

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF DELAWARE



POLICE CRIMINAL COMPLAINT
COMMONWEALTH OF PENNSYLVANIA

Magisterial District Number: 32-1-24

DEFENDANT:

VS. (NAME and ADDRESS)

MDJ Hon. ROBERT M. D'AGOSTINO
Address: 796 PARKWAY BOULEVARD
BROOMALL, PA 19008

ARMANDO GARCIA- RAMIREZ
First Name Middle Name Last Name Gen.
2189 QUEEN STR
YORK, PA 17403

Telephone: (610)338-2250

NCIC Extradition Code Type

- 1 - Felony Full
- 2 - Felony Ltd.
- 3 - Felony Surrounding States
- 4 - Felony No Ext.
- 5 - Felony Pend.
- 6 - Felony Pend. Extradition Determ.
- A - Misdemeanor Full
- B - Misdemeanor Limited
- C - Misdemeanor Surrounding States
- D - Misdemeanor No Extradition
- E - Misdemeanor Pending
- F - Misdemeanor Pending Extradition Determ.
- Distance: _____

DEFENDANT IDENTIFICATION INFORMATION

Docket Number CR-180-20	Date Filed 11/13/2020	OTN/LiveScan Number U933374-1	Complaint/Incident Number 00125428/20190919M8644	Request Lab Service? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
GENDER <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	DOB 12/01/1965	POB	Add'l. DOB	Co-Defendants? <input checked="" type="checkbox"/>
RACE <input checked="" type="checkbox"/> White <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Native American <input type="checkbox"/> Unknown				
ETHNICITY <input checked="" type="checkbox"/> Hispanic <input type="checkbox"/> Non-Hispanic <input type="checkbox"/> Unknown				
HAIR COLOR <input type="checkbox"/> Gry (Grey) <input type="checkbox"/> Red (Red/Aubn) <input type="checkbox"/> SDY (Sandy) <input type="checkbox"/> BLU (Blue) <input type="checkbox"/> PLE (Purple) <input type="checkbox"/> BRO (Brown) <input type="checkbox"/> Blk (Black) <input type="checkbox"/> Ong (Orange) <input type="checkbox"/> WHI (White) <input checked="" type="checkbox"/> XXX (Ink./Bald) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> Bln (Blonde / Strawberry)				
EYE COLOR <input type="checkbox"/> Blk (Black) <input type="checkbox"/> Blu (Blue) <input checked="" type="checkbox"/> BRO (Brown) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> GRY (Gray) <input type="checkbox"/> HAZ (Hazel) <input type="checkbox"/> MAR (Maroon) <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> MUL (Multicolored) <input type="checkbox"/> XXX (Unknown)				
DNA <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DNA Location			WEIGHT (lbs.)
FBI Number	MNU Number			
Defendant Fingerprinted <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				Ft. HEIGHT In.
Fingerprint Classification				

DEFENDANT VEHICLE INFORMATION

Plate #	State	Hazmat <input type="checkbox"/>	Registration Sticker (MM/YY)	Comm'l Veh Ind. <input type="checkbox"/>	School Veh. <input type="checkbox"/>	Oth. NCIC Veh. Code	Reg. Same as Def. <input type="checkbox"/>
VIN	Year	Make	Model	Style	Color		

Office of the attorney for the Commonwealth Approved Disapproved because: _____

(The attorney for the Commonwealth may require the complaint, arrest warrant affidavit, or both, be approved by the attorney for the Commonwealth prior to filing. See PA, R. Crim. P 307.)

