

COMPLAINT AFFIDAVIT

SHADED FIELDS MUST BE ANSWERED IF DEFENDANT NOT IN CUSTODY

☐ ARREST FORM

BROWARD COUNTY

ARREST #

OBTS #

Filing Agency MIRAMAR PD		Offense Report 04-12-02953		Local ID #		FDLE		FBI		SS #		
Defendant's Last Name SENISES				First SIOMARA		Middle JOSEFINA		SUF		Alias/Street Name Citizenship		
Race W	Sex F	Hgt 5'05	Wgt	Hair	Eyes	Comp	Age 42	DOB	Birth Place			
Permanent Address									Scars, Marks, TT			
Residence Type: (1) City (2) County (3) Florida (4) Out of State Local Address:									Place of Employment GYN CENTER, 6161 SW 62ND AVE		Length	
How long defendant in Broward County:		Breathalyser By/CCN		Reading		Place of Arrest NOT IN CUSTODY		Date/Time Arrested		Arresting Officer(s) CCN		
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	
TYPE / ACTIVITY: /		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 <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> UK Drug Influence <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> UK

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): _____ _____			
Count #	Offenses Charged	WC# / Citation # (if applicable)	FS or Capias/Warrant #
1	PRINCIPAL IN THE FIRST DEGREE		777.011
1	UNLICENSED PRACTICE OF HEALTH CARE PROFESSION		456.065

Probable Cause Affidavit

Before me this date personally appeared GANOW, MARC W. (205) who being first duly sworn deposes and says that on 16 day of November, (year) 2004 at 6161 MIRAMAR PKWY, MIRAMAR, (crime location) the above named defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows:

For the years 2002, 2003, and 2004, A GYN of Miramar, inc. located at 6161 Miramar Parkway, Suite 300, Miramar, Florida was an active Florida Profit Corporation. The corporation filed an Administrative Dissolution for Annual Report on September 16, 2005.

At the time the corporation was active, the registered agent and President was Siomara

* * * Continued * * *

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

 Officer/Affiant's Signature
 STATE OF FLORIDA
 COUNTY OF BROWARD

 GANOW, MARC W. (205)
 Officer's Name/CCN

 Criminal Investigation Division
 Officer's Division

Sworn to (or affirmed) and subscribed before me this 9 day of August, 2006 (year),
 by OFFICER GANOW, MARC W. (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

SERGEANT / 80
 Title/Rank and CCN

ESPOSITO, JAMES P
 Print, Type or Stamp Commissioned Name of Notary Public

(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))

BSO DB-#2 (Revised 05/00)

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

COURT COPY

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PROBABLE CAUSE AFFIDAVIT CONTINUATION

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Defendant's Last Name SENISES	First SIOMARA JOSEFINA	Middle	SUF	Alias/Street Name	Citizenship
Name of victim(s) (if corporation, exact legal name and state of incorporation): [REDACTED]					
Count #	Offenses Charged	WC# / Citation # (if applicable)		FS or Capias/Warrant #	
	* * * SEE PAGE 1 * * *				

Probable Cause Affidavit

Before me this date personally appeared GANOW, MARC W. (205) who being first duly sworn deposes and says that on 16 day of November, (year) 2004 at 6161 MIRAMAR PKWY, MIRAMAR, (crime location) the above named defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows:

Senises and the Vice Treasure was Belkis Gonzalez.

Siomara Senises- DOB: - DL# - Address:
- W/F - SS#

Belkis Gonzalez- DOB: - DL# - Address:
- W/F - SS#.

On November 16, 2004, Investigator Michelle Miller received a telephone call from Ed Brophy who alleged that A GYN of Miramar, inc. located at 6161 Miramar Parkway, Suite 300, Miramar, Florida was employing unlicensed personnel to perform termination of pregnancies, specifically, Robelto Osborne and Kieron Nisbet. Robelto Osborne, a licensed physician until August 17, 2004 at which time his license to practice medicine was revoked by the Florida Board of Medicine was the medical director on file for the clinic.

Kieron Nisbet held a limited license with the Department of Health known as an "Unlicensed House Physician." Under this license, Nisbet could only be employed by a hospital and registered that hospital with the Department of Health. At no time did Kieron Nisbet ever hold a clear and active license to practice medicine in the State of Florida.

A thorough investigation was conducted by the Florida Department of Health in conjunction with Miramar Police Department Detective Marc Ganow. As a result of that investigation, a search warrant was obtained and served on the clinic December 7, 2004.

