

TO: FIRST APPEARANCE MAGISTRATE

2023CF3226A

DEFENDANT: Donna Sue Adelson

CHARGES: 1st Degree Murder, Conspiracy to Commit 1st Degree Murder, Solicitation to Commit 1st Degree Murder

SUMMARY OF OFFENSE AND PROBABLE CAUSE AFFIDAVIT

This affidavit sets forth probable cause to believe that Sigfredo Garcia (Garcia) and Luis Rivera (Rivera) murdered Florida State University (FSU) Law School Professor Daniel Markel and the murder was arranged through Katherine Magbanua, Charles Adelson and Donna Adelson in violation of Florida Statutes: Murder per Chapter 782.

On Friday, July 18, 2014, at 11:02 a.m., a report of a shooting was received at 2116 Trescott Dr., the home of Florida State University Law School Professor Daniel Markel (Markel), in Tallahassee, Florida. Upon arrival, Tallahassee Police officers found Markel slumped over in the driver seat of his vehicle from an apparent gunshot to the head. Markel was transported from the scene to a local hospital where he later died from the injuries sustained during the shooting. The investigation of the crime scene found no indication that this incident was part of any other criminal intent, such as burglary or robbery. A neighbor heard a loud bang and looked out his window, where he saw a small silver or light-colored vehicle, resembling a Prius, backing out of the victim's driveway. He walked over to check on Markel, discovered him in distress, and called 911.

Investigators located the victim's ex-wife, Wendi Adelson at a local restaurant and transported her to the Tallahassee Police Department for an interview. During the interview of Wendi Adelson, she made statements suggesting the murder of Markel could have been arranged by someone on her behalf, without her knowledge. Wendi indicated her parents were very angry at Markel and further suggested that someone could have arranged the murder thinking it would help her. She specifically mentioned that her brother, Charles aka Charlie Adelson, joked about hiring a hit man to kill Markel in the past. She said her brother makes a lot of jokes in bad taste and had previously commented that he looked into hiring a hit man, but it was cheaper to buy her a television as a divorce gift. Wendi indicated that she did not think her brother would actually commit this crime. It should be noted that Wendi's mother Donna Adelson set a television repair appointment on July 11, 2014 for Wendi's television to be repaired on the morning of the homicide July 18, 2014. Records obtained from Best Buy show a service was completed on her television the morning July 18, 2014, the same date of the homicide.

Wendi stated that, after the divorce, she wanted to relocate to South Florida with her children. She felt her former in-laws would suspect her of murdering their son since she was denied the ability to move by the court.

Wendi filed for divorce on September 10, 2012. The divorce was later finalized by a Marital Settlement Agreement (MSA) on July 31, 2013. Investigators reviewed voluminous documents including emails, text messages, and court documents. The review determined Wendi

Adelson and her brother, Charles, as well as their parents, Harvey, and Donna Adelson, were determined to have Wendi and the two Markel children relocated to South Florida, where the Adelson's reside after her divorce from Markel. Markel objected to his ex-wife moving his children to South Florida; and on June 20, 2013, Leon County Circuit Judge Hobbs formally denied with prejudice Wendi's Motion for Relocation with the children.

After the Court's denial Wendi's parents, especially her mother, Donna Adelson, repeatedly tried to convince Wendi to coerce Markel into allowing the relocation to South Florida. Donna suggested the family offer Markel \$1,000,000.00 to allow the relocation, with Donna Adelson and her husband Harvey Adelson contributing 1/3, Wendi Adelson contributing 1/3, and Charles Adelson contributing 1/3. Donna also suggested that Wendi threaten to convert Markel's children to Catholicism knowing Markel was very observant in his Jewish faith and that the religious practices of the children were of the utmost importance to Markel.

Wendi Adelson's prior boyfriend Jeff Lacasse stated Wendi disclosed to him that Charles had seriously looked into hiring a hit man in the summer of 2013 and he was told it would cost either \$15,000 or \$50,000. Lacasse also reported that when he was visiting Charles Adelson with Wendi Adelson in the spring of 2013, Charlie Adelson bragged about being connected to a Cuban criminal element.

It was learned that around the time of the murder, Katherine Magbanua was involved in a personal relationship with Charles Adelson. Magbanua's cellular telephone number was 786-564-1312. Call records show Magbanua as one of Charles's top contacts and text communication confirmed the relationship was more than a friendship.

It was later confirmed by Katherine Magbanua, Charles Adelson enlisted Magbanua who then enlisted the father of her two children, Sigfredo Garcia, to carry out this murder. Garcia enlisted Rivera's assistance and Magbanua, Garcia and Rivera were compensated for their actions. Magbanua was the only link between Markel and the shooters, Garcia and Rivera. Magbanua's only ties to Daniel Markel are Charles Adelson and a couple instances where she met Wendi Adelson. The only way Magbanua, Garcia, and Rivera knew of Daniel Markel and his relationship with the Adelson family was through Charles Adelson.