(Name of the attorney for the Commonwealth - Please Print or Type) _____ (Signature of the attorney for the Commonwealth) _____ (Date) _____

I, **DETECTIVE STEVEN CORTESE**
(Name of the Affiant)

of **DELAWARE COUNTY CID**
(Identify Department or Agency Represented and Political Subdivision)

do hereby state:

1. I accuse the above named defendant who lives at the address set forth above
 I accuse the defendant whose name is unknown to me but who is described as _____

I accuse the defendant whose name and popular designation are unknown to me and whom I have therefore designated as John Doe or Jane Doe

with violating the penal laws of the Commonwealth of Pennsylvania at [**023**] **DELAWARE CO CID**
(Subdivision Code) (Place-Political Subdivision)

100 LAWRENCE RD MARPLE TOWNSHIP

In **DELAWARE** County [**23**] on or about **16 SEPTEMBER 2019 AT 1100 HRS.**
(County Code) (Offense Date)

5189/35982
PSP/MPOEYC - Assigned Affiant ID Number & Badge #
PA0234800
(Police Agency ORI Number)



POLICE CRIMINAL COMPLAINT

Docket Number	Date Filed 11/13/2020	OTN/LiveScan Number	Complaint/Incident Number 00125429/20190919M8644
Defendant Name	First ARMANDO	Middle	Last GARCIA- RAMIREZ

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically. (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA 55 213. - 213.7.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older 0				
<input checked="" type="checkbox"/> Lead?	1	933.4	A1	of the	43	7	M3	
PennDOT Data (If applicable)		Accident Number	<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone			
Statute Description (Include the name of statute or ordinance): Improper Classification of Employees for purposes								
Acts of the accused associated with this Offense: Improper Classification of Employees for purposes								

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older 0				
<input type="checkbox"/> Lead?	2	1039.2	9	of the	77	7	F3	
PennDOT Data (If applicable)		Accident Number	<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone			
Statute Description (Include the name of statute or ordinance): Makes False Statements For Purpose of Avoiding or								
Acts of the accused associated with this Offense: Makes False Statements For Purpose of Avoiding or								

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older 0				
<input type="checkbox"/> Lead?	3	3921	A	of the	18	1	F3	
PennDOT Data (If applicable)		Accident Number	<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone			
Statute Description (Include the name of statute or ordinance): Theft By Unlaw Taking-Movable Prop								
Acts of the accused associated with this Offense: THEFT The Actor, Armando Garcia-Rivera , on or about, September 2019 , in the County of Delaware, unlawfully took or exercised unlawful control over movable property, namely, US Currency , belonging to, Commonwealth of PA , with the intent to deprive the owner thereof, in violation of Section 3921(a) of the Pennsylvania Crimes Code, Act of December 8, 1972, as amended, 18 Pa. C.S. 3921(a).								

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older 0				
<input type="checkbox"/> Lead?	4	3925		of the	18	1	F3	
PennDOT Data (If applicable)		Accident Number	<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone			
Statute Description (Include the name of statute or ordinance): RECEIVING STOLEN PROPERTY								
Acts of the accused associated with this Offense: The defendant received illegally obtained funds.								



POLICE CRIMINAL COMPLAINT

Docket Number	Date Filed 11/13/2020	OTN/LiveScan Number	Complaint/Incident Number 00125429/20190919M8644
Defendant Name	First ARMANDO	Middle	Last GARCIA- RAMIREZ
Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
			Number of Victims Age 60 or Older 0
<input type="checkbox"/> Lead?	5	3922	A of the 18 1 F3
Offense #	Section	Subsection	PA Statute (Title) Counts Grade NCIC Offense Code UCR/NIBRS Code
PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone <input type="checkbox"/> Work Zone	
Statute Description (include the name of statute or ordinance): THEFT BY DECEPTION			
Acts of the accused associated with this Offense: The defendant received the Commonwealth of PA			