* * * Continued * * *

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

Officer/Affiant's Signature STATE OF FLORIDA COUNTY OF BROWARD Sworn to (or affirmed) and subscribed before me this <u>9</u> day of <u>August</u> , <u>2006</u> (year), by <u>OFFICER GANOW, MARC W.</u> (name and title), who is personally known to me or has produced _____ as identification.	<u>GANOW, MARC W. (205)</u> Officer's Name/CCN	<u>Criminal Investigation Division</u> Officer's Division
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Notary Public, Deputy Clerk of the Court, or Assistant State Attorney

ESPOSITO, JAMES P

Print, Type or Stamp Commissioned Name of Notary Public

SERGEANT / 80

Title/Rank and CCN

(SEAL)

Seventeenth Judicial Circuit
Broward County
State of Florida

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Name of victim(s) (if corporation, exact legal name and state of incorporation):					
Count #	Offenses Charged	WC# / Citation # (if applicable)		FS or Capias/Warrant #	

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As a result of evidence seized in that warrant, patients were conducted and interviewed and several patients stated that they received a termination of pregnancy at of Miramar, inc. located at 6161 Miramar Parkway, Suite 300, Miramar, Florida and it was preformed by either Robelto Osborne or Kieron Nisbet.

As a result of such interviews, arrest warrants were obtained for Robelto Osborne and Kieron Nisbet. Robelto Osborne turned himself into Miramar Police Department on December 22, 2004. Robelto Osborne pled guilty on September 23, 2005, was adjudicated guilty and sentenced to two years community control followed by three years probation.

Kieron Nisbet fled to Trinidad and has not since returned to the United States. Arrest warrants are pending for him in Broward and Miami-Dade County.

Also, as a result of the investigation, Joselin Collado, an employee of the clinic was arrested on September 12, 2005 and practicing medicine without a license. She pled nolo contendere on May 23, 2006, adjudication withheld and sentenced to three years probation.

Adieren Rojas, also an employee of the clinic was arrested on January 5, 2005 and charged with practicing nursing without a license. She pled nolo contendere on April 25, 2006, adjudication withheld and sentenced to three years probation.

Robelto Osborne, Joselin Collado and Adieren Rojas all provided the State with sworn statements regarding their employments at A GYN of Miramar, inc. located at 6161 Miramar Parkway, Suite 300, Miramar, Florida.

*** * * Continued * * ***

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

Officer/Affiant's Signature	<u>GANOW, MARC W. (205)</u>	<u>Criminal Investigation Division</u>
STATE OF FLORIDA	Officer's Name/CCN	Officer's Division
COUNTY OF BROWARD		
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by <u>OFFICER GANOW, MARC W.</u> (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>SERGEANT / 80</u>
	Title/Rank and CCN

ESPOSITO, JAMES P

Print, Type or Stamp Commissioned Name of Notary Public

(SEAL)

Seventeenth Judicial Circuit

Broward County

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Robelto Osborne gave a sworn statement on May 23, 2005 at 201 SE 6th Street, Fort Lauderdale, Florida. He stated under oath that he began working at A GYN of Miramar in either 2001 or 2002 and that he was contacted by one of the owners; either, Siomara Senesis or Belkis Gonzalez. Osborne testified that he was an independent contractor and preformed termination of pregnancies at the clinic. Osborne testified that his license to practice medicine was revoked on August 17, 2004 and he mentioned to Siomara Senesis that the Board of Medicine voted to revoke his license prior to the actual revocation date. Osborne testified that he notified Senesis his license has been revoked and he specifically remembers Senesis telling him that she looked up his license on line and it still showed clear and active in the computer. Osborne testified that it was the first week of September. Osborne testified that both owners, Senesis and Gonzalez knew he was revoked and knew that he continued to work at the clinic following his revocation. Osborne testified that after the owners found out about his revocation it was "business as usual." Osborne testified that Senesis was present while he was doing terminations at the clinic and she even assisted him on occasion and paid him. Osborne testified that Nisbet worked at the clinic as well and both owners were aware that his license was "Unlicensed House Physician." Osborne testified that during the latter part of 2004, owner, Belkis Gonzalez called him to come to the clinic to perform abortions. Osborne testified that when he was at the clinic he usually saw Senesis.

Joselin Collado provided a sworn statement on May 19, 2006 at 7369 Sheridan Street, Suite 202, Hollywood, Florida. Collado testified that she began working at A GYN on February 10th two or three years ago and worked there until December 17, 2005. Collado

* * * Continued * * *

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

Officer/Affiant's Signature

GANOW, MARC W. (205)
Officer's Name/CCN

Criminal Investigation Division
Officer's Division

STATE OF FLORIDA
COUNTY OF BROWARD

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Title/Rank and CCN

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testified that the owner, Senesis is a family member of her children. She testified that her initial job duties were phone receptionist and both owners Senesis and Gonzalez trainer her. She testified that Gonzalez was her primary supervisor and that Gonzalez was there mostly every day from approximately 9:00 am until the last patient left which was usually 3:00 pm. Collado testified that Senesis was also at the clinic a lot usually to pick up the money and would call Collado in the mornings to find out how many patients were there and then contact the doctor. Collado testified that either Senesis or Gonzalez would decide which doctor to call. Collado testified that after being at the clinic for about a month she began doing sonograms and was trained how to do this by both owners and Dr. Brown. She testified that her training consisted of seeing the fetus on the screen and looking at it. She testified that she also had training on actual patients. Collado testified that she also administered Diazepam and ibuprofen to the patients and that both owners instructed her to do that. Collado testified that Osborne was the primary physician until November 2004. She stated that when Osborne was not available they clinic would call Dr. Brown or Dr. Nisbet. Collado stated that she first met Nisbet at the Hialeah clinic also owned by both owners. Collado testified that Nisbet came to the Miramar clinic when Osborne was not available. Collado stated that both owners, Senesis and Gonzalez instructed her to contact Nisbet to work at the clinic on certain occasions. Collado testified that she saw Nisbet at the clinic approximately 100 times. Collado testified that the owners told her that Nisbet was supposed to be under the supervision of Osborne. Collado stated that if no other doctor was available to come in the clinic Nisbet was the last choice. Collado stated that Nisbet got paid the same as the other physicians. Collado testified that Nisbet did not sign his name on the charts, he left them blank and then Osborne would sign his name [Osborne] at a later time. After Collado and the owners

* * * Continued * * *

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

Officer/Affiant's Signature

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Officer's Name/CCN

Criminal Investigation Division

Officer's Division

STATE OF FLORIDA
COUNTY OF BROWARD

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SERGEANT / 80

Title/Rank and CCN

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became aware of the investigation, Collado testified that Senesis told her if anyone asks, don't tell them Nisbet works here. Collado testified that Gonzalez told her that as well. Collado testified that both owners told her not to open the door to investigators and not to talk to them. Collado testified that after she quit the clinic the owners asked her if she told investigators that Nisbet worked at the clinic. Collado testified that Gonzalez gave her \$1500.00 for an attorney.

Adieren Rojas provided a sworn statement on June 16, 2006 at 7369 Sheridan Street, Suite 200, Hollywood, Florida. Rojas testified that she began working at A GYN of Miramar in May 2004 until January 2005. She testified that she met Senesis at the clinic in Hialeah. She testified that when she began working at the clinic her direct supervisor was Belkis Gonzalez and she dealt with her on a daily basis. Rojas testified that she met Nisbet between May and November 2004 when he did terminations at the clinic and treated patients. Rojas testified that she assisted him with the terminations and she thought she was a doctor. Rojas testified that Nisbet would do the same procedures as the other doctors.

Rojas testified that she specially remembers seeing Nisbet at the clinic at the same time Gonzalez and Senesis were present. Rojas testified that both owners were in charge of the day to day operation of the clinic. Rojas testified that after investigators initially went to the clinic the owners approached her and Collado and they then that there was a problem with Osborne's license.

Rojas also testified that both owners told her not to tell investigators that Nisbet worked at the clinic. Rojas testified that both owners trained her to perform

* * * Continued * * *

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

Officer/Affiant's Signature _____ GANOW, MARC W. (205) _____
STATE OF FLORIDA _____
COUNTY OF BROWARD _____
Sworn to (or affirmed) and subscribed before me this 9 day of August, 2006 (year),
by OFFICER GANOW, MARC W. (name and title), who is personally known to me or has produced _____ as identification.

Criminal Investigation Division
Officer's Division

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

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Title/Rank and CCN

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Print, Type or Stamp Commissioned Name of Notary Public

(SEAL)

Seventeenth Judicial Circuit
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sonograms and dispense medications. Rojas testified that Senesis gave her \$2000.00 for an attorney.

Based upon the above information, there is probable cause to believe that both owners, Siomara Senesis and Belkis Gonzalez had knowledge that:

1. Robelto Osborne's license had been revoked and he was allowed to continue to perform termination of pregnancies at A GYN of Miramar, Inc.
2. Kieron Nisbet did not have a license to practice medicine in the State of Florida and he was allowed to perform termination of pregnancies at A GYN of Miramar, Inc.
3. Joselin Collado was authorized to perform duties as an employee of A GYN of Miramar that were required by law to be preformed by a licensed medical professional
4. Adieren Rojas was authorized to perform duties as an employee of A GYN of Miramar that were required by law to be preformed by a licensed medical professional.

Knowing the above, both owners, Siomara Senesis and Belkis Gonzalez aided and abetted in allowing unlicensed activity to take place at A GYN of Miramar, Inc. Principle in the First Degree/Aiding and Abetting are in violation of Florida Statute 777.011.

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

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