While in the interview room, Wendi wanted to call her parents to notify them of the incident. While contemplating aloud as to what she would say, she told the victim advocate sitting next to her that her parents were very angry with Markel and described it as "a very fucked up situation." Wendi then called and talked to her mother, Donna. After notifying Donna of the shooting, Wendi asked her to notify Charles of the shooting so Wendi would not have to do so. After Wendi's conversation with her mother, Donna Adelson called Charles's cellphone at 7:11 p.m. which went to voicemail. Charles then called Donna's cellphone at 7:13 p.m. with a call duration of 5 minutes, 47 seconds. At 7:29 p.m. Charles called Donna again with a duration of 6 minutes, 31 seconds. At 7:36 p.m. Charles called Katherine Magbanua's cellphone with a duration of 2 minutes and 49 seconds.

Wendi's parents, Harvey and Donna Adelson, made contact with the lead TPD investigator at Markel's memorial service on Sunday morning, July 20, 2014, in Tallahassee.

They agreed to contact the TPD investigator to arrange an interview before returning to South Florida. The following day, the TPD investigator contacted Wendi on her cellular telephone. Once the investigator identified himself, Wendi claimed to have a bad connection and the call was terminated. Less than five minutes later, Wendi's attorney called the investigator and informed him that Wendi left town with her children and parents in route to South Florida. The attorney could not provide a date for Wendi's return to Tallahassee, and requested he be contacted for any further inquiries.

Harvey and Donna Adelson left Tallahassee with Wendi and the grandchildren the day after the memorial service without speaking with the investigator as promised. Since leaving, no one in the Adelson family contacted TPD or inquired about the status of the investigation. Charles Adelson did not attend the memorial service for his ex-brother-in-law. In July of 2015, Wendi had her children's surname changed from Markel to Adelson.

On July 18, 2014, Markel left his home that morning and drove his two children to daycare on the west side of Tallahassee. Markel drove to Premier Health and Fitness Center. Markel arrived at Premier, where surveillance video shows a silver or light green Toyota Prius enter the parking lot after Markel parked his car. After Markel went into the health club, the video captured the Prius in the parking lot where the driver moved the vehicle to different parking positions while Markel was in the building. No individuals ever exited the Prius.

Additional surveillance video discovered for the day of the homicide showed the same Prius before and after the homicide, including following Markel into Markel's neighborhood immediately prior to the shooting. After analyzing the surveillance videos, the suspect vehicle was determined to be a 2006-2009 Toyota Prius with 'Silver Pine Mica' paint color. The Prius had tinted windows, a Sunpass transponder on the top-center of the windshield, a missing tow-hook cover on the front bumper and a black passenger side mirror casing. It was determined the Prius followed the victim throughout the morning and back toward his residence where the shooting occurred. This suspect vehicle fit the description given by Markel's neighbor after he heard a gunshot and looked out the window and saw the Prius backing out of the victim's driveway.

Florida Department of Transportation (FDOT) records for Sunpass on Alligator Alley, I-75 west of Ft. Lauderdale, on July 16, and 18, 2014 had one account listing a Prius as a customer vehicle. The Sunpass transponder activity was consistent with cell site data for Rivera and Garcia's handsets travels. The transponder of interest in this case is number 11525706-01-10, per FDOT records. The Sunpass account using the above transponder is a rental car company in North Miami, Florida. Law enforcement obtained the rental contract for a 2008 Toyota Prius on July 15, 2014, three days before the homicide. The customer is listed as "Luis Rivera" with a contact number of 305-570-8153. A second telephone number was also written on the rental contract, 786-372-5986, Garcia's phone, with the word "Brother" written beside the number. The rental contract indicates the Prius was checked out at 6:15 p.m. on July 15, 2014, and rented to Rivera through July 21, 2014, three days after the homicide.

The Prius rented by Luis Rivera on July 15, 2014, contained a GPS device installed by the owner to assist with theft or non-return. The GPS company records have the vehicle location

on July 15, 2014, at 10:25 p.m. EDT, at the parking lot of 7501 E. Treasure Drive, North. Bay Village, Florida. This was the location of Magbanua's residence at that time. On July 18, 2014, at 12:26 a.m. EDT, the vehicle was located at North Monroe Street and East 6th Avenue, Tallahassee, Florida. On July 19, 2014, at 1:26 a.m. EDT, the vehicle was located behind 1505 N.E. 135 Street, North Miami, Florida. This address is the residence of Jessica Rodriguez, who was a girlfriend of (and has a child with) Rivera.

Cellular location data for Magbanua, Garcia, and Rivera is consistent with them being in the area of Magbanua's residence during and around the time the vehicle GPS showed its location to be in the parking lot of Magbanua's condominium. Both Garcia and Rivera met with Magbanua the night before departing for Tallahassee to commit the murder.

Analysis of Rivera's checking account revealed an ATM transaction took place in Broward County on July 18, 2014, at 6:46 p.m. as they were returning to Miami from Tallahassee, Florida. Security video from the drive-through ATM lane shows Rivera driving a Toyota Prius up to the ATM at 6:45 p.m. As the Toyota Prius exits the ATM area at 6:47 p.m., a Florida license plate can be seen on the rear of the car. The tag characters match those of the car rental contract.