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older 0			
<input type="checkbox"/> Lead?	6	4107	A8 of the 18 7 F3				
Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone <input type="checkbox"/> Work Zone					
Statute Description (include the name of statute or ordinance): Dec Bus Pract - False/Mis Stat Inves							
Acts of the accused associated with this Offense: DEC BUS PRACT-FALSE/MIS STAT INVES The Actor, Armando Garcia-Ramirez, on or about, September 2019, in the County of Delaware, commits an offense if, in the course of business, he: makes a false or misleading material statement to induce an investor to invest in a business venture. The offense is complete when any false or misleading material statement is communicated to an investor regardless of whether any investment is made. For purposes of grading, the "amount involved" is the amount or value of the investment solicited or paid, whichever is greater. As used in this paragraph, the following words and phrases shall mean: "Amount" as used in the definition of "material statement," includes currency values and comparative expressions of value including, but not limited to, percentages or multiples. "Business venture" means any venture represented to an investor as one where he may receive compensation either from the sale of a product, from the investment of other investors or from any other commercial enterprise. "Compensation" means anything of value received or to be received by an investor. "Invest" means to pay, give or lend money, property, service, or other thing of value for the opportunity to receive compensation. The term also includes payment for the purchase of a product. "Investment" means the money, property, service or other thing of value paid or given, or to be paid or given, for the opportunity to receive compensation. "Investor" means any natural person, partnership, corporation, limited liability company, business trust, other association, government entity, estate, trust, foundation or other entity solicited to invest in a business venture, regardless of whether any investment is made. "Material statement" means a statement about any matter which could effect an investor's decision to invest in a business venture including, but not limited to, statements about, that is to say the actor, Armando Garcia-Ramirez, in violation of Section 4107 (A) (B) of the Pennsylvania Crimes Code, as amended, 18 Pa.C.S. 4107 (A) (B)							

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older 0			
<input type="checkbox"/> Lead?	7	4114	of the 18 7 M2				
Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone <input type="checkbox"/> Work Zone					
Statute Description (include the name of statute or ordinance): SECURE EXECUTION DOCS BY DECEPTION							
Acts of the accused associated with this Offense: SECURE EXECUTION DOCS BY DECEPTION The Actor, Armando Garcia-Ramirez, on or about, September 2019, in the County of Delaware, commits a misdemeanor of the second degree if by deception he causes another to execute any instrument affecting or purporting to affect or likely to affect the pecuniary interest of any person, that is to say the actor, Armando Garcia-Ramirez, in violation of Section 4114 of the Pennsylvania Crimes Code, as amended, 18 Pa.C.S. 4114							



POLICE CRIMINAL COMPLAINT

Docket Number	Date Filed 11/13/2020	OTN/LiveScan Number	Complaint/Incident Number 00125429/20190919M8644
Defendant Name	First ARMANDO	Middle	Last GARCIA- RAMIREZ

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older 0					
Lead?	B	5111	A1	of the	18	7	F1		
PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone					

Statute Description (include the name of statute or ordinance):
DEAL IN PROC UNL ACT/INTENT TO PROMOTE

Acts of the accused associated with this Offense:
DEAL IN PROC UNL ACT/INTENT TO PROMOTE The Actor, Armando Garcia-Ramirez, on or about, September 2019, in the County of Delaware, commits a felony of the first degree if the person conducts a financial transaction under any of the following circumstances: (1) With knowledge that the property involved represents the proceeds of unlawful activity, the person acts with the intent to promote the carrying on of the unlawful activity., that is to say the actor, Armando Garcia-Ramirez, in violation of Section 5111 (A) (1) of the Pennsylvania Crimes Code, as amended, 18 Pa.C.S. 5111 (A) (1)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input checked="" type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older 0					
Lead?	9	933.4	A1	of the	43	7	M3		
PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone					

Statute Description (include the name of statute or ordinance):
Improper Classification of Employees for purposes

Acts of the accused associated with this Offense:
Improper Classification of Employees for purposes

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older 0					
Lead?	10	1039.2	9	of the	77	7	F3		
PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone					

Statute Description (include the name of statute or ordinance):
Makes False Statements For Purpose of Avoiding or

Acts of the accused associated with this Offense:
Makes False Statements For Purpose of Avoiding or

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input checked="" type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older 0					
Lead?	11	3921	A	of the	18	1	F3		
PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone					

Statute Description (include the name of statute or ordinance):
Theft By Unlaw Taking-Movable Prop

Acts of the accused associated with this Offense:
THEFT The Actor, Armando Garcia-Ramirez, on or about, September 2019, in the County of Delaware, unlawfully took or exercised unlawful control over movable property, namely, U.S. Currency, belonging to, Commonwealth of PA, with the intent to deprive the owner thereof, in violation of Section 3921(a) of the Pennsylvania Crimes Code, Act of December 8, 1972, as amended, 18 Pa. C.S. 3921(a).



