalyser By/CCN		Reading		Place of Arrest <b>3401 NW 78TH AVE, DAVIE, FL</b>		Date/Time Arrested <b>08/27/2009 01:59</b>	Arresting Officer(s) CCN <b>CORNS, JEFFREY (692)</b>
Officer Injured: Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	Unit	Zone	Beat	Shift	Trans. Unit	PMD: Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	Transporting Officer/CCN		Pick-up Time
<b>TYPE / ACTIVITY:</b> <b>L</b>	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	Activity: N-N/A P-Possess S-Sell B-Buy	T-Traffic A-Smuggle D-Deliver E-Use	M-Manufacture/ Produce/Cultivate K-Dispense/ Distribute Z-Other	Indication of: Alcohol Influence Y <input type="checkbox"/> N <input checked="" type="checkbox"/> UK <input type="checkbox"/> Drug Influence Y <input type="checkbox"/> N <input checked="" type="checkbox"/> UK <input type="checkbox"/>		

Attach Defendant's Photo

Defendant's Vehicle Make: \_\_\_\_\_ Type: \_\_\_\_\_ Year: \_\_\_\_\_ Color: \_\_\_\_\_ VIN: \_\_\_\_\_

Vehicle Towed To: \_\_\_\_\_ Tag #: \_\_\_\_\_ Other Identifiers or Remarks: \_\_\_\_\_

Name of victim(s) (if corporation, exact legal name and state of incorporation):  
**MATUTE-HERNANDEZ, JOSE MANUEL 3751 SR84 103, DAVIE, FL 33312**

Count #	Offenses Charged	WC# / Citation # (if applicable)	FS or Capias/Warrant #
1	<b>MURDER PREMEDITATED</b>		<b>782.04(1)(A)</b>

Probable Cause Affidavit

Before me this date personally appeared **CORNS, JEFFREY (692)** who being first duly sworn deposes and says that on **19** day of **August**, (year) **2009** at **3751 SR84 103, DAVIE, FL 33312** (crime location) the above named defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows:

**On March 5, 2009, at approximately 10:04 p.m., Officers from the Davie Police Department responded to 3751 SR 84, Apt. #103, Davie, FL. in reference to a twenty-nine (29) year old male with a gunshot wound. The Officers were advised that the 911 caller was the victims' wife, who stated that she had just arrived home and found her husband deceased from an apparent gunshot wound.**

\*\*\* Continued \*\*\*

I swear the above statement is correct and true to the best of my knowledge and belief.

Officer/Affiant's Signature: *[Signature]* Officer's Name/CCN: **CORNS, JEFFREY (692)** Officer's Division: **Crimes Against Persons Division**

STATE OF FLORIDA  
COUNTY OF BROWARD

Sworn to (or affirmed) and subscribed before me this **27** day of **August**, **2009** (year), by **DETECTIVE CORNS, JEFFREY** (name and title), who is personally known to me or has produced \_\_\_\_\_ as identification.

Notary Public, Deputy Clerk of the Court, or Assistant State Attorney: *[Signature]* Title/Rank and CCN: **Det 765**

Print, Type or Stamp Commissioned Name of Notary Public: **Det. M. Hernandez** (SEAL)

Seventeenth Judicial Circuit  
Broward County  
State of Florida

FIRST APPEARANCE/ARREST FORM

(SHOULD ADDITIONAL SPACE BE NEEDED, USE THE PROBABLE CAUSE AFFIDAVIT CONTINUATION (BSO DB#2a))

Orig - Court  
2nd - State Agency  
3rd - Filing Agency  
4th - Arresting Agency

PROBABLE CAUSE AFFIDAVIT CONTINUATION

ARREST FORM

BROWARD COUNTY

ARREST # **DV09-1203**

OBTS #

Filing Agency <b>DAVIE PD</b>	Offense Report <b>09-013182</b>	LOCAL ID #	FDLE	FS	ASSY
Defendant's Last Name <b>SUAREZ</b>	First <b>JOSE</b>	Middle <b>ADRIAN</b>	SUF	Alias/Street Name	Citizenship <b>US</b>
Name of victim(s) (if corporation, exact legal name and state of incorporation):					
Count #	Offenses Charged	WC# / Citation # (if applicable)		FS or Capias/Warrant #	
	<b>*** SEE PAGE 1 ***</b>				

Probable Cause Affidavit


Before me this date personally appeared **CORNS, JEFFREY (692)** who being first duly sworn deposes and says that on **19** day of **AUGUST** (year) **2009** at **3751 SR84 103, DAVIE, FL 33312** (crime location) the above named defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows:

Upon arrival at the scene, Officers met with the caller, Sibia Martinez (L/F 10-19-87). Upon entering the apartment, the Officers observed a L/M sitting on a couch just inside the doorway. The Officers observed that the male subject was bleeding from an apparent gunshot wound to the head, and was deceased. The Officers secured the scene and detained Sibia Martinez. Sibia identified the deceased as Jose Manuel Matute (L/M 09-25-79).