Cellular records show numerous contacts between Katherine Magbanua and both Charles Adelson and Sigfredo Garcia. On one occasion, telephone records show contact between Garcia's handset and a cellular telephone registered to Harvey Adelson, Charles and Wendi Adelson's father on July 1, 2014. At approximately 11:47 a.m., Magbanua's telephone began attempting to contact Garcia's telephone. Over the next 5½ hours, Magbanua attempted to contact Garcia approximately 48 times. At 5:05 p.m., Magbanua made contact with Garcia, and they had a conversation lasting 6 minutes and 22 seconds. Approximately 9 minutes later, at 5:20 p.m., Garcia's cellular telephone attempted to contact Harvey's cellular telephone. The cellular records indicate this call went to voicemail.

Telephone number 786-372-5986 was being used by Garcia prior to the murder and had been in contact with Magbanua's telephone number, 786-564-1312, approximately 2,700 times between May 1, 2014 and July 19, 2014, when Garcia's cellular phone ceased activity, the day after the homicide. Telephone number 305-570-8153 belonged to Luis Rivera during the time leading up to Markel's murder.

The following contacts took place the morning of July 18, 2014:

- 12:00-12:23 a.m. – RIVERA's and GARCIA's handsets communicated with cell sites in the area of Roadway Inn on N. Monroe St.
- 12:01 a.m. - MAGBANUA contacts GARCIA (over 1 minute)
- 12:07 a.m. - CHARLES ADELSON contacts MAGBANUA (over 7 minutes)
- 12:34 a.m. - MAGBANUA contacts CHARLES ADELSON (less than 1 minute)
- 1:02 a.m. - CHARLES ADELSON contacts DONNA ADELSON
- 1:03 a.m. - CHARLES ADELSON contacts MAGBANUA (20 minutes)
- 8:09 a.m. - DONNA ADELSON contacts WENDI ADELSON (35 seconds)
- 8:50 a.m. - DANIEL MARKEL drops his children off at Creative Preschool, 2746 W.

Tharp St., Tallahassee, Fl.

- 9:02 a.m. - DANIEL MARKEL contacts WENDI ADELSON (1 minute)
- 9:12 a.m. - CHARLES ADELSON contacts WENDI ADELSON (less than 1 minute)
- 9:19 a.m. - WENDI ADELSON contacts CHARLES ADELSON (over 18 minutes)
- 9:38 a.m. - CHARLES ADELSON contacts DONNA ADELSON (30 seconds)
- 9:58 a.m. - CHARLES ADELSON contacts MAGBANUA (over 6 minutes)
- 10:07 a.m. - MAGBANUA contacts CHARLES ADELSON (over 1 minute)
- 10:08 a.m. - MAGBANUA contacts CHARLES ADELSON (9 seconds)
- 10:09 a.m. - CHARLES ADELSON contacts MAGBANUA (6 minutes)
- 10:52-10:55 a.m. - Neighbor hears gunshot and sees small light colored vehicle pulling out of Markel's driveway
- 11:00 a.m. – Subject on phone with MARKEL attempts to call MARKEL back, call goes to voicemail
- 11:01 a.m. – Subject texts MARKEL asking if he is okay
- 11:02 a.m. – MARKEL’S neighbor calls 911
- 11:06 a.m. - DONNA ADELSON contacts CHARLES ADELSON (either attempted call or text)
- 11:22 a.m. - CHARLES ADELSON contacts DONNA ADELSON (7 minutes)
- 11:30 a.m. - CHARLES ADELSON contacts MAGBANUA (30 seconds)
- 11:31 a.m. - CHARLES ADELSON contacts MAGBANUA (5 minutes)

On the morning of July 18, 2014, Garcia’s telephone ceased activity just before 10:00 a.m. while in the area of Premier Gym, with the last text message occurring at 9:58 a.m. The next event on Garcia’s telephone was text messages and/or notifications being received at 12:29 p.m. Immediately afterward at 12:30 p.m., Garcia placed a call to Magbanua, which was the first contact initiated by Garcia after the homicide. This call occurred when Garcia’s phone was in the area of Lake City, Florida, on or near I-75 approximately one and a half hours after the shooting was reported.

Approximately two hours after Garcia and Rivera arrived back in Miami, Magbanua departed her residence and went to Rivera’s residence while attempting to contact Garcia telephonically. While Magbanua, Garcia, and Rivera were together, Magbanua had telephonic contact with Charles Adelson. Magbanua traveled north to Charles Adelson’s residence where she would remain until the following morning. Magbanua stated while at Charles Adelson’s residence Charles Adelson was armed and acting frantic. Charles told her his mother and father had just left his residence and left money that his mom had washed. At Adelson’s trial, Magbanua testified that the money she received was damp and moldy, consistent with being physically washed, and was stapled into \$1,000 stacks. Magbanua took a Xanax that was provided by Adelson and fell asleep. The next morning, 7/19/2014, at 9:44 a.m., Magbanua left the residence and was told by Adelson that the money was in the trunk of her car. Magbanua attempted to contact Garcia.