POLICE CRIMINAL COMPLAINT

Docket Number	Date Filed	OTN/LiveScan Number	Complaint/Incident Number					
	11/13/2020		00125429/20190919M8644					
Defendant Name	First	Middle	Last					
	ARMANDO		GARCIA- RAMIREZ					
Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input checked="" type="checkbox"/> Conspiracy 18 903		Number of Victims Age 60 or Older <u>0</u>			
Lead?	12	3925	of the	18	1	F3		
	Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
PennDOT Data (if applicable)	Accident Number			<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone			
Statute Description (Include the name of statute or ordinance): RECEIVING STOLEN PROPERTY								
Acts of the accused associated with this Offense: The defendant received illegally obtained funds								

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input checked="" type="checkbox"/> Conspiracy 18 903		Number of Victims Age 60 or Older <u>0</u>			
Lead?	13	3922	A	of the	18	1	F3	
	Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
PennDOT Data (if applicable)	Accident Number			<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone			
Statute Description (Include the name of statute or ordinance): THEFT BY DECEPTION								
Acts of the accused associated with this Offense: The defendant deceived the Commonwealth of PA								

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903		Number of Victims Age 60 or Older <u>0</u>			
Lead?	14	4107	AB	of the	18	7	F3	
	Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
PennDOT Data (if applicable)	Accident Number			<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone			
Statute Description (Include the name of statute or ordinance): Dec Bus Pract - False/Mis Stat Inves								
Acts of the accused associated with this Offense:								

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input checked="" type="checkbox"/> Conspiracy 18 903		Number of Victims Age 60 or Older <u>0</u>			
Lead?	15	5111	A1	of the	18	7	F3	
	Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
PennDOT Data (if applicable)	Accident Number			<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone			
Statute Description (Include the name of statute or ordinance): DEAL IN PROC UNL ACT/INTENT TO PROMOTE								
Acts of the accused associated with this Offense: DEAL IN PROC UNL ACT/INTENT TO PROMOTE The Actor, Armando Garcia-Ramirez, on or about September 2019, in the County of Delaware, commits a felony of the first degree if the person conducts a financial transaction under any of the following circumstances: (1) With knowledge that the property involved represents the proceeds of unlawful activity, the person acts with the intent to promote the carrying on of the unlawful activity., that is to say the actor, Armando Garcia-Ramirez, in violation of Section 5111 (A) (1) of the Pennsylvania Crimes Code, as amended, 18 Pa.C.S. 5111 (A) (1)								



POLICE CRIMINAL COMPLAINT

Docket Number		Date Filed	OTN/LiveScan Number		Complaint/Incident Number		
		11/13/2020			00125429/20190919M8644		
Defendant Name		First	Middle	Last			
		ARMANDO		GARCIA- RAMIREZ			
<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A		<input type="checkbox"/> Conspiracy 18 903		Number of Victims Age 60 or Older <u>0</u>	
<input type="checkbox"/> Lead?	<u>16</u>	<u>0903</u>	<u>A</u>	of the	<u>18</u>	<u>1</u>	<u>F3</u>
	Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code UCR/NIBRS Code
PennDOT Data (if applicable)	Accident Number			<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone	
Statute Description (include the name of statute or ordinance):							
CRIMINAL CONSPIRACY (CODE A5 OFFENSE INVOLVED)							
Acts of the accused associated with this Offense:							
The defendant and others worked together to commit crimes.							

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A		<input checked="" type="checkbox"/> Conspiracy 18 903		Number of Victims Age 60 or Older <u>0</u>	
<input type="checkbox"/> Lead?	<u>17</u>	<u>4114</u>		of the	<u>18</u>	<u>7</u>	<u>M2</u>
	Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code UCR/NIBRS Code
PennDOT Data (if applicable)	Accident Number			<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone	
Statute Description (include the name of statute or ordinance):							
SECURE EXECUTION DOCS BY DECEPTION							
Acts of the accused associated with this Offense:							
SECURE EXECUTION DOCS BY DECEPTION The Actor, Armando Garcia Ramirez, on or about, September 2019, in the County of Delaware, commits a misdemeanor of the second degree if by deception he causes another to execute any instrument affecting or purporting to affect or likely to affect the pecuniary interest of any person., that is to say the actor, Armando Garcia-Ramirez, in violation of Section 4114 of the Pennsylvania Crimes Code, as amended, 18 Pa.C.S. 4114							



