



**KATHERINE FERNANDEZ RUNDLE
STATE ATTORNEY**



**ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY**

FOR IMMEDIATE RELEASE

Son Charged in Alleged Financial Exploitation of 95-Year-Old Mother

(Miami – March 27, 2024)

State Attorney Katherine Fernandez Rundle announces the arrest of 72-year-old Manuel C. Diaz Hernandez by members of the State Attorney’s Office Elderly and Vulnerable Adult Unit (EVA) for the alleged financial exploitation of his 95-year-old mother.

Manuel C. Diaz Hernandez is being charged with the following 1st Degree Felony crimes:

- 1 count Exploitation of an elderly/disabled person in an amount over \$50,000
- 1 count – Grand Theft on a person over 65 in an amount over \$50,000
- 1 count – Organized Scheme to Defraud in an amount over \$50,000
- Additionally charged: 1 count - Unlawful Use of A Two-Way Communications Device 3rd Degree Felony

“It is always inconceivably sad when a son, or a daughter, or another family member sees an elderly relative as an exploitable target,” said State Attorney Katherine Fernandez Rundle. “Too many of our older residents are vulnerable to exploitation. In this case, our Elder and Vulnerable Adult Unit was able to intervene to keep the victim housed. Today’s arrest is another strong statement by my office and our law enforcement community that we will not tolerate the victimization of our elder and vulnerable residents.”

The victim in this case had been living alone after the death of her 92-year-old husband after 40 years of marriage. His death was indirectly related to a fall at the apartment complex where they lived due to a lack of adequate railing at the complex. The lawsuit filed after the husband’s death led to a settlement of \$155,000 which netted the victim

FOR FURTHER
INFORMATION CONTACT:

Ed Griffith, Public Information Officer
(305) 547-0535

EdGriffith@MiamiSAO.com

more than \$57,000 after all outstanding medical and care bills were settled. The woman, who now lived alone in the rented apartment, was self-sufficient, independent, and ambulatory, performing her normal activities of daily living. Although she used a walker for ambulation, she remained cognitively lucid and clearly managed her own finances without assistance. The \$57,000 received from her husband's estate, supplemented by her deceased husband's Social Security benefits, enabled the Victim to pay her monthly expenses such as rent, groceries, telephone, and other daily expenditures as needed.

The victim had asked her deceased husband's adopted son, Mr. Andres Ramos, to help her with financial issues settlement money, rather than her two, long estranged, biological sons. Ramos, who lived in Arizona and who had long remained in contact with the victim and her now-deceased husband, came to Miami, assisted in opening an account at Bank of America with both the Victim and Ramos as authorized signers, and returned to Arizona. Diaz Hernandez, one of the victim's estranged sons who had not had significant contact with the Victim until her husband's death, now began taking an interest in her. Diaz Hernandez convinced his mother that he was better able to assist her than Mr. Ramos since he was a "blood relative". Diaz Hernandez was then added to his mother's bank account. He subsequently helped the victim move the settlement money to what was now a joint account, depositing \$50,000. At this point, \$7,000 disappeared. Between March 2022 and August 2022, the account balance decreased to \$0.00, leaving the victim without funds to pay her rent. Facing imminent eviction, members of the State Attorney's Office, Elder and Vulnerable Adult Unit, intervened and found emergency housing for the Victim and avoided having her cast out onto the street due to the Defendant's actions.

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