IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA IN AND FOR THE COUNTY OF DADE

SPRING TERM A.D. 1997

FINAL REPORT OF THE DADE COUNTY GRAND JURY

FILED

December 15, 1997

Circuit Judge Presiding JUDITH L. KREEGER

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DENNIS HILL

RAYMOND STANISKY

State Attorney
KATHERINE FERNANDEZ RUNDLE

* * * * * *

Deputy Chief Assistant State Attorney
CHET J. ZERLIN

* * * * * *

Clerk of the Circuit Court
HARVEY RUVIN

Administrative Assistant ROSE ANNE DARE

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Bailiff ARTHUR LEWIS

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FINAL REPORT OF THE

1997 SPRING TERM DADE COUNTY GRAND JURY

Many of us share the belief that our government's power has been perverted to procure exclusive privileges for a select few. This distrustful legacy creates in us a willingness to believe that all government is corrupt. The recent revelations that important governmental leaders had fallen prey to improper financial enticements seem only to confirm this belief. Each new incident and revelation tore at the very heart of our trust and faith in government. Unfortunately, criminal convictions can only punish discovered acts. They inadequately address the underlying suspicion that a more subtle form of corruption, relating to the favored treatment of the powerful few, still remains untouched. We think that this insidious type of corruption, while generally not criminal in nature, is as destructive to our trust in government as revelations of overt criminal bribery. No official deed is more vile nor official act more repulsive than a breach by government of the public's trust and the treatment of some citizens as "more equal" than others.

At the request of our State Attorney, Katherine Fernandez Rundle, we have spent our term examining these issues and, in particular, certain questionable actions of the Dade County Department of Planning, Development and Regulation, an agency more commonly recognized by its former name, the Department of Building and Zoning. Initially, we felt that we could successfully complete our mission and render a thoughtful and analytical report within the limited time allotted to us during our grand jury term. Unfortunately, we could never have imagined that the issues involved and the information we have uncovered would have proven to be so complex and so difficult to fully investigate. We have found what we believe to be favored treatment, improper actions and incorrect motivations. However, we also believe that what we have uncovered may only be the tip of an enormous iceberg. Our review of these disturbing issues has been our top priority. However, despite our more than six months of service, we have been forced to recognize that our inquiry has only just begun.

As individuals, we would have greatly desired the closure that the issuance of a detailed report would bring to us all. Equally desirable would be the opportunity for us to make broad recommendations for changes within this Dade County agency. However, as grand jurors, we think that to do so now while so much of our work still remains incomplete, would be an irresponsible and selfish act. Our community deserves no less than a full and complete inquiry of this important subject. It is our opinion that the time limitations of our grand jury term should not cause or compel the examination of this topic into a conclusion that is premature.

Accordingly, we have passed the torch of our inquiry on to our successor Grand Jury. Unquestionably and unanimously, we believe this to be the correct, responsible and honest thing for us to do. This next Grand Jury has agreed with our measure of the importance of this topic. They will devote their term, their energies and their independent analysis to the continuation and conclusion of our investigation, in addition to the investigations of other governmental entities, agencies and systems they may choose to undertake. As a result, we can now conclude our grand jury service secure in the knowledge that the work we have started during our term will continue and that the interests of our community will be correctly and appropriately served.