POLICE CRIMINAL COMPLAINT

Docket Number	Date Filed	OTN/LiveScan Number	Complaint/Incident Number
	11/13/2020		00125429/20190919M8644
Defendant Name	First	Middle	Last
	ARMANDO		GARCIA- RAMIREZ

- I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
- I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of section 4904 of the Crimes Code (18 PA C.C. 4904) relating to unsworn falsification to authorities.
- This complaint is comprised of the preceding page(s) numbered 1 through 6.
- I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of Assembly, or in violation of the statutes cited. (Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)

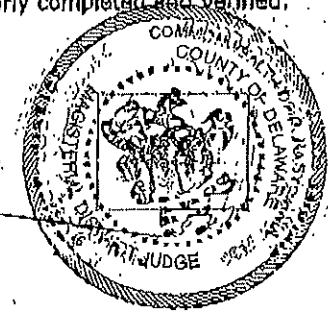
11-14-20, 2020
(Date)

[Signature]
(Signature of Affiant)

AND NOW, on this date 11-14-20 I certify that the complaint has been properly completed and verified. An affidavit of probable cause must be completed before a warrant can be issued.

32-1-24 2-42
(Magisterial District Court Number)

[Signature]
(Issuing Authority)



POLICE CRIMINAL COMPLAINT

Docket Number	Date Filed	OTN/LiveScan Number	Complaint/Incident Number
	11/13/2020		00125429/20190919M8644
Defendant Name	First	Middle	Last
	ARMANDO		GARCIA- RAMIREZ

AFFIDAVIT of PROBABLE CAUSE

On September 16, 2019, Your Affiant was advised of a possible Workplace Misclassification Act violation at 2170 West Chester Pike, Broomall, Pennsylvania, 19008. The Pennsylvania Construction Workplace Misclassification Act, 43 P.S. Sec. 933.1, has strict requirements that must be met for an individual to be considered an independent contractor. This law prohibits misclassification of employees as independent contractors in all commercial and residential construction in the Commonwealth of Pennsylvania.

Through investigation it was uncovered that the company working on the job site in question was G&R Drywall and Framing, LLC. The business is located at 311 Donna Lane, York, Pennsylvania, 17403 according to the Pennsylvania Department of State website. The new residence for Martha Guzman and Armando Garcia-Ramirez, who will now be referred to as the defendant is now located at 2189 S. Queen Street, York, Pennsylvania, 17402. Further investigation uncovered that the business is run out of the residence of their daughter, Stephanie Garcia-Rivera, at 2208 S. Queen Street, York, Pennsylvania, 17402.

Your Affiant and Lt. William Wright went to 2208 S. Queen Street, York, Pennsylvania, 17402 on Friday November, 1, 2019 and met with Stephanie Garcia-Rivera in a detached rear office on the property. The rear of the residence had additional parking with a fully functional office for G&R Drywall and Framing, LLC. Miss Garcia-Rivera advised that her father owned the company, but he does not work much anymore because of health issues. Miss Garcia-Rivera confirmed that the company has recently been working in Delaware County in Marple Township. Specifically, Miss Garcia-Rivera stated that they are working at 2170 West Chester Pike, Broomall, Pennsylvania, 19008. Miss Garcia-Rivera was asked who was working and she provided paperwork for the individuals who were working at that job site.