Your affiant, a Detective with the Davie Police Department was directed to respond to conduct an investigation. Shortly after arriving, I conducted an interview with Sibia Martinez, who advised the following: She and Jose have been living together for the past three (3) years and had a good relationship. She stated that Jose is not involved in any illegal activities and has no known enemies. On March 5, 2009, Jose left for work at approximately 7:35 a.m. and she left for work approximately ten (10) minutes later. Sibia left work at approximately 5:00 p.m. On her way home, Sibia stopped by her mother's house and at a store to pick up food for dinner. While driving home from the store, she called Jose on his cellular telephone. Jose indicated that he was home, and that he was leaving for the park to play soccer. Sibia arrived home around 6:30 p.m. and prepared dinner. Jose arrived at home a little past 7:00 p.m. Upon his arrival, he showered and then sat on the couch to eat dinner. Sibia advised that she left the residence around 8:00 p.m. to go to Wal-Mart. She said that she did not tell Jose where she was going. She picked up her mother and together they went to Wal-Mart. Sibia purchased a few items and then drove her mother home at about 9:30pm. After dropping off her mother, she drove straight home. When she went to enter the front door, she realized that it was unlocked. Sibia stated that she was sure that she had locked the door when she left the apartment.

\*\*\* Continued \*\*\*

I swear the above statement is correct and true to the best of my knowledge and belief.

  
 Office/Affiant's Signature

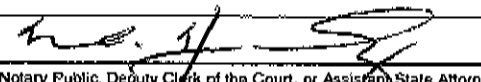
**CORNS, JEFFREY (692)**  
 Officer's Name/CCN

**Crimes Against Persons Division**  
 Officer's Division

STATE OF FLORIDA  
 COUNTY OF BROWARD

Sworn to (or affirmed) and subscribed before me this **27** day of **AUGUST**, **2009** (year).

by **DETECTIVE CORNS, JEFFREY** (name and title), who is personally known to me or has produced \_\_\_\_\_ as identification.

  
 Notary Public, Deputy Clerk of the Court, or Assistant State Attorney

**DET 765**  
 Title/Rank and CCN

**DET. M. HERNANDEZ**  
 Print, Type or Stamp Commissioned Name of Notary Public

(SEAL)

Seventeenth Judicial Circuit  
 Broward County  
 State of Florida

FIRST APPEARANCE/ARREST FORM

**COURT COPY**

- Orig - Court
- 2nd - State Attorney
- 3rd - Filing Agency
- 4th - Arresting Agency

BROWARD COUNTY

PROBABLE CAUSE AFFIDAVIT CONTINUATION

ARREST FORM

ARREST # **DV09-1203**

OBTs #

Filing Agency <b>DAVIE PD</b>	Offense Report <b>09-013182</b>	Case ID #	FOI #	FB #	SP #
Defendant's Last Name <b>SUAREZ</b>	First <b>JOSE</b>	Middle <b>ADRIAN</b>	SUF	Alias/Street Name	Citizenship <b>US</b>
Name of victim(s) (if corporation, exact legal name and state of incorporation):					
Count #	Offenses Charged	WC# / Citation # (if applicable)		FS or Capias/Warrant #	
	<b>*** SEE PAGE 1 ***</b>				

Probable Cause Affidavit

Before me this date personally appeared CORNS, JEFFREY (692) who being first duly sworn deposes and says that on 19 day of August, (year) 2009 at 3751 SR84 103, DAVIE, FL 33312 (crime location) the above named defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows:

An "Exigent" request for the cellular telephone records of Sibia Martinez and Jose Matute was sent to Metro PCS. A review of these records indicated that on March 5, 2009, Sibia Martinez had sent or received twelve (12) telephone calls to/from telephone number [REDACTED]. This telephone number was previously identified from Sibia's cellular telephone contact list as being associated with a person identified as "CESAR".

On March 6, 2009, a post mortem examination of Jose Matute was conducted by Associate Medical Examiner, Bruce Wainer, M.D. Upon completion of the examination, Dr. Wainer determined that Jose Matute died as result of Multiple Gunshot Wounds to the Head, and the Manner of Death was Homicide. Two (2) projectiles were removed from the brain of the deceased. Custody of the projectiles was transferred to Detective Gattis of the Broward Sheriffs Office, Forensic Services Unit, for evaluation at the Broward Sheriffs Office Crime Lab.

On March 6, 2009, a second interview was conducted with Sibia Martinez. Sibia was reluctant to provide information about "Cesar". She claimed that she did not know where he lived or worked.

Cesar was ultimately identified as Cesar Vicente Banegas (L/M 01-31-85). On March 9, 2009, Cesar Banegas was interviewed. Cesar advised that he resided with his sister Edith Rivas, (L/F 08-22-68) at 3230 Jackson Blvd., Fort Lauderdale, Fl. When asked about his relationship with Sibia, Cesar advised the following: Sibia is a friend that he knows from middle school. He said that they had not talked since middle school,

\*\*\* Continued \*\*\*

swear the above statement is correct and true to the best of my knowledge and belief.

*[Signature]*  
Officer/Affiant's Signature

CORNS, JEFFREY (692)  
Officer's Name/CCN

Crimes Against Persons Division  
Officer's Division

STATE OF FLORIDA  
COUNTY OF BROWARD

Sworn to (or affirmed) and subscribed before me this 27 day of August, 2009 (year),  
by DETECTIVE CORNS, JEFFREY (name and title), who is personally known to me or has produced

as identification.