	NAME OF DEFENDANT	CHARGE	INDICTMENT <u>RETURNED</u>
_	FRAY ZAPATA	First Degree Murder Armed Robbery	True Bill
-	AMBER WINN, also known as "SNOOPY", also known as	Assessment of First Danies Mounday	
_	"TA-TA"	Attempted First Degree Murder Possession of a Weapon on School Property Disrupting an Educational Institution	True Bill
	JOSE I. DEL CASTILLO	First Degree Murder	True Bill
_	QUINTON HUGHES and JOSHUA HARVEY	Attempted Armed Robbery Felony Causing Bodily Injury	True Bill
_	CARLOS ENRIQUE REYES	Armed Robbery Felony Causing Great Bodily Injury Aggravated Battery with Great Bodily Harm	True Bill
_	QUINTON HUGHES and JOSHUA HARVEY	Attempted Armed Robbery Felony Causing Bodily Injury	True Bill
_	(C) SANDRA ALEMAN, (D) DUNIA AM (F) CARLOS A. BALLESTEROS. (G) LE	RTO LEONEL ALEMAN, also known as "Pollo". ITUNEZ. (E) MARLON BABILONIA, also known as "Marijuana" STER BALLESTEROS. (H) RAUL BONILLA, also known as "Mas	
_	"Lagrima".(L) PABLO DIAZ, also known (N) PAUL FONSECA, also known as "Ra	CRUZ, also known as "Fade", (K) EDDY ROLANDO DIAZ, also kn n as "Paulito", (M) JEHOVANY ESTRADA, also known as "Geo", na", (O) LAURA FRIAS, (P) ROGER GALINDO, (Q) FRANK GAN	MERO,
_	(U) ANDRES HERNANDEZ. also known (W) ROMAN HERNANDEZ, also known	NTONIO GARCIA. (S) JUAN GOMEZ, (T) RICARDO JOSE GOM as "Chaqua". (V) FRANCISCO JAVIER HERNANDEZ, also know as "Fuffy", (X) ROMMY HERNANDEZ, also known as "Sompy"	n as "Condorito",
	(BB) JEMSEY MAIRENA, (CC) MISAEI (FF) EMMA OBANDO, also known as "Je	CARLOS LOPEZ, also known as "Gordo" (AA) ALVARO LOPEZ MARADIAGA, (DD) JORGE MARQUEZ, (EE) ELVIS MORALE essenia". (GG) JOHNNY OLIVAREZ, also known as "Wolf".	
_	(KK) ORLANDO REANOS, also known a "Little Chucky" (NN) WILLIAM JOSE SI (PP) LIVINGSTON TORRES, also known	ZON, (JJ) CARLOS RAMIREZ, also known as "Sapo", as "Chino", (LL) ROGER ROSALES, (MM) ANGEL SANCHEZ, al EVILLA, (OO) VICTOR SMITH, also known as "Tigerito", as "Chunky", and (QQ) ROMMELL VILLAREAL of Fla RICO Act (A.B.C.D,F.G,H.I,J,K,L.O,P,Q,R.S	so known as
_	2. Conspirac	X,AA,CC,DD,GG,HH,JJ,KK,LL,MM,NN,OO,QQ y to Commit Florida RICO Act (A-QQ)	
_	4. Traffickin 5. Conspirac	g Criminal Enterprise (CC) g Cocaine 28-200 grams (CC) y to Traffick in Cocaine (CC) n of Cannabis with Intent (CC)	
_	8. Attempted	Murder (Q) ad Battery (Q)	
_	11. Perjury (O 12. Perjury (K	0)	

NAME OF DEFENDANT

CHARGE

- 14. Attempted Murder (F,G.L,P,S,V,W,AA,CC,LL,MM,OO)
- 15. Attempted Murder (F,G,L,P,S,V,W,AA,CC,LL,MM,OO)
- 16. Murder (Q)
- 17. Attempted Robbery (Q)
- 18. Armed Burglary (O,P,Q,AA,CC)
- 19. Grand Theft Auto (O,P,Q,AA,CC)
- 20. Attempted Murder (O.P.Q.AA,CC)
- 21. Attempted Murder (O,P,Q,AA,CC)
- 22. Attempted Murder (O.P.Q,AA,CC)
- 23. Aggravated Battery (O,P,Q,AA,CC)
- 24. Aggravated Battery (O,P,Q,AA,CC)
- 25. Aggravated Battery (O,P,Q,AA,CC)
- 26. Discharge of a Firearm from a Vehicle (O,P,Q,AA,CC)
- 27. Attempted Murder (Q,CC,JJ)
- 28. Aggravated Battery (Q.CC.JJ)
- 29. Armed Robbery (Q,CC,JJ)
- 30. Attempted Murder ((G,Q)
- 31. Aggravated Battery (G,Q)
- 32. Sale of Cocaine (CC)
- 33. Possession of Cocaine with Intent (CC)
- 34. Perjury (F)
- 35. Perjury (G)
- 36. Perjury (OO)
- 37. Attempted Murder (OO)
- 38. Aggravated Battery (OO)
- 39. Strongarm Robbery (G.U)
- 40. Armed Kidnapping (H.AA,CC,KK,LL,OO)
- 41. Armed Robbery (H, AA, CC, KK, LL, OO)
- 42. Attempted Murder (V,AA,EE,BB)
- 43. Attempted Murder(V.AA,EE,BB)
- 44. Attempted Murder(V,AA,EE,BB)
- 45. Consp Armed Trafficking (C.E.L.P.V,CC,OO)
- 46. Sale of Cocaine (C.E.L.P.V.CC,OO)
- 47. Possession of Cocaine with Intent (C.E.L.P.V.CC.OO)
- 48. Use of Firearm in a Felony (C.E.L.P.V.CC.OO)
- 49. Trafficking in Cocaine 28-200 grams (C.F,CC,N)
- 50. Cocaine Possession with Intent (C.F.CC.N)
- 51. Attempted Murder (AA, V, W)
- 52. Attempted Murder (AA, V, W)
- 53. Attempted Murder (AA, V, W)
- 54. Attempted Murder (AA, V, W)
- 55. Attempted Murder (AA, V, W)
- 56. Aggravated Battery (AA, V, W)
- 57. Discharge of Firearm From a Vehicle (AA, V, W)
- 58. Use Firearm in a Felony (AA, V, W)
- 59. Shooting Deadly Missile (AA, V, W)
- 60. Sale of Cocaine (C,CC)
- 61. Possession of Cocaine with Intent (C,CC)
- 62. Attempted Murder (L)
- 63. Sale of Cocaine (CC)
- 64. Possession of Cocaine with Intent (CC)
- 65. Sale of Cocaine (CC)
- 66. Possession of Cocaine with Intent (CC)