Miss Garcia-Rivera stated that all employees who were working on the site were independent contractors and signed paperwork to that effect. Miss Garcia-Rivera

I, **DETECTIVE STEVEN CORTESE (5189)**, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

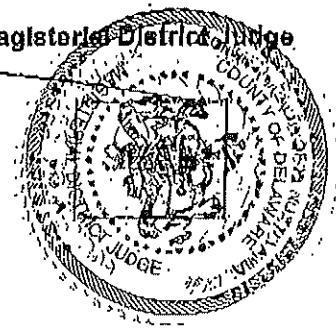
I CERTIFY THAT THIS FILING COMPLIES WITH THE PROVISIONS OF THE CASE RECORDS PUBLIC ACCESS POLICY OF THE UNIFIED JUDICIAL SYSTEM OF PENNSYLVANIA THAT REQUIRE FILING CONFIDENTIAL INFORMATION AND DOCUMENTS DIFFERENTLY THAN NON-CONFIDENTIAL INFORMATION AND DOCUMENTS.

[Signature]
(Signature of Affiant)

Sworn to me and subscribed before me this 14th day of November, 2020

Date _____, Magisterial District Judge

My commission expires first Monday of January, 2024





POLICE CRIMINAL COMPLAINT

Docket Number	Date Filed 11/13/2020	OTN/LiveScan Number	Complaint/Incident Number 00125429/20190919M8644
Defendant Name	First ARMANDO	Middle	Last GARCIA- RAMIREZ

AFFIDAVIT of PROBABLE CAUSE CONTINUATION

then volunteered to give Affiant and Lt. Wright the paperwork. Your Affiant and Lt. Wright then accepted documents for G&R Drywall and Framing, LLCs workers for the following individuals: Angelita Paulin-Santos, Efrain Avila, David Fuentes, Gustavo Garcia-Ninez, Violeta Garcia, Ramon Hendrickson-Santos and Hector E. Garcia Molina.

Your Affiant reviewed the paperwork from Miss Garcia-Rivera. A social security number was associated with G&R Drywall and Framing, LLCs aforementioned employees. Additionally, your Affiant also reviewed a document styled as an independent contractor agreement for G&R Drywall and Framing, LLCs employees. That document states that "the contractor is solely responsible for filing required returns and framing all obligations incurred under the Federal Insurance Contribution or any other insurance required by law to cover any claims arising out of the performance of their service for contractor G&R Drywall and Framing, LLC and will provide G&R Drywall and Framing, LLC with such documentation". The contract also states that "as an independent contractor they are not entitled to any Workman's Compensation, stock bonus, profit sharing, or health benefits. It is expressly understood by the Contractor that the Independent Contractor is responsible for complying with any federal, state and local laws, rules and regulations and ordinances including but limited to specifically set forth in this document." The Independent Contractor states that "they shall further indemnify, save, harmless, and defend G&R Drywall and Framing, LLC, from any claims arising from any act or omission of myself or my agents or employees. All contracts are by the job and not on a time and material basis. All work contracted must be completed 100% the satisfaction of G&R Drywall and Framing, LLC. If the independent contractor leaves the job incomplete and the work unsatisfactory, the independent contractor will become null void, and no payment of any kind is due to the Independent Contractor and G&R Drywall and Framing LLC."

Witness #1 was interviewed and your Affiant confirmed Witness #1 is an individual that signed the document purporting to be an independent contractor agreement. It was determined by your Affiant that the G&R Drywall and Framing LLC documents were prepared by the company and not its workers/employees. Moreover, it was determined by your Affiant that Witness #1 obtained money from G&R Drywall and Framing LLC and disbursed it to the other G&R Drywall and Framing LLC employees. A search warrant was executed for Witness #1's Wells Fargo Bank Account. The bank records showed Witness #1 got paid \$430,760.50 in the year 2019 from G&R Drywall and Framing, LLC.

Through further investigation, your Affiant determined that the social security number provided for Witness #1 was fraudulent. Moreover, your Affiant determine that several of the social security numbers provided for G&R Drywall and Framing, LLCs employees were fraudulent. According to interviews with Witness #1 and Witness #2, who was another employee of G&R Drywall & Framing, LLC, it has been determined that the defendant, Armando Garcia-Ramirez knew that some of the G&R Drywall and Framing, LLC employees were undocumented immigrants.