*[Signature]*  
Notary Public, Deputy Clerk of the Court, or Assistant State Attorney

DET 765  
Title/Rank and CCN

*[Signature]*  
Print, Type or Stamp Commissioned Name of Notary Public

(SEAL)

Seventeenth Judicial Circuit  
Broward County  
State of Florida

FIRST APPEARANCE/ARREST FORM

BROWARD COUNTY

PROBABLE CAUSE AFFIDAVIT CONTINUATION

ARREST FORM

ARREST # **DV09-1203**

OBTS #

Filing Agency <b>DAVIE PD</b>	Offense Report <b>09-013182</b>	Case ID #	FOU#	FB#	CS#
Defendant's Last Name <b>SUAREZ</b>	First <b>JOSE ADRIAN</b>	Middle	SUF	Alias/Street Name	Citizenship <b>US</b>
Name of victim(s) (if corporation, exact legal name and state of incorporation):					
Count #	Offenses Charged	WC# / Citation # (if applicable)		FS or Capias/Warrant #	
<b>*** SEE PAGE 1 ***</b>					

Probable Cause Affidavit

Before me this date personally appeared **CORNS, JEFFREY (692)** who being first duly sworn deposes and says that on **19** day of **August**, (year) **2009** at **3751 SR84 103, DAVIE, FL, 33312** (crime location) the above named defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows:

however, approximately two (2) to three (3) months ago, he ran into her while working. Since then they have been keeping in touch, and talk almost every day. Cesar was then asked about his activities on March 5, 2009. Cesar stated the following: He awoke at approximately 7:00 a.m. He left his residence for work at approximately 8:00 a.m. and arrived at approximately 8:15 a.m. He spent about thirty (30) minutes at work and then returned home to his sisters' house. He remained at home until sometime between 2:00 p.m. and 3:00 p.m., when he went to the residence of his friend Alex. Upon arriving at Alex's residence, He realized that Alex was not at home, so he talked to him via cellular telephone. Cesar then went back home, arriving before dark and stayed home all evening, watching television.

In an effort to verify Cesar's whereabouts for March 5, 2009, Detectives were dispatched to interview his sister, Edith Rivas. Rivas advised that Cesar does not live with her. She said that on March 5, 2009, Cesar ate dinner at her residence and watched television for a short period of time. She stated that he left her residence shortly after 7:00 p.m.

Upon confronting Cesar with this information, he advised that he is living with his friend, Jose, at a house located at NW 78 Avenue and Stirling Rd. Detectives were immediately dispatched to this residence to make contact with Jose.

Upon arrival at the residence, Detective Hernandez (Davie PD) made contact with Iris Suarez, (W/F 10-27-57) and Jose Suarez, (L/M 10-07-86). Both Iris and Jose Suarez advised that they live at the residence along with Cesar. Ms. Suarez advised that Cesar was not at home on the evening of March 5, 2009. She specifically recalled that

\*\*\* Continued \*\*\*

swear the above statement is correct and true to the best of my knowledge and belief.

*[Signature]*  
Officer/Affiant's Signature

**CORNS, JEFFREY (692)**  
Officer's Name/CCN

**Crimes Against Persons Division**  
Officer's Division

STATE OF FLORIDA  
COUNTY OF BROWARD

Sworn to (or affirmed) and subscribed before me this **27** day of **August**, **2009** (year),

by **DETECTIVE CORNS, JEFFREY** (name and title), who is personally known to me or has produced \_\_\_\_\_ as identification.

*[Signature]*  
Notary Public, Deputy Clerk of the Court, or Assistant State Attorney

*[Signature]*  
Title/Rank and CCN

*[Signature]*  
Print, Type or Stamp Commissioned Name of Notary Public

(SEAL)

Seventeenth Judicial Circuit  
Broward County  
State of Florida

FIRST APPEARANCE/ARREST FORM

BROWARD COUNTY  
ARREST # **DV09-1203**

PROBABLE CAUSE AFFIDAVIT CONTINUATION

ARREST FORM

OBTS #

Filing Agency <b>DAVIE PD</b>	Offense Report <b>09-013182</b>	Local ID #	CCN	ESP	SS #
Defendant's Last Name <b>SUAREZ</b>	First <b>JOSE</b>	Middle <b>ADRIAN</b>	SUF	Alias/Street Name	Citizenship <b>US</b>
Name of victim(s) (if corporation, exact legal name and state of incorporation):					
Count #	Offenses Charged	WC# / Citation # (if applicable)		FS or Captas/Warrant #	
	<b>*** SEE PAGE 1 ***</b>				

Probable Cause Affidavit

Before me this date personally appeared **CORNS, JEFFREY (692)** who being first duly sworn deposes and says that on 19 day of August, (year) 2009 at 3751 SRR4 103, DAVIE, FL 33312 (crime location) the above named defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows:


**Cesar's vehicle was not parked in the driveway. Jose Suarez agreed to accompany Detective Hernandez to the Davie P.D. to be interviewed. At approximately 1:55 a.m., Jose Suarez arrived at the Davie P.D. Your affiant conducted an interview with Suarez. Suarez advised that he could not confirm that Cesar was home on the evening of March 5, 2009. Jose was asked if he currently or previously owned a firearm. Jose stated that approximately one (1) year ago, he purchased a High Point .380 caliber handgun. He said that approximately six (6) months ago, while shooting the gun at Pembroke Gun & Range the firearm broke. Jose advised that he inquired about having the gun repaired, but was advised by the range staff not to waste his money. Jose stated that he then gave the firearm to the range staff to dispose of.**

**On March 6, 2009, a second neighborhood canvass of the New River Cove Apartments was conducted. During this canvass Davie Police Detective Viviana Gallinal met with Robert King (B/M 7/12/1953) (3881 SR 84 Apt 104). King advised that around 7:30pm on 03/05/2009, he parked his vehicle in front of his building. At that time, a Hispanic male that appeared to be 19-20 years old, came up to him walking from west to east. The male had short black hair, brown eyes, and was wearing blue jeans, a tan t-shirt, and sneakers. The male asked him if he could borrow his cell phone to make a phone call. King did not have his cell phone as it was in his house; therefore, the male never made a call from King's phone.**

**On March 12, 2009, at approximately 12:28 p.m., Detective Stokes was advised by Detective Gattis that the projectiles recovered during the autopsy of Jose Matute had been examined at the Crime Lab and were identified as being fired from a High Point .380 cal handgun.**

**\*\*\* Continued \*\*\***

I swear the above statement is correct and true to the best of my knowledge and belief.