INDICTMENT RETURNED

NAME OF DEFENDANT

CHARGE

ANT	<u>CHARGE</u>
67	Sale of Cocaine (CC)
	Possession of Cocaine with Intent (CC)
	Sale of Cocaine (CC)
	Possession of Cocaine with Intent (CC)
	Sale of Cocaine (CC)
	Possession of Cocaine with Intent (CC)
	Possession of Cocaine with Intent (CC)
	Aggravated Stalking (QQ)
	Aggravated Assault (Knife) (S,T,V,W,X,GG,MM,PP,QQ)
	Battery (QQ)
77.	Aggravated Assault (V)
78 .	Aggravated Battery (MM)
79 .	Use Firearm in Felony (MM)
	Carrying Concealed Firearm (S.MM)
	Aggravated Assault (AA,OO)
	Retaliating Against a Witness (AA,OO)
	Sale of Cocaine (AA,CC,HH)
	Possession of Cocaine with Intent (AA,CC,HH)
	Sale of Cocaine (AA,CC,HH)
	Possession of Cocaine with Intent (AA,CC,HH)
	Sale of Cocaine (AA,CC,HH)
	Possession of Cocaine with Intent (AA.CC,HH)
	Sale of Cocaine (AA,CC,HH)
	Possession of Cocaine with Intent (AA,CC,HH)
	. Strongarm Robbery (W.X) . Conspiracy to Trafficking in Cocaine (C,P.AA.CC,JJ)
	. Sale of Cocaine (C.P.AA.CC.JJ)
	Sale of Cocaine (C.F.AA,CC,JJ) Sale of Cocaine (B,CC)
	Possession of Cocaine with Intent (B.CC)
	. Trafficking in Cocaine 28-200 Grams (C,CC)
	Conspiracy to Trafficking in Cocaine (C.CC)
	Sale of Cocaine (B,D,CC)
	Possession of Cocaine with Intent (B.D.CC)
100.	Sale of Cocaine (B.D.CC)
101.	Possession of Cocaine with Intent (B.D,CC)
	Sale of Cocaine (B,D,CC)
	Possession of Cocaine with intent (B,D,CC)
	Sale of Cocaine (B,D,CC)
	Possession of Cocaine with Intent (B,D,CC)
	Sale of Cocaine (B,D,CC)
	Possession of Cocaine with Intent (B,D,CC) Sale of Cocaine (B,D,CC)
	Possession of Cocaine with Intent (B,D,CC)
	Sale of Cocaine (B,D,CC,HH,MM)
	Possession of Cocaine with Intent (B,D,CC)
	Sale of Cocaine (B,D,CC)
	Possession of Cocaine with intent (B,D,CC)
	Sale of Cocaine (B,CC)
	Possession of Cocaine with Intent (B,CC)
116	. Sale of Cocaine (B,CC)
117	. Possession of Cocaine with Intent (B,CC)
	. Sale of Cocaine (B,CC)
119	Possession of Cocaine with Intent (B,CC)