Through investigation and the interviews conducted of G&R Drywall and Framing LLCs employees, your Affiant determined that the individuals identified in G&R Drywall and Framing, LLCs paperwork were misclassified employees and not independent subcontractors. Specifically, your Affiant interviewed the individuals identified in the paperwork obtained from G&R Drywall and Framing, LLC. The interviewed employees indicated that they worked for G&R Drywall and Framing, LLC. Witnesses #1 and #2 advised that they were non-citizens and they did not have working permits in the United States of America. The G&R Drywall and Framing LLC documents endorsed by Witness #1 and #2 were prepared by G&R Drywall and Framing LLC. According to Witness #1 and #2, G&R Drywall and Framing LLCs employees were paid an hourly rate and not a flat rate. According to payroll records obtained by search warrant, your Affiant confirmed that these employees were on a weekly payroll distribution as confirmed by paystubs. Witness #1 and #2 never owned a business separate from G&R Drywall and Framing LLC. The drywall work on the construction site that G&R Drywall and Framing


POLICE CRIMINAL COMPLAINT

Docket Number	Date Filed 11/13/2020	OTN/LiveScan Number	Complaint/Incident Number 00125429/20190919M8644
Defendant Name	First ARMANDO	Middle	Last GARCIA- RAMIREZ

AFFIDAVIT of PROBABLE CAUSE CONTINUATION

LLC was contracted to perform 2170 West Chester Pike, Broomall, Pennsylvania, 19008 was performed by its employees. Moreover, your Affiant learned through the course of the investigation that in furtherance of the misclassification of workers, G&R Drywall and Framing LLC gave employees money to obtain liability insurance with an Erie Insurance agent in their own names.

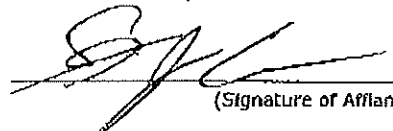
Two search warrants were served on November 5, 2020 at 2109 S. Queen Street, York, Pennsylvania, 17402 and 2208 S. Queen Street, York, Pennsylvania, 17402. Numerous documents and electronics were seized from these residences. The documents included a copy of the contract between the contractor Zook Interiors and the defendants G&R Drywall and Framing, LLC for G&R Drywall and Framing LLC to perform work on the construction of an O.L.A. Fitness at 2170 West Chester Pike, Broomall, Pennsylvania, 19008. Other documents were seized, including G&R Drywall & Framing, LLC's banking, payroll and employee information.

Your Affiant determined that the signature cards obtained for the Wells Fargo Bank Account of G&R Drywall and Framing LLC allowed all three defendants access to the account.

During the course of this investigation your Affiant discovered, through executed search warrants, that the defendants conducted financial transactions by routinely transferring monetary instruments from the business owners, employees and business address of G&R Drywall and Framing, LLC, in large quantities to Hidalgo, Mexico. Through the employment of misclassified workers, including undocumented workers, and the use of the Wells Fargo bank account, the defendants avoided transaction reporting requirements under State and Federal law.

The monetary instruments obtained by the business, that being vehicles, homes and US currency, have been obtained illegally, rising to violations of PA Title 18; Theft, Receiving Stolen Property, Theft by Deception and PA Title 77; Workers Compensation Violations, all of which are unlawful activities graded a misdemeanor of the First Degree or higher.

Based on the aforementioned information, which your Affiant believes to be true and correct, Your Affiant is respectfully requesting a warrant be issued for Armando Garcia-Ramirez.



(Signature of Affiant)



Co-Defendant Data Sheet

Docket Number	Date Filed 11/13/2020	OTN/LiveScan Number	Complaint/Incident Number 00125428/20190919M8644
Defendant Name	First MARTHA	Middle	Last GUZMAN

Complaint/Incident Number 20190919M8644	Co-Defendant # 1
ARMANDO GARCIA- RAMIREZ	
(Name)	
2189 QUEEN STR	
(Home Street Address)	
YORK, PA 17403	
City, State & ZIP Code	
(Telephone #)	

Complaint/Incident Number 20190919M8644	Co-Defendant # 2
STEPHANIE GARCIA RIVERA	
(Name)	
2208 S QUEEN STR	
(Home Street Address)	
YORK, PA 17402	
City, State & ZIP Code	
(Telephone #)	

Photograph