  
Officer/Affiant's Signature

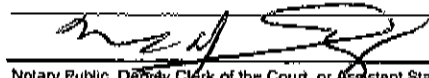
**CORNS, JEFFREY (692)**  
Officer's Name/CCN

**Crimes Against Persons Division**  
Officer's Division

STATE OF FLORIDA  
COUNTY OF BROWARD

Sworn to (or affirmed) and subscribed before me this 27 day of August, 2009 (year),  
by **DETECTIVE CORNS, JEFFREY** (name and title), who is personally known to me or has produced

as identification.

  
Notary Public, Deputy Clerk of the Court, or Assistant State Attorney

**Dor/765**  
Title/Rank and CCN

**M. Hernandez**  
Print, Type or Stamp Commissioned Name of Notary Public

(SEAL)

Seventeenth Judicial Circuit  
Broward County  
State of Florida

FIRST APPEARANCE/ARREST FORM

- Orig - Court
- 2nd - State Attorney
- 3rd - Filing Agency
- 4th - Arresting Agency

BROWARD COUNTY

PROBABLE CAUSE AFFIDAVIT CONTINUATION

ARREST FORM

ARREST # **DV09-1203**

OBTS #

Filing Agency <b>DAVIE PD</b>	Offense Report <b>09-013182</b>	Case #	FILE	PP	SS #
Defendant's Last Name <b>SUAREZ</b>		First <b>JOSE ADRIAN</b>	Middle <b>SUF</b>	Alias/Street Name <b>US</b>	
Name of victim(s) (if corporation, exact legal name and state of incorporation):					
Count #	Offenses Charged	WC# / Citation # (if applicable)		FS or Capias/Warrant #	
	<b>*** SEE PAGE 1 ***</b>				

Probable Cause Affidavit

Before me this date personally appeared CORNS, JEFFREY (692) who being first duly sworn deposes and says that on 19 day of August, (year) 2009 at 3751 SR84 103, DAVIE, FL 33312 (crime location) the above named defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows:

At approximately 2:15 p.m., your affiant responded to Pembroke Gun & Range, 3130 SW 19 Street, Pembroke Park, FL. I met with Mr. Michael Phillips, the owner of the business. Mr. Phillips advised that he has never accepted a firearm from Jose Suarez for any reason. Mr. Phillips verified this through his "bound book", a log of all firearms bought, sold or held on the premises.

Later that day a Search Warrant was executed on the residence of Cesar Banegas and Jose Suarez. During the search, the original packing box for a High Point .380 caliber firearm, serial #P88322 was found. However, the firearm was not located. When questioned, Jose Suarez continued to insist that he had disposed of the aforementioned firearm at Pembroke Gun & Range. Further efforts by your affiant to confirm this information has met with negative results.

Believing that Cesar Banegas may be responsible for the murder of Jose Matute, your affiant obtained a Court Order for the cellular telephone records, to include cell site locations, for the cellular telephone belonging to Cesar Banegas. It was believed that the aforementioned records would dispel or solidify Banegas' involvement in and proximity to the homicide scene.

On April 20, 2009, the cellular telephone records for Cesar Banegas were received. Using a mapping program, the locations of the cell sites utilized by Banegas' cellular telephone were plotted. The following information was obtained:

March 5, 2009

\*\*\* Continued \*\*\*

I swear the above statement is correct and true to the best of my knowledge and belief.

*[Signature]*  
Officer/Affiant's Signature

CORNS, JEFFREY (692)  
Officer's Name/CCN

Crimes Against Persons Division  
Officer's Division

STATE OF FLORIDA  
COUNTY OF BROWARD

Sworn to (or affirmed) and subscribed before me this 27 day of August, 2009 (year),  
by DETECTIVE CORNS, JEFFREY (name and title), who is personally known to me or has produced

*[Signature]*  
Notary Public, Deputy Clerk of the Court, or Assistant State Attorney

DET / 765  
Title/Rank and CCN

M. [Signature]  
Print, Type or Stamp Commissioned Name of Notary Public

(SEAL)

Seventeenth Judicial Circuit  
Broward County  
State of Florida

FIRST APPEARANCE/ARREST FORM

COURT COPY

- Orig - Court
- 2nd - State Attorney
- 3rd - Filing Agency
- 4th - Arresting Agency



PROBABLE CAUSE AFFIDAVIT CONTINUATION

ARREST FORM

BROWARD COUNTY

ARREST # DV09-1203

OBTS #

Filing Agency <b>DAVIE PD</b>	Offense Report <b>09-013182</b>	Local ID#	FDLE	FSR	Sex
Defendant's Last Name <b>SUAREZ</b>	First <b>JOSE</b>	Middle <b>ADRIAN</b>	SUF	Alias/Street Name	Citizenship <b>US</b>
Name of victim(s) (if corporation, exact legal name and state of incorporation):					
Count #	Offenses Charged	WC# / Citation # (if applicable)		FS or Capias/Warrant #	
	<b>*** SEE PAGE 1 ***</b>				

Probable Cause Affidavit

Before me this date personally appeared CORNS, JEFFREY (692) who being first duly sworn deposes and says that on 19 day of August, (year) 2009 at 3751 SR84 103, DAVIE, FL 33312 (crime location) the above named defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows:

" 8:04 p.m., Banegas leaves a voice messages on the cellular telephone belonging to Sibia Martinez. At that time, Banegas` cellular telephone was utilizing the southeast side of a cell site located at 4120 Peters Road, Fort Lauderdale. This cell site encompasses the victims` residence, and is in the vicinity of Sibias` mothers` residence. Sibias` cellular telephone was utilizing the north side of a cell site located at 3358 SW 49 Way, Davie. This cell site also encompasses the victims` residence.