Communication records in Charles Adelson’s iCloud show Donna Adelson telling Charles Adelson she was “outside your house” at approximately 8:59 pm on July 18, 2014. Cellular records for Donna Adelson and Harvey Adelson show an arrival time of 1:25 am in Orlando, FL leaving an approximate hour and a half time block consistent with her being at

Charles's residence. Donna and Harvey Adelson traveled to Orlando for the evening then on to Tallahassee the following morning.

Prior to the homicide, Magbanua was employed at a Miami area dental office. Investigation revealed that after the homicide occurred in July 2014, Magbanua started receiving paychecks from the Adelson Institute for Aesthetics and Implant Dentistry, which were handwritten and signed by Donna Adelson. These paychecks started in September 2014, and were consistently in the amount of \$407.58 which she received every 2 weeks. The memo section of each check indicated it was for a period of ten days usually preceding the date of the check. The checks continued at least through April 2016. On at least two different occasions, Magbanua received paychecks in advance of the time period indicated on the check and frequently received sequential checks.

Magbanua received a significant amount of cash after Markel's murder. In the month following the murder, Magbanua deposited over \$13,000 cash. In the six weeks following the homicide, she deposited more cash than she did in the entire year leading up to the homicide. These numerous deposits were conducted mostly through ATMs in increments of \$300 to \$2000. From the homicide through November 2015, the total amount of cash that investigators identified deposited into Magbanua's accounts is over \$56,000. This amount is over and above the paychecks she had received.

The investigation revealed that Magbanua did not work the Adelson Institute. Magbanua was also in possession of and operating a 2001 Lexus LS430 sedan automobile which was registered to Harvey Adelson and previously used by Charles Adelson. On January 23, 2016, the title for this car was transferred to Magbanua and a new license plate was obtained in Magbanua's name. Motor vehicle records indicate the vehicle was sold to Magbanua for the price of \$1,700. In addition, Magbanua received cash and numerous gifts from Charles Adelson since Markel's murder.

A review of their financial records indicated that Charles Adelson and Donna Adelson had the financial means to finance this murder and provide on-going compensation to Magbanua.

On April 19, 2016 an undercover agent made contact with Donna Adelson in reference to Markel's murder. The undercover agent provided a press release of Markel's murder, asked for \$5,000 and provided a phone number at which he could be contacted. As a result of this contact, conversations were intercepted.

Call #1380 - Donna Adelson call to Charles Adelson asking him to meet her about some paperwork that was hand delivered to her outside her condominium, The Icon, on South Beach, was intercepted. During this conversation, when Charles inquired whether it involved him or others, Donna responded in a whisper, "Well, probably both of us." When Charles asked her to repeat herself she stated, "Probably the two of us" and "you probably have a general idea what I'm talking about." When Charles inquired further, Donna said this was not something she wants to discuss over the phone.

Call #1382 - Donna and Charles discussed meeting and whether or not Charles needed to bring cash. Charles inquired whether or not a threat was involved and whether the police should be contacted. Donna responded that this time, she did not believe that was a good idea.

Call #1386- Charles Adelson called and immediately told his mother Donna Adelson, don't talk about things in the apartment or anyplace. He then asked if the person was black, white or Hispanic to which Donna said he was white. Charles said it sounds like something that needs the police. Donna said she may have to but wants to talk to him first. When Charles asks what the letter asked for Donna said, "This TV is probably about five." Charles asked if they asked for \$5,000 to which Donna responded affirmatively. Donna also said they mentioned an ex-girlfriend.

Call #1392- Charles Adelson called Katherine Magbanua after trying to reach her by phone unsuccessfully about an hour before. Charles explained the situation to Magbanua as he understood it from his mother. Something regarding her son, something regarding his ex-girlfriend, and the person asking for some money. Charles tells Magbanua that he is going to see his mom the next day to discuss the matter. There is some discussion of whether Magbanua is the girlfriend referenced by the Agent. Charles said he thought his mother said the Agent mentioned Magbanua's name, but he is not sure and will follow up with her if the situation does involve her. Magbanua agrees to meet Charles in person the next day, April 20, 2016, around 4:00 pm.

Charles never contacted any other females to discuss the contact between his mother and the undercover agent.

The morning of April 20, 2016 Charles told his mother he would meet her at her home at 12:35 p.m. After Charles arrived at the Icon where his mother and father reside, he and Donna walked outside to a remote table behind the building and sat close together while conversing. None of their conversation was successfully captured.

After meeting with Donna in person he called Magbanua and traveled to her in Sunny Isle at the real estate office where she worked. When Charles arrived at the strip mall where Magbanua worked they talked briefly outside, then went into a restaurant, Dolce Vita near the real estate office. Their conversation was captured while they sat in the restaurant. The following statements Charles made directly to Magbanua were previously only audible with use of proprietary software. Through the use of an expert, the audio conversation between Magbanua and Charles was clarified. The following are portions of that conversation:

1. - If they had any evidence we would have already gone to the airport. The problem is, even if they bugged this, even if they bugged your home phone [...] but even if they had bugged your phone, okay, [KM?] but even if they bugged your phone, okay, you're still not talking about any of this.
2. - So my point is, how do you get people to talk? You throw in a smoke grenade. And then you get all the cockroaches to run out. Ahhh ahh, there's smoke in the house, there's smoke in the house, and everyone's running and everyone's talking and you throw a smoke grenade what do you think?