****	NAME OF DEFENDANT	<u>CHARGE</u>	INDICTMENT <u>RETURNED</u>
	121. Pos	of Cocaine (B,CC) session of Cocaine with Intent (B,CC)	
_	123. Pos	of Cocaine (Q,CC) session of Cocaine with intent (Q,CC)	
_	125. Pos	of Cocaine (CC) session of Cocaine with Intent (CC) of Cocaine (I,Z,CC)	
_	127. Pos	session of Cocaine with Intent (1,Z,CC) of Cocaine (B,CC)	
	130. Sale	session of Cocaine with Intent (B.CC) of Cocaine (B.C.FF,JJ,CC)	
_	132. Atte	session of Cocaine with Intent (B,C,FF,JJ,CC) empted Murder (G,M)	
_	134. Atte	empted Murder (G.M) empted Murder (G.M) empted Murder (G.M)	
	136. Atte	empted Murder (G.M) empted Murder (G.M)	
_	139. Atte	empted Murder (G.M) empted Murder (G.M)	
_	141. Atto	empted Murder (G.M) empted Murder (G.M) oting Deadly Missile (G.M)	
	143. Dis 144. Use	charge of Firearm From a Vehicle (G,M) of Firearm During Felony (G,M)	
_	145. Car 146. Per	rying a Concealed Firearm (1) ury (II)	True Bill
	ETHANGOR WARREN	First Degree Murder	
		Attempted First Degree Murder Shooting or Throwing Deadly Missile	True Bill
_	BJORN FOX, also known as QUE JOSE DEL VALLE, also known a JUAN CARDONA, also known as	s JOSE LOUIS (B).	
_	JULIEN CARDONA, also known as JULIEN CHAVARRIAGA, also known as RAFAEL REYES, also known as LEONARDO DEL VALLO (D),		
_	HORACIO CORTEZ, also known as ITO (E), RONALD DEL VALLE (F), GENNY DIAZ, also known as MORENO, also known as FRANK DIAZ, (G),		
	JOSE GONZALEZ, also known as GREEN EYES JOSE (H), CRISTINE GUERRIERI, also known as CHRISSY (I),		
_	ROBERT MARTINEZ, also know RUBEN RIVERA (K).	n as PITUFO (J). vn as JUNIOR, also known as DAMIEN TORRES (L)	
_	OTTHORIZE TORRES, also kilo	Murder 1 st Degree / Conspiracy (A - L) Attempted First Degree Murder (A - L)	
_		Attempted First Degree Murder (A - L) Attempted First Degree Murder (A - L) Attempted First Degree Murder (A - L)	
		Aggravated Battery (A - L)	True Bill

	NAME OF DEFENDANT	<u>CHARGE</u>	INDICTMENT RETURNED
-	KIMA JOHNSON and ANTWAN CLARK	First Degree Murder Attempted First Degree Murder Shooting or Throwing Deadly Missile Burglary of an Occupied Conveyance	
		Attempted Armed Robbery	True Bill
_	JESUS MANUEL PEREZ	First Degree Murder Attempted Armed Robbery Attempted Armed Burglary	
_		Shooting or Throwing Deadly Missile	True Bill
_	KIRK DOUGLAS BILLIE	First Degree Murder First Degree Murder Burglary with Assault or Battery Therein While Armed	True Bill
_	LUIS JAVIER CABRERA	Attempted First Degree Murder Burglary with Assault or Battery Therein While Armed	True Bili
-	PEDRO PABLO RODRIGUEZ, also known as ABDIEL ALAS (C), ELECTO ECHEVARRIA (D).	· ·	
_	DAGOBERTO DE LA CRUZ (E) and IRAN FLEITAS (F)	First Degree Murder (A,B,C,D,E & F) Attempted First Degree Murder (A,B,C,D,E & F)	
_		Felony Causing Bodily Injury (A,B,C,D,E & F) Armed Burglary (A,B,C,D,E & F) Attempted Armed Robbery (A,B,C,D,E & F) Armed Kidnapping (A,B,C,D,E & F)	
_		Armed Kidnapping (A.B.C.D.E & F) Aggravated Battery on a Law Enforcement Officer (B)	True Bill
_	MICHAEL McNICHOLS (A) and TONIO BROWN (B)	Burglary with Assault Therein Robbery	
_	COREY GREGORY HUMES, also known		True Bill
_	SIDNEY ROBINSON	First Degree Murder First Degree Murder	True Bill
_	FREDDIE LEE FRAZIER	First Degree Murder Unlawful Possession of a Firearm by a Violent Career Criminal	True Bill
_	WILLIE McFADDEN and GREG MASSEY	First Degree Murder Attempted Armed Robbery Armed Burglary	True Bill
_	JORGE ARMANDO ESPARZA	First Degree Murder	True Bill