" 8:05 p.m., Sibia calls Banegas. At that time, both cellular telephones are utilizing the southeast side of a cell site located at 4120 Peters Road, Fort Lauderdale. This cell site encompasses the victims` residence, and is in the vicinity of Sibia`s mothers` residence.

" 8:05 p.m. to 8:43 p.m., There is no activity on Banegas` cellular telephone, and it appears as though the telephone was shut off. Previously obtained cellular telephone records for Sibia Martinez indicate that there was no activity on her cellular telephone from 8:05 p.m. to 9:04 p.m.

" 8:43 p.m., Banegas receives a telephone call from Jose Suarez. At that time, Banegas` cellular telephone is utilizing the north side of a cell site located at 3358 SW 49 Way, Davie. This cell site encompasses the victims` residence. Suarez` cellular telephone is utilizing the north side of a cell site located at 6574 Nova Drive, Davie, a cell site immediately west of the site being utilized by Banegas.

\*\*\* Continued \*\*\*

I swear the above statement is correct and true to the best of my knowledge and belief.

*[Signature]*  
Officer/Affiant's Signature

CORNS, JEFFREY (692)  
Officer's Name/CCN

Crimes Against Persons Division  
Officer's Division

STATE OF FLORIDA  
COUNTY OF BROWARD

Sworn to (or affirmed) and subscribed before me this 27 day of August, 2009 (year),  
by DETECTIVE CORNS, JEFFREY (name and title), who is personally known to me or has produced

*[Signature]*  
Notary Public, Deputy Clerk of the Court, or Assistant State Attorney

Det/765  
Title/Rank and CCN

*[Signature]*  
Print, Type or Stamp Commissioned Name of Notary Public

(SEAL)

Seventeenth Judicial Circuit  
Broward County  
State of Florida

FIRST APPEARANCE/ARREST FORM

- Orig. - Court
- 2nd - State Attorney
- 3rd - Filing Agency
- 4th - Arresting Agency

BROWARD COUNTY  
ARREST # **DV09-1203**

PROBABLE CAUSE AFFIDAVIT CONTINUATION

ARREST FORM

QBTS #

Filing Agency <b>DAVIE PD</b>	Offense Report <b>09-013182</b>	Local ID #	ARREST	FBI	FILE #
Defendant's Last Name <b>SUAREZ</b>	First <b>JOSE</b>	Middle <b>ADRIAN</b>	SUF	Alias/Street Name	Citizenship <b>US</b>
Name of victim(s) (if corporation, exact legal name and state of incorporation):					

Count #	Offenses Charged	WC# / Citation # (if applicable)	FS or Capias/Warrant #
<b>*** SEE PAGE 1 ***</b>			

Probable Cause Affidavit

Before me this date personally appeared **CORNS, JEFFREY (692)** who being first duly sworn deposes and says that on **19** day of **August**, (year) **2009** at **3751 SR84 103, DAVIE, FL 33312** (crime location) the above named defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows:

" **9:04 p.m., Banegas calls Sibia. At that time, Banegas` cellular telephone is utilizing the southwest side of a cell site located at 7901 Sheridan St., Pembroke Pines, a cell site that encompasses his residence. Sibias` cellular telephone is utilizing the southeast side of a cell site located at 4200 NW 16 St., Lauderhill, a cell site that encompasses the Wal-Mart.**

" **9:41 p.m., Sibia calls Banegas. At that time, Sibias` cellular telephone is utilizing the north side and Banegas` cellular telephone is utilizing the southwest side of a cell site located at 7901 Sheridan St., Pembroke Pines, a cell site that encompasses Banegas` residence. This information contradicts Sibia Martinez` statement that she had gone straight home after dropping her mother off following their trip to Wal-Mart.**

" **9:46 p.m., Banegas calls Sibia. At that time, Banegas` cellular telephone is utilizing the southwest side of a cell site located at 7901 Sheridan St., Pembroke Pines, a cell site that encompasses Banegas` residence. Sibias` cellular telephone is utilizing the southeast side of a cell site located at 6911 Orange Dr., Davie, a cell site north of Banegas` residence and on the way to the victims` residence.**

On April 30, 2009, a Court Order for the cellular telephone records of Jose Suarez was obtained.

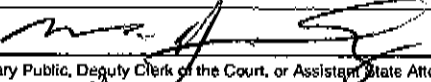
On May 27, 2009, Detective Groeneveld and I met with and conducted an interview of Robert King (B/M 07/12/1953), at his residence (3881 SR 84 Apt 104 Davie, FL.). Mr. King stated the night of the incident, March 05; he had just gotten home at

**\*\*\* Continued \*\*\***

I swear the above statement is correct and true to the best of my knowledge and belief.

 Officer/Affiant's Signature	<u><b>CORNS, JEFFREY (692)</b></u> Officer's Name/CCN	<u><b>Crimes Against Persons Division</b></u> Officer's Division
---	--	---

STATE OF FLORIDA  
COUNTY OF BROWARD  
Sworn to (or affirmed) and subscribed before me this **27** day of **August**, **2009** (year),  
by **DETECTIVE CORNS, JEFFREY** (name and title), who is personally known to me or has produced \_\_\_\_\_ as identification.