3. - They may have approached my mom because my dad may be someone who is carrying a gun. You never know if someone's – you know, you don't want it to turn into a fuckin' shootout, ya know? And I can tell ya, a lot of times I carry on me. I mean, someone comes up to me - KM -you carrying on you right now? I mean I'm gonna start carrying one on my back. Like, ya know, a holster that fits in your shirt. If someone comes up to me, they better be ready to shoot cuz I'm gonna shoot 'em. Someone comes up to me asking for money right now? Yeah, and when the - guess what? When the fuckin police show up and there's a doctor – there's an oral surgeon standing there with a dead gang member in the fucking driveway, they're not gonna come down too hard on me and I'm not gonna talk anyway. I don't know much - I don't trust them.

4. - Katie this is – this is not like...some chick showing off tattoos to your man, this is happening and it's serious because these people are going to come back. They didn't go through the trouble of seeking my mom out to hand her that and then go away. So, I got two options. They're not going away. ...may wish they'd go away and never come back but they aint going away – the trouble they went through –

5. - No, it's very simple. Like, if you're gonna charge me, charge me.

6. - What I'm saying is, is that this person is not going away. They came very equipped with details -where did the details come from? I don't know. The details

7. - Two-they said the guy's name was 2-Oh? I don't even know who the fuck it is. Is there just 2-Oh...– (KM supplies name) - Tuto's incarcerated now. And I know that you've been helpin' out Katie and helping your family and helping out Katie and her family. Now Tuto's family needs your help. My mom was like, I don't know what you're talking about. And he goes well maybe this will refresh your memory. And he handed it to her – KM talking – And she said...respect...spoke like polite. She goes - polite and well-spoken. I said, did he have like – did he act thug, or did he have talk with like a thick Spanish accent or anything? She said no. I said, was he white or Hispanic? She said he was white, but he could've been Hispanic – but that– KM talking - yeah, could've mistakes. I mean, everybody in Miami is Hispanic so it's like you can't - you can't tell.

8. - So...Katie they'll be back...These people know about – whoever it is knows information.

9. - Let me ask a question, when everybody was there the next day, did any of you take any money? It's not like you're driving around in a Bentley, cruisin' around in a mega-yacht, ya know? Someone – he must...at some point. Because otherwise he'd have no idea that I had anything to do with...

10. - It could. It could. I wish it was a cop playing games. Why didn't they know it was me? If it was a cop playing games, or an investigator playing games and they didn't mention me, they did mention your son's girlfriend Katie – not mention me at all...and my family. And I think if they thought I had something to do with it, they would find me, and they'd talk to me. You know

what I'm saying? Like, go talk to the person who's involved, not fucking people who aren't involved.

11. - And I'm not involved. But if they knew - if they knew - but if they knew our - your - your relationship's with me not my family. Like, I dated you not my mom. They knew my dad's name. This person obviously doesn't even know that we dated. That's - that's the direct connection is who was her boyfriend? The 71-year-old guy, Dr. Adelson, or the 37-year Dr. Adelson? Yeah, 37, let's go talk to him. Dr. Adelson... That's who they'd talk to. Not waste your time with mom. They needed to talk to someone who knew what the fuck went down. And so, wouldn't it make sense that your connection to my family is me?

12. - Your connection to my family is not my mom. Like yeah, you work for the office now cuz the checks are from there, and that's just cuz you come in and work on the weekends; which I trust that you're doing, cuz I'm never there when I see you. You tell me you do it and the place looks clean, so you get your checks. You clean up, whatever, but that's neither here nor there. This person knows information, and even if they are cops ...that information...said your name. And they also know that - they're claiming that somebody who had something to do with it is incarcerated. I don't know anybody in jail.

13. - KM - him

14. - This is what I want you to do. I want you to call up this person and say that, I got a call from some friends of mine who say that you reached out to them and that you mentioned my name. And remember...protect your name recently. So, what you're gonna say is, I got a call from some friends of mine who said that you had reached out and that you had mentioned my name. These people want to go to the police because they had nothing to do with what you're talking about, okay. And frankly, I don't know what you're talking about, but the name sounds familiar of who's incarcerated so I'm going to give you something as charity to help the less fortunate, but do not contact these people again or they are going to the police. And let 'em know you had to do everything in the world to prevent these people from going to the police because they don't know anything, and I don't know anything. And that you - the name sounds a little familiar and that I'm gonna help you out with some charity and don't ever contact me, my friends or my family again or we will go to the police.

15. - I mean Katie I'll go to the moon and back for you. That - that's without - without even saying I don't need to say that. KM But that's what - you know - it's like - You know what I'm saying? - KM -...help me out, help me out - Like, you know it, I don't even have to - I don't have to sit here and tell you what I would do I could show you what I could do. You know what I'm saying? Like, I - you know how I am, like I - I look for things to do. You don't ask me for shit. I'm the one that's like, "Hey, Noah's birthday's coming up, I got you." You know, I'm the one who's like - anything I can - you know - you don't ask, you're just - I'm the one who's like, "Hey, I'll sell you the Lexus for a very good price, I know you're having car problems." You know what I'm saying? Like, I'm the one who - I don't have to - I don't have to tell you I show you. There's a difference.

16. - I know. My head was...when I was leaving the house I literally had the bag out and I

had it with my car keys. I know well, if you want you guys can swing by my house later. So, what are we doing? KM talking I want you to take it back, write the number down, and I'm going to give you cash. And I want you to talk to...7-12, what? 65-70...

After the in-person meeting with Magbanua, Charles called Donna back to report about his meeting and said he is handling everything. Donna then called Charles back, sounding very concerned.

On April 21, 2016 calls were intercepted between Magbanua and Charles and they attempt to disguise their conversation using real estate references such as security, property posted incorrectly, and wrong tenants for rental property. Charles and his dad, Harvey, met for dinner later that evening.

Magbanua and Garcia were intercepted having numerous arguments over the phone. The morning of April 21, 2016 it appeared Magbanua was trying to convince Garcia to figure out who the phone number belonged to and place the call himself. In a heated exchange, Garcia said "I'm not making that fucking phone call." He later said, "I am going to take care of this fucking problem." (call 825)

On Monday, April 25, 2016, a letter was sent to Harvey and Donna Adelson. This letter was sent via USPS by investigators for the purpose of follow up from the undercover's initial conversation. Calls intercepted indicate Donna shared the information with Charles who in turn forwarded it to Magbanua. Magbanua again asked Garcia to either determine who the phone number belonged to or call the phone number. Magbanua reported to Charles the phone was either out of service or not a good number. It appeared Garcia lied to Magbanua about making the call or had not called the correct phone number. The Agent's phone was not called and was working properly after conducting tests to verify.

Later the same date, Charles called Magbanua and asked if she was on her way. It appeared Charles and Magbanua have been communicating through a different source to schedule a meeting. Later review of iCloud messages from Charles' records indicate he and Magbanua would often communicate via "Whats App" a phone application that allows for secure communication not retrieved in a cellular record. Charles directed her to Harvey and Donna's building to meet with them. Charles told Magbanua that he was talking to his parents about everything. Charles continued to try and convince her to meet at Donna and Harvey's building, but eventually agreed to meet with her at another location. Magbanua called Charles back who advised they are meeting at a marina near "Monty's."

On April, 26, 2016, Charles called Donna and they discussed the conversation that occurred the night prior. Donna said she felt better after their conversation. Donna asked Charles to let her know once things are taken care of. (call 1948)

He further stated that "if you don't know who the person is it's a much bigger problem. Charles said "if you know who it is, it's very, very easy." Charles told Donna to stop getting

worked up about things. Charles assured Donna there was nothing she needed to worry about and that it was being looked into.

On May 4, 2016, at approximately 2:09 AM, a text message was sent to Donna's cell phone from the undercover Agent. Later in the day, Charles asked Donna if she was okay and Donna advised she would talk to Charles about it on Sunday. Charles wanted to talk to Donna before Sunday and they agreed to Charles coming by around 11:30 AM the following day (May 5, 2016). While driving to meet with Donna, Charles called Magbanua advising there was a new problem and he may need to meet with her later that day.

On May 5, 2016, Charles arrives at the Icon and they agree to meet at the pool area to discuss the text message. This time Harvey is present with Charles and Donna as they huddled at a corner area for privacy. There was no oral intercept captured due to the location they had the conversation.

After the meeting, Charles left the Icon and called Magbanua (KM call #2016) asking her how someone would get his mother's number. Magbanua told Charles it's possible to locate the phone number online. Charles used specific phrases sent via the text message.

Charles called Donna and they discussed paying the \$5,000. Charles advised the sooner they pay the money the better. They discussed being nice, but firm when the money is paid so the person knows that it is only a one-time payment.

On Friday, May 6, 2016, at 5:03 PM, Donna successfully contacted the Agent by calling his phone number, 305-712-6570. The total duration of the call was 8 minutes and 48 seconds. The call was recorded by the FBI. In summary, Donna made the excuse her grandchildren had possession of her phone, so she did not know he called. Donna went over the previous contacts between herself and the Agent. She said she took him seriously and she was stressed out. She claimed she asked friends what she should do. She denied knowing anything referenced by the Agent concerning help provided to her by the Agent's friend, (Rivera). She then brought up the reward offered and suggested he seek that out instead. The Agent reminded her all he asked for was \$5,000. Donna claimed she had nothing to do with the death of her ex-son-in-law and that she was left out of the loop. The Agent reminded her, the problem was not going away, and she did know Magbanua and what was done for her. Donna continued to deny knowledge and ended the conversation by saying she would call the Agent back.

Call #3290- 5/7/16 @ 5:07 PM

Charles told Magbanua about a new CD he wanted her to listen to, indicating he had a recording of the call between Donna and the Agent. Charles used the reference "pot belly pigs" (Police) to which Magbanua responded, "That's not good."

On May 25, 20146 Sigfredo Garcia was arrested for his involvement in this case.

On May 26, 2016, electronic surveillance suggested that Charles Adelson and Katherine Magbanua were in close proximity to each other and may have met in the over-night, early

morning hours.

On June 28, 2016, Luis Rivera was arrested for his involvement in this case.

On September 30, 2016 a proffer was conducted with Luis Rivera in the presence of his attorney. This proffer was not recorded. Rivera was sworn prior to any testimony.

Rivera stated he has known Sigfredo Garcia since childhood. Garcia told Rivera about a high dollar robbery he wanted to do with Rivera in Tallahassee, Fl. The first time Rivera and Garcia traveled to Tallahassee was in June 2014. Once they departed for Tallahassee in June 2014, was when Rivera learned Garcia wanted him to commit a murder not a robbery. Garcia promised Rivera \$30,000 to commit the murder. While enroute to Tallahassee Garcia provided Rivera with more details explaining a woman with two kids wanted her ex-husband murdered so she could have full custody of the children in Miami. Garcia told Rivera the offer was presented to him by Katherine Magbanua and the total payment for the murder would be \$100,000. Rivera suggested robbing the woman of the \$100,000 instead of committing the murder.

The two traveled with a long barrel .38 Taurus revolver and a short barrel black .38 S&W revolver. The two around the victim's residence and followed the victim's vehicle. Rivera recalled Garcia having a colored printed photo of the victim with words printed on it. Rivera could not recall what was printed. They would eventually park the car at Winthrop Park and wait for the victim to leave. Rivera would later show investigators where they parked and the routes, they took to the victim's residence.

Rivera indicated Garcia told him Magbanua approached Garcia with the offer of \$100,000 to be divided amongst the three. \$40,000 was for Garcia, \$35,000 was for Rivera and the remainder was for Magbanua. Garcia later offered \$2,000 more to Rivera. After losing the victim and failing to complete the murder in June, the two decided to return to Miami.

Approximately a month later the two returned to Tallahassee to commit the murder. Rivera rented the Prius in his name. They arrived in Tallahassee in the early morning July 17, 2014. The same morning, July 17, 2014, they drove to the victim's neighborhood. While driving around, Garcia involuntarily discharged the revolver through the floorboard of the Prius. Rivera noticed the car started losing power and they learned Garcia shot a hole through the gas line. They were able to repair the vehicle and continue traveling. A search warrant was issued in October 2016 for the Prius. The fuel line underneath the passenger side of the vehicle was spliced together and the corresponding hole was located in the floorboard consistent with the information provided by Rivera.

The following morning July 18, 2014, Rivera and Garcia traveled back to back to the area of the Victim's residence where they observed the victim leaving the neighborhood. They followed the victim around town as he dropped his kids off and went to Premier gym. As they returned to the victim's residence the victim turned off Thomasville Rd. prior to Betton Rd. Rivera and Garcia traveled further down to Betton and entered the neighborhood from the south. As they approached the victim's residence the victim was pulling in the driveway in front of them. They pulled in behind the victim and as he parked in the garage Garcia exited the Prius

and approached the driver side door of the victim's car. Garcia shot the victim twice in the head then returned to the Prius and the two left Tallahassee. They travelled north on Thomasville Rd. to I-10 to I-75 confirming the information previously discovered through electronic data.

While driving back to south Florida Garcia called Magbanua approximately an hour into the drive. Garcia told Magbanua, "It's done." Rivera explained he could hear Magbanua's voice as Garcia held the phone up to his ear. During the drive Garcia asked Rivera to pull over near a bridge and waterway so Garcia could dispose of the firearm. Numerous attempts to locate this bridge and water way were unsuccessful. Upon returning to south Florida Rivera and Garcia withdrew cash from the ATM in Pembroke Pines where they were observed on ATM security camera. They then drove to Rivera's residence.

The following morning Rivera received a call from Magbanua. She told him if he wanted the money he needed to tell her where to meet because she could not get ahold of Garcia. Rivera knew Garcia was at Stefanie Carmona's residence so he called a friend, Anthony Ortiz to go pick him up. While waiting to return home Rivera received a call from his child's mother Jessica Rodriguez whom he lived with. Jessica told Rivera the Garcia and Magbanua were at their residence with a package for him. Rivera returned home he observed Magbanua's white SUV in the driveway. As he entered the residence, he received a package from Magbanua and Garcia. Rivera did not want Jessica to know what was in the package. Rivera then left the residence with Garcia. Rivera described the package as stack of cash (\$100 bills) stapled together.

In July of 2018, contact was made with June Umchinda. Umchinda was a girlfriend of Charles Adelson at the time of the undercover operation in which an FBI agent approached Donna Adelson. Of relevance in her interview was her recollection of Charles Adelson having stapled money in a safe in his residence. June stated she followed the case in the news and when she heard about stapled money, she found it odd because she remembers Charles keeping his that way. June also testified that Charles Adelson was acting angry, agitated, and nervous around the time of the undercover operation and Magbanua arrest. Adelson advised June that he gave Magbanua a car and financed a portion of her breast augmentation. June Umchinda also observed Donna Adelson to be stressed out during this time frame and Donna Adelson made a statement to June Umchinda that she felt Dan Markel was haunting her from the grave.

In July 2021, contact was made with Ryan Fitzpatrick. During the interview with Fitzpatrick it was learned the two had a falling out in recent years over financial disagreements. He said Charles's entire demeanor changed when Magbanua was arrested. Adelson started putting up security cameras and was constantly paranoid of arrest. During a conversation with Fitzpatrick Charles Adelson said, "you can get away with murder if you keep your mouth shut." Fitzpatrick also stated he knows Charles staples his money together because he has received money from him in that manner. Fitzpatrick said Charles staples his money in \$1,000.00 increments.

In October 2019, Garcia was tried and convicted. He was sentenced to life in prison. In April 2022, after the clarified audio recording from Dolce Vita revealed Charles Adelson making additional incriminating statements, he was arrested for first degree murder, solicitation to commit first degree murder, and conspiracy to commit first degree murder. In May 2022,

Katherine Magbanua was tried and convicted. She was sentenced to life in prison.

In October 2022 and November 2022, the proffers previously mentioned were conducted with Katherine Magbanua.

In October 2023, trial for Charles Adelson commenced. On November 6, 2023 Charles Adelson was found guilty on all charges. He is set to be sentenced in December 2023. In Adelson's trial, Magbanua testified that Adelson told her that his mother, Donna Sue Adelson, had just departed his residence at the time Magbanua arrived on the night of the homicide. Magbanua said the money she received appeared to have been washed.

Jail calls from after Charles Adelson's guilty verdict include multiple calls in which Donna Sue Adelson is telling Charles Adelson that she is getting things in order, creating trusts, and making sure her grandchildren are taken care of. Donna discusses plans for a suicide, but also discusses plans to flee to a non-extradition country. Donna Sue Adelson has considerable financial resources to accomplish this.

On November 7, 2023, Donna and Harvey Adelson booked flights to Vietnam with a stop in Dubai. The flight, EK0214 departs Miami, Fl. on November 13, 2023 at 8:10 p.m. to Dubai. Flight EK0392 departs Dubai on November 15, 2023 at 9:35a.m. and lands in Saigon at 7:35 p.m.

THE PRECEDING IS TRUE TO THE BEST OF MY PRESENT KNOWLEDGE OR BELIEF.

SIGNATURE:  AGENCY: Office of the State Attorney

NOTARIZATION: SWORN AND SUBSCRIBED BEFORE ME THIS 13th DAY OF November, 2023.

 EVANS
~~NOTARY PUBLIC/~~ ASSISTANT STATE ATTORNEY
MY COMMISSION EXPIRES: _____

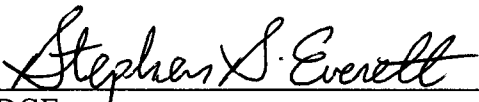
TYPE OF IDENTIFICATION: _____
PERSONALLY KNOWN: X

ORDER

THIS CAUSE coming before me as a First Appearance Magistrate, and having reviewed the preceding Affidavit, this Court finds:

Probable cause is sufficient

Probable cause is not sufficient and unless corrected within seventy-two hours the defendant shall be released on his own recognizance.



JUDGE

In the County Court Leon County, Florida

'23 NOV 13 PM 5:45
LEON CO. CLERK/COURT

Warrant# 2023CF3226 A1
Agency Case # TPD 2014-19848
Officer I.D.# SAO 2
Charge First Degree Murder

STATE OF FLORIDA

vs.

Donne Sue Adelson

Defendant.

WARRANT

2127 Brickell Avenue Apt 1602,
Miami, FL 33129

Address.

Degree of Charge Capital Felony
Statute No. 782.04(1)(a)1
DOB 02/05/1950 Sex F
Race W Hgt 5'06"
Wgt 140 Hair Blonde
Eyes Brown SSN 114-38-5966

IN THE NAME AND BY THE AUTHORITY OF THE
STATE OF FLORIDA:

TO ALL AND SINGULAR THE SHERIFFS OF THE STATE OF FLORIDA:

WHEREAS, a complaint has this day been filed before me by Inv. Jason Newlin, who, being first duly sworn says that one the 18th day of July, A.D. 2014, in Leon County, Florida, the aforesaid defendant

did commit the unlawful killing of a human being, Daniel E. Markel, by shooting him with a firearm, and the killing was perpetrated from a premeditated design to effect his death,

contrary to the statute, rule regulation or other provision of the law in such case made and provided, and against the peace and dignity of the State of Florida.

THESE ARE, THEREFORE, to command you to arrest instanter the aforesaid defendant and bring him or her before me to be dealt with according to law.

Given under my hand and seal this 13 day of November, 2023.



County Court Judge County (SEAL)

WARRANT

**IN THE COUNTY COURT
COUNTY, FLORIDA**

**THE STATE OF FLORIDA,
PLAINTIFF**

vs.

Donna Sue Adelson

Defendant

2127 Brickell Ave. Apt 1602, Miami, FL 33129

Address

WARRANT

First Degree Murder

THE AMOUNT OF BAIL IN THