# IN THE CIRCUIT/COUNTY COURT IN THE FIRST JUDICIAL VIRCUIT IN AND FOR OKALOOSA COUNTY, FLORIDA

WARRANT/OTTIC ACTIVE

OKALOOSA CO SHERIFF'S OFFICE

REPORT NO: OCSO20ARR001451

REPORT NO: OCSO2	REPORT NO: OCSO20ARR001451					
Jail Booking No	Offense No OCSO19OFF010071	Other No OCSO19CAD124093	OBTS			
[ SUSPECT ] <u>Last</u>	<u>First</u>	<u>Middle</u>	Title Race Sex DOB Age Hgt Wgt			
DIAZ           Eyes         Hair         MNI Num           BRO BLK         OCSO141	ALBERT <u>ber SSN I</u> MNI011956 124-64-3529 I	. <u>D. No.</u> )200020810060	W M 1/6/1981 39 5'03" 165  St Type OCA / Agency ID  FL E 233757			
Birth Location: City: I STATES Address	BROOKLYN County: State: I	NEW YORK Nation: UN	TED STATES Citizenship: UNITED			
FO Occupations (Current/	ORT WALTON BEACH I Last Known is Listed First) PLOYED, Job Title: DRY W	ALL, Entered: 3/28/2017				
Business: JJ DRYW	ALL, Job Title: LABORER, I	Entered: 6/14/2015				
Business: H&D DRY Suite:	WALL, Job Title: LABORE	R, Entered: 8/20/2014				
	N INN, Job Title: NIGHT AU RAMAR BCH FL	DITOR, Entered: 2/3/20	13			
Suite:	WALL, Job Title: LABORE					
Suite:	PLOYED, Job Title: CONST	RUCTION, Entered: 6/13	3/2005			
Business: , Job Title Suite:	: , Entered: 6/13/2005					
Aliases (Last, First Mi DIAZ, ALBERT JOS						
DIAZ, SWEEPY	_					
* none found in MNI	[*					
[ INCIDENT INFORMA	ATION ]					
	6/30/2019 03:00 to 6/30/20		g 30.39673 / -86.50609			
	eet Apt/I OMMERCE DR 1	Lot City <b>DESTIN</b>	ST Zip (GEO) FL 32541 3 - 25 - 121 - 1006			
[ CHARGES ]						

## [ STATEMENT OF PROBABLE CAUSE / NARRATIVE ]

KILLING HUMAN OTHER THAN BY MURDER OR HOMICIDE

Degree

Second

On 6/30/2019, the defendant Albert Diaz, through his culpable negligence, contributed to the death of Victim Grace Marie Morales, without lawful justification according to the provisions of chapter 782.

UCR

090C

NCIC

AON

0910

GOC

Not Applicable

At 10:10 AM, OCSO Communications received a 911 call from the Defendant stating a female was not breathing at 4 Commerce Drive, Unit 1, Destin, FL. At 10:21 AM, first responders arrived and pronounced the Victim, Grace Morales, dead at 10:25 AM.

The investigation determined the Defendant and Victim had earlier left the Bric a Brac club together at 3:18 AM. The Defendant's phone records then showed a continuous volley of thirty-three (33) calls and texts to/from multiple people

Bond Amount

782.07.1

Counts

1

HOMICIDE-NEGLIG MANSL

Leve1

Felony



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beginning at 9:09 AM, a full 61 minutes before calling 911.

In a sworn interview, witness Jose "Pepe" Clark said the Defendant called him several times saying that the Victim "won't wake up." Clark repeatedly told the Defendant to call 911 and initiate CPR. Phone records show 4 phone calls to Clark beginning at 9:30 AM, 40 minutes before the 911 call. The Defendant also told Clark that he and the Victim left Bric a Brac together and stopped at Unit 1 "to do a couple of lines."

In a sworn interview, witness Angel Mercado said the Defendant called him several times, asking to be immediately picked up. Phone records show 3 calls to Mercado beginning at 9:21 AM, 49 minutes before the 911 call. These calls for a ride illustrated the Defendant's intentions to flee the scene rather than provide aid to the Victim.

Witness and ex-girlfriend Rocely Castro swore in a telephone interview from North Carolina that the Defendant said he went with the Victim to the unit on Commerce Drive and they "did drugs together."

On 07/16/2019, the autopsy report was received and listed the Victim's cause of death as "Multiple Drug Intoxication (Fentanyl, Ethanol)."

On 7/24/2019, Post Miranda, the Defendant said he "couldn't recall" making other phone calls before calling 911. When informed of the actual phone evidence, he said he didn't call 911 right away because he didn't think the Victim was dead, that she was a "young girl," and "her hands weren't cold." These statements, combined with his calls to Mr. Clark for assistance, illustrate the Defendant was cognizant the Victim may still be alive but nevertheless was experiencing a serious medical episode.

Based upon my investigation, I have probable cause to believe the Defendant, Albert Diaz, did violate F.S.S. 782.07(1), Manslaughter by culpable negligence. By not seeking medical aid for 61 minutes or more after observing the Victim on the floor, he displayed gross and flagrant disregard for her safety. He should have reasonably known his conduct was likely to cause death or great bodily injury.

This offense occurred in Okaloosa County, Florida	, where your amant is a	a Sworn law enforcement of	meer.
Signature (Arresting Officer)	Name		ID/SSN
Subscribed and sworn to (or affirmed) before me to who is personally known to me or has produced	,	ch A.D., 2020 by as identified	_
Signature	Notary Pu	ablicLEO	co
Commission No:	My Commission	Expires	
Supervisor Signature I	Date Superviso	r Name ( Please Print )	Rank

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[ PHYSICAL EVIDENCE ]	[NO PHYSICAL E	VIDENCE LISTED]		
	-	Injured	Extent of Injury	Resist
	Arrested I	Prior Arrest Jurisdi	ction Alcohol	Drugs
No. Di Stree	et	A/L City	ST Zip	Lat / Long
Arresting Officer		Unit	(GEO)	Officer Type
Reporting Officer 075 VAFIDES, ALA Forward to for approval OCSO/FSV/INV/CID	N H	Unit OCSO/FSV/INV	7/CID	Original Offense Jurisdiction OCSO
Bond Set by LEO at Time of	of Arrest & Booking:  ( ) None ( ) ROR ( ) Cash ( ) Pro	\$0.00		
Bond Set by Judge  ( )Purge TRANSP ( )SC	(X) None ( ) Cash ( ) Any ( ) Pro ( ) PtrIQ ORT		( ) ROR/Sign ( ) PTR	
Return Court: CIRCU Instructions:	JIT COURT: FELONY	Date:	Time:	
[ COURT INFORMATION	Judge MASON	Date 2/13/2020		
[ DISPOSITION ] <u>Disposition Type</u> <u>Release Date</u> <u>Release Ti</u> <u>Released To</u>			Other Desc Printed Print No	ed By

## IN THE CIRCUIT/COUNTY COURT IN THE FIRST JUDICIAL CIRCUIT IN AND FOR OKALOOSA COUNTY, FLORIDA

WARRANT/OTTIC ACTIVE

### OKALOOSA CO SHERIFF'S OFFICE

REPORT NO: OCSO20ARRO	01451			
Court DispositionType		Court Disposition De	scription	
[ ADDITIONAL PERSONS ]  COURT DISPOSITION:				
				( right index )
○ No Bill / Petition ○ Issu	ue Warrant 🔘	Prosecution Approved		
			Signature of Assistant State Attorney	Date