_	NAME OF DEFENDANT	<u>CHARGE</u>	INDICTMENT RETURNED
_	JOSE MENDEZ, DANIEL TORRES. LISSETTE ESTRADA and		
	YESSENIA SUAREZ	First Degree Murder Armed Robbery	True Bill
_	JULIO A.CRESPO	First Degree Murder	True Bill
_	YOSVANY HERNANDEZ	First Degree Murder Armed Burglary Grand Theft Third Degree Grand Theft Firearm	True Bill
-	ANDREW ALEXANDER REDDING, also known as DREW, and WILLIE JONES,		
	also known as CHAMP	First Degree Murder Aggravated Battery Armed Robbery (3 Counts)	True Bill
_	ANDRES INOCENCIO OLIVA	First Degree Murder Attempted First Degree Murder Burglary with Assault or Battery Therein While Armed	True Bill
_	JESSICA ROBINSON (A), BARBARA ABAD (B) and SAMUEL ADEFNA (C)	Burglary with Assault or Battery Therein While Armed Armed Robbery	
_		Kidnapping with a Weapon	True Bill
	JUAN CARLOS FABREGAS	First Degree Murder	True Bill
_	MILTON HAMPTON	First Degree Murder Burglary With an Assault or Battery Therein While Armed Violation of Injunction Against Domestic Violence	True Bill
_	TRAVIS MANN FOWLES TOREY ANTWAN JOHNSON	Robbery Using Deadly Weapon Firearm Armed Robbery	True Bill
	ROBERT LEWIS SMITH	First Degree Murder	True Bill
	WANDA GHENT HARPER	First Degree Murder Child Abuse/Aggravated/Great Bodily Harm	True Bill
_	ROLIN LEMORIN, also known as LYGLENSON LEMORIN, also known as WESLEY JACKSON, also known as		
_	ROLLIN OLIBRICE	First Degree Murder Armed Robbery Unlawful Possession of a Firearm by a Convicted Felon	True Bill

_	NAME OF DEFENDANT	CHARGE	INDICTMENT RETURNED
	GARTH FITZGERALD OAKLEY	First Degree Murder Armed Robbery Attempted Armed Robbery	
_		Burglary With Assault or Battery Therein While Armed	True Bill
	JAVORIS PEACOCK	First Degree Murder	True Bill
_	DEON URSERY	Attempted First Degree Murder of a Law Enforcement Officer Unlawful Possession of a Firearm While Engaged in a	
_		Criminal Offense Burglary of an Occupied Dwelling	
_		Resisting an Officer Without Violence Petit Theft	True Bill
	ERNESTO PEREZ	First Degree Murder Burglary with Assault or Battery Therein While Armed Armed Robbery	
		Kidnapping with a Weapon Kidnapping with a Weapon	True Bill
	DERRICK ALEXANDER LEWIS	First Degree Murder Armed Robbery Armed Burglary	True Bill
_	CHRISTOPHER BEST	First Degree Murder Attempted Armed Robbery	
-		Burglary with an Assault or Battery Therein While Armed Armed Carjacking	True Bill
_	TRAVIS MANN FOWLES TOREY ANTWAN JOHNSON	Robbery Using Deadly Weapon Firearm Armed Burglary	True Bill
	[Previously presented 09/03/97 & was rep	resented to correct wording in body of indictment.]	
_	EDWARD CHAPALET	Armed Burglary Grand Theft First Degree Grand Theft Motor Vehicle	
_		Resisting an Officer Without Violence	True Bill
_	MELTON JACKSON, JR.	First Degree Murder Attempted Armed Robbery	True Bill
	JAMES COCHRAN	First Degree Murder Attempted First Degree Murder Unlawful Possession of a Firearm by a Convicted Felon	True Bill
	DELETRING LEWIS MORRISON	·	
_	DEMETRIUS LEWIS MORRISON	First Degree Murder	True Bill

_	NAME OF DEFENDANT	<u>CHARGE</u>	INDICTMENT RETURNED
_		First Degree Murder Attempted Second Degree Murder Unlawful Possession of a Firearm/Weapon by a Violent Career Crimin	al True Bill
_	LaTONDA SHANNON	First Degree Murder Aggravated Child Abuse	True Bill
_	WILLIAM DESAMOURS and LUCKNER JOSEPH	First Degree Murder Unlawful Possession of a Weapon While Engaged in a Criminal Offen Unlawful Possession of a Firearm or Weapon by a Convicted Felon (William Desamours only)	se True Bill
_	JAVIER FERNANDEZ (A) and JUAN ALABERTO PADILLA (B)	First Degree Murder Attempted First Degree Murder Shooting or Throwing Deadly Missile Unlawful Possession of a Firearm While Engaged in a Criminal Offense (B) Unlawful Possession of a Firearm or Weapon by a Convicted Felon (B Armed Trafficking in Illegal Drugs) True Bill
_	CARL COLEMAN	First Degree Murder	True Bill
		-	True Dill
_	YORDANY CASAL	First Degree Murder Robbery	True Bill
_	KEVIN WILLIAMS	Attempted Armed Robbery Burglary/Unoccupied Dwelling Burglary with Assault or Battery Therein While Armed	True Bill
_	JOAQUIN ZABALO	First Degree Murder	m n::
_	DONOVAN A. ALLEN (A) and CARL FLOWERS, also known as "SHABA" (B)	Attempted First Degree Murder First Degree Murder Shooting or Throwing Deadly Missile Armed Burglary	True Bill
_		Unlawful Possession of a Firearm While Engaged in a Criminal Offer	se True Bill
_	ANDREW ALEXANDER REDDING, also known as "DREW", WILLIE JONES, also known as "CHAMP" JESSIE DEBOUGH MERCER	First Degree Murder Aggravated Battery	
		Armed Robbery Armed Robbery	True Bill

	NAME OF DEFENDANT	<u>CHARGE</u>	INDICTMENT RETURNED
_	XAVIER ZACCHEUS ROBERTS	First Degree Murder Attempted First Degree Murder	
		Aggravated Battery Aggravated Battery	True Bill
	IRVIN D. COBBS	First Degree Murder Unlawful Possession of a Firearm by a Convicted Felon	True Bill
_	WILLIAM ALEXANDER TOWNSEND, also known as SCAR FACE. also known as TINKER	First Degree Murder	True Bill
_	MAYCO SIMON	Burglary with Assault Therein Robbery	True Bill
_	XIOMARA HERNANDEZ. EDILBERTO LORENZ and RAMON VASQUEZ	Armed Burglary Armed Robbery	
		First Degree Murder Unlawful Possession of a Firearm While Engaged in a Criminal Offer	nse True Bill

ACKNOWLEDGEMENTS

We, the Dade County Grand Jury for the Spring Term 1997, would like to thank the Honorable Judge Judith L. Kreeger, Dade County State Attorney Katherine Fernandez Rundle and Assistant State Attorney Mat Hodes.

We would especially like to thank Deputy Chief Assistant State Attorney Chet J. Zerlin, our legal advisor, for his expert guidance and broad knowledge. He has personally inspired our belief in the criminal justice system. His professionalism and skills made our task enjoyable and easier to perform.

We also wish to thank Rose Anne Dare, Administrative Assistant to the Grand Jury, who graciously and expeditiously attended to the myriad of administrative details of the grand jury; Arthur Lewis, our faithful and dedicated bailiff, Kevin Seifried, our Clerk of Court and the dedicated members and representatives of the various law enforcement agencies of Dade County and its municipalities, all of whom contributed greatly in assisting this grand jury in the performance of its duties.

Respectfully submitted,

Alvin J. Thomas

Dade County Grand Jury

Spring Term 1997

ATTEST:

Anthony Barbasca

Clerk

Date: December 15, 1997