 Notary Public, Deputy Clerk of the Court, or Assistant State Attorney	<u><b>Dor / 765</b></u> Title/Rank and CCN
---	---

Print, Type or Stamp Commissioned Name of Notary Public (SEAL)

PROBABLE CAUSE AFFIDAVIT CONTINUATION

ARREST FORM

BROWARD COUNTY

ARREST # **DV09-1203**

OBTS #

Filing Agency <b>DAVIE PD</b>	Offense Report <b>09-013182</b>	Local ID #	FDLE	FDI	SP #
Defendant's Last Name <b>SUAREZ</b>	First <b>JOSE</b>	Middle <b>ADRIAN</b>	SUF	Alias/Street Name	Citizenship <b>US</b>
Name of victim(s) (if corporation, exact legal name and state of incorporation):					

Count #	Offenses Charged	WC# / Citation # (if applicable)	FS or Capias/Warrant #
<b>*** SEE PAGE 1 ***</b>			

Probable Cause Affidavit

Before me this date personally appeared **CORNS, JEFFREY (692)** who being first duly sworn deposes and says that on **19** day of **August**, (year) **2009** at **3751 SR84 103, DAVIE, FL 33312** (crime location) the above named defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows:

**approximately 7:30pm, as he was walking from his car to his apartment a Hispanic male approached him and asked to use his cell phone. Mr. King told the male that he did not have his cell phone with him. Mr. King described the male to be 19 to 20 years old with black short hair, brown eyes, wearing blue jeans, shirt and sneakers. Mr. King had never seen the male in the neighborhood before.**

**I showed Mr. King two photo line-ups of six Hispanic males in each of them, one line-up had Caesar Banegas in it and the other line-up had Jose Suarez in it. Mr. King identified the photo of Jose Suarez as the person who asked to use his cell phone the night of the incident. Mr. King was 90% sure that the person in the photo was the person he had seen. Mr. King felt that if he saw the person in person he would be able to say for sure if it was the same person.**

**On July 31, 2009, the cellular telephone records of Jose Suarez were received. Using a mapping program, the locations of the cell sites utilized by Suarez` cellular telephone were plotted. The following information was obtained:**

**" 7:41 p.m., Suarez places a call to [REDACTED]. At that time, Suarez` cellular telephone is utilizing the north side of a cell site located at 3358 SW 49th Way, Davie, a cell site that encompasses the victim`s residence.**

**" 7:43 p.m., Suarez places a call to [REDACTED]. At that time, Suarez` cellular telephone is utilizing the southeast side of a cell site located at 4120 Peters Road, Fort Lauderdale, a cell site that also encompasses the victim`s residence.**

**\*\*\* Continued \*\*\***

I swear the above statement is correct and true to the best of my knowledge and belief.

*[Signature]*  
Officer/Attendant's Signature

**CORNS, JEFFREY (692)**  
Officer's Name/CCN

**Crimes Against Persons Division**  
Officer's Division

STATE OF FLORIDA  
COUNTY OF BROWARD

Sworn to (or affirmed) and subscribed before me this **27** day of **August**, **2009** (year),  
by **DETECTIVE CORNS, JEFFREY** (name and title), who is personally known to me or has produced

*[Signature]*  
Notary Public, Deputy Clerk of the Court, or Assistant State Attorney

*[Signature]*  
Title/Rank and CCN

*[Signature]*  
Print, Type or Stamp Commissioned Name of Notary Public

(SEAL)

Seventeenth Judicial Circuit  
Broward County  
State of Florida

FIRST APPEARANCE/ARREST FORM

- Orig - Court
- 2nd - State Attorney
- 3rd - Filing Agency
- 4th - Arresting Agency

BROWARD COUNTY

PROBABLE CAUSE AFFIDAVIT CONTINUATION

ARREST FORM

ARREST # DV09-1203

OBTS #

Filing Agency <b>DAVIE PD</b>	Offense Report <b>09-013182</b>	Local #	FILE	ERR	SG
Defendant's Last Name <b>SUAREZ</b>	First <b>JOSE</b>	Middle <b>ADRIAN</b>	SUF	Alias/Street Name	Citizenship <b>US</b>
Name of victim(s) (if corporation, exact legal name and state of incorporation):					
Count #	Offenses Charged	WC# / Citation # (if applicable)		FS or Capias/Warrant #	
	<b>*** SEE PAGE 1 ***</b>				

Probable Cause Affidavit

Before me this date personally appeared CORNS, JEFFREY (692) who being first duly sworn deposes and says that on 19 day of August, (year) 2009 at 3751 SR84 103, DAVIE, FL 33312 (crime location) the above named defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows:

" 7:43 p.m. to 8:40 p.m. there is no activity on Suarez` cellular telephone. Previously obtained cellular telephone records for Sibia Martinez indicate that there was no activity on her cellular telephone from 8:05 p.m. to 9:04 p.m. The records of Cesar Banegas indicate that there was no activity on his cellular telephone from 8:05 p.m. to 8:43 p.m.

" 8:43 p.m., Suarez placed a call to Banegas. At that time, Banegas` cellular telephone is utilizing the north side of a cell site located at 3358 SW 49 Way, Davie. This cell site encompasses the victims` residence. Suarez` cellular telephone is utilizing the north side of a cell site located at 6574 Nova Drive, Davie, a cell site immediately west of the site being utilized by Banegas.

The cellular telephone records of Martinez, Suarez and Banegas contradict their statements given to your affiant.

On August 19, 2009, Davie Police Detectives Hernandez and Groeneveld met with Cesar Banegas at 3501 Davie Blvd. Banegas agreed to accompany the Detectives to the Davie P.D. for further questioning regarding the murder of Jose Matute. Upon arriving at the Davie P.D., Banegas was interviewed by your affiant. During this interview, Banegas stated "Jose did it". Believing that Banegas may implicate himself, the interview was stopped and Banegas was advised of his rights per Miranda. Banegas agreed to continue talking about the murder, and a Rights Waiver Form was completed. Banegas provided further details about the murder. Banegas then provided a sworn taped statement in his native language (Spanish) to Detective Hernandez. Banegas stated that in late February or early March during a conversation with Sibia,

\*\*\* Continued \*\*\*

I swear the above statement is correct and true to the best of my knowledge and belief.

[Signature]  
Officer/Affiant's Signature

CORNS, JEFFREY (692)  
Officer's Name/CCN

Crimes Against Persons Division  
Officer's Division

STATE OF FLORIDA  
COUNTY OF BROWARD

Sworn to (or affirmed) and subscribed before me this 27 day of August, 2009 (year),  
by DETECTIVE CORNS, JEFFREY (name and title), who is personally known to me or has produced

[Signature]  
Notary Public, Deputy Clerk of the Court, or Assistant State Attorney

D15/1765  
Title/Rank and CCN

M. Hernandez  
Print, Type or Stamp Commissioned Name of Notary Public

(SEAL)

Seventeenth Judicial Circuit  
Broward County  
State of Florida

FIRST APPEARANCE/ARREST FORM

COURT COPY

- Orig - Court
- 2nd - State Attorney
- 3rd - Filing Agency
- 4th - Arresting Agency

BROWARD COUNTY

PROBABLE CAUSE AFFIDAVIT CONTINUATION

ARREST FORM

ARREST # **DV09-1203**

OBTS #

Filing Agency <b>DAVIE PD</b>	Offense Report <b>09-013182</b>	Local ID #	FDEE	FBI	SE #
Defendant's Last Name <b>SUAREZ</b>	First <b>JOSE</b>	Middle <b>ADRIAN</b>	SUF	Alias/Street Name	Citizenship <b>US</b>
Name of victim(s) (If corporation, exact legal name and state of incorporation):					

Count #	Offenses Charged	WC# / Citation # (if applicable)	FS or Capias/Warrant #
<b>*** SEE PAGE 1 ***</b>			

**Probable Cause Affidavit**

Before me this date personally appeared **CORNS, JEFFREY (692)** who being first duly sworn deposes and says that on **19** day of **August** (year) **2009** at **3751 SR84 103, DAVIE, FL 33312** (crime location) the above named defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows:

**Sibia advised him that she had been having problems with her live in boyfriend. She asked him if he or someone he knew would be willing to kill her boyfriend for her. He said that he told Sibia that he would not do it and did not know anyone who would.**

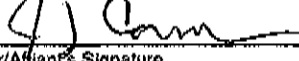
**Banegas advised that later that day or the next day he was having a few beers and playing cards with Jose Suarez. He stated that he told Jose about the request Sibia made to have her boyfriend killed. According to Cesar, Jose stated "I'll do it! Tell her I'll do it!" Banegas advised from that point on he was used as a middle man for Sibia and Jose. He said that Jose told him not to tell Sibia his (Jose's) name and advised Cesar that all communication would be through him. Banegas stated that Sibia agreed to pay Jose one hundred dollars up front and one hundred dollars when the job was done. Banegas said that Sibia gave him one hundred dollars and he in turn gave the money to Jose.**

**Banegas stated that on the morning of March 5, 2009, he sent Sibia a text message telling her to call him because he had an emergency. Banegas advised that the text message was for the purpose of getting a key to Sibia's apartment for Jose. Banegas stated that he got a call from Sibia after work and that she told him that she had left a key to her apartment next to a parking block at a park off of Riverland Road. Banegas advised that when he got out of work he went home to shower and he and Jose left together from the residence to pick up the key. Banegas stated that Jose was wearing black pants a long sleeve sweatshirt with a hood and was carrying a black bag.**

**Banegas stated that Sibia also described her building to him and told him that she had a large red angel or cupid decoration on the front door. Banegas advised that after**

**\*\*\* Continued \*\*\***

I swear the above statement is correct and true to the best of my knowledge and belief.

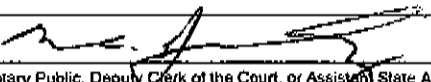
  
Officer/Affiant's Signature

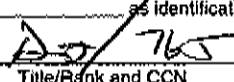
**CORNS, JEFFREY (692)**  
Officer's Name/CCN

**Crimes Against Persons Division**  
Officer's Division

STATE OF FLORIDA  
COUNTY OF BROWARD

Sworn to (or affirmed) and subscribed before me this **27** day of **August**, **2009** (year),  
by **DETECTIVE CORNS, JEFFREY** (name and title), who is personally known to me or has produced  
as identification.

  
Notary Public, Deputy Clerk of the Court, or Assistant State Attorney

  
Title/Rank and CCN

Print, Type or Stamp Commissioned Name of Notary Public

(SEAL)

Seventeenth Judicial Circuit  
Broward County  
State of Florida

FIRST APPEARANCE/ARREST FORM

- Orig - Court
- 2nd - State Attorney
- 3rd - Filing Agency
- 4th - Arresting Agency

**COURT COPY**

PROBABLE CAUSE AFFIDAVIT CONTINUATION

ARREST FORM

BROWARD COUNTY

ARREST # **DV09-1203**

OBTS #

Filing Agency <b>DAVIE PD</b>	Offense Report <b>09-013182</b>	Local ID #	FBI #	FS #	BS #
Defendant's Last Name <b>SUAREZ</b>	First <b>JOSE ADRIAN</b>	Middle	SUF	Alias/Street Name	Citizenship <b>US</b>
Name of victim(s) (If corporation, exact legal name and state of incorporation):					

Count #	Offenses Charged	WC# / Citation # (if applicable)	FS or Capias/Warrant #
<b>*** SEE PAGE 1 ***</b>			

Probable Cause Affidavit

Before me this date personally appeared **CORNS, JEFFREY (692)** who being first duly sworn deposes and says that on **19** day of **August** (year) **2009** at **3751 SR84 103, DAVIE, FL 33312** (crime location) the above named defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows:

getting the key, he gave it to Jose and dropped Jose off just east of Sibia's apartment complex on State Road 84. Banegas said that Jose told him to wait because he was not going to take long. Banegas stated that he was nervous, so he drove away. He said he drove to his sister's house and waited for Jose to call him. Banegas stated that a short while later, he received a phone call from Jose who told him to pick him (Jose) up off of State Road 7 near the bridges.

Banegas advised that after he picked up Jose they drove back home. Banegas stated that they did not talk on their way home. However, as soon as they got home Jose told him that he had killed Sibia's boyfriend by firing two shots into his head while he sat on the living room couch. Banegas said that Sibia called him less than five minutes later advising that she was in front of his house. Cesar stated that he went outside to talk to Sibia, but she quickly stated that she had to go home.

Banegas advised that a few days later, Sibia told him that if she ever arranged a meeting over the phone not to show up because the Police were setting them up. Banegas stated that when he and Jose gave their initial statements to the Police, he was questioned afterwards by Jose. He said that he told Jose that he did not say anything about the murder. Banegas stated that Jose told him to never say anything about the incident and to stick to his story.

Banegas said that a week or two after the murder he was with friends at Dania Beach. He stated that Jose met him there. Banegas stated that Jose told him that he (Jose) had thrown the gun in the ocean off of the Dania Fishing Pier.

Based on the aforementioned information, your affiant has Probable Cause to believe **\*\*\* Continued \*\*\***

I swear the above statement is correct and true to the best of my knowledge and belief.

*[Signature]*  
Officer/Affiant's Signature

**CORNS, JEFFREY (692)**  
Officer's Name/CCN

**Crimes Against Persons Division**  
Officer's Division

STATE OF FLORIDA  
COUNTY OF BROWARD

Sworn to (or affirmed) and subscribed before me this **27** day of **August**, **2009** (year),  
by **DETECTIVE CORNS, JEFFREY** (name and title), who is personally known to me or has produced \_\_\_\_\_ as identification.

*[Signature]*  
Notary Public, Deputy Clerk of the Court, or Assistant State Attorney

**D05/765**  
Title/Rank and CCN

**M. Hernandez**  
Print, Type or Stamp Commissioned Name of Notary Public

(SEAL)

Seventeenth Judicial Circuit  
Broward County  
State of Florida

FIRST APPEARANCE/ARREST FORM

- Orig - Court
- 2nd - State Attorney
- 3rd - Filing Agency
- 4th - Arresting Agency

**COURT COPY**

PROBABLE CAUSE AFFIDAVIT CONTINUATION

ARREST FORM

BROWARD COUNTY

ARREST # **DV09-1203**

OBTS #

Filing Agency <b>DAVIE PD</b>	Offense Report <b>09-013182</b>	Case #	FILE	PN	RR #
Defendant's Last Name <b>SUAREZ</b>		First <b>JOSE</b>	Middle <b>ADRIAN</b>	SUF	Alias/Street Name
Name of victim(s) (if corporation, exact legal name and state of incorporation):					Citizenship <b>US</b>

Count #	Offenses Charged	WC# / Citation # (if applicable)	FS or Capias/Warrant #
<b>*** SEE PAGE 1 ***</b>			

Probable Cause Affidavit

Before me this date personally appeared **CORNS, JEFFREY (692)** who being first duly sworn deposes and says that on **19** day of **August**, (year) **2009** at **3751 SR84 103, DAVIE, FL 33312** (crime location) the above named defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows:

**that**

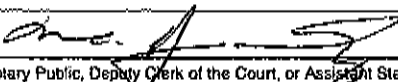
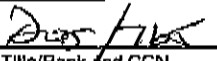
**Sibia Martinez, Jose Suarez and Cesar Banegas conspired to and committed the murder of Jose Manuel Matute.**

I swear the above statement is correct and true to the best of my knowledge and belief.

 **CORNS, JEFFREY (692)** **Crimes Against Persons Division**  
 Officer/Officer's Signature Officer's Name/CCN Officer's Division

STATE OF FLORIDA  
COUNTY OF BROWARD

Sworn to (or affirmed) and subscribed before me this **27** day of **August**, **2009** (year),  
 by **DETECTIVE CORNS, JEFFREY** (name and title), who is personally known to me or has produced \_\_\_\_\_ as identification.

   
 Notary Public, Deputy Clerk of the Court, or Assistant State Attorney Title/Rank and CCN

**M. Hernandez** (SEAL)  
 Print, Type or Stamp Commissioned Name of Notary Public

Seventeenth Judicial Circuit  
Broward County  
State of Florida

FIRST APPEARANCE/ARREST FORM

**COURT COPY**

- 01g - Court
- 2nd - State Attorney
- 3rd - Filing Agency
- 4th - Arresting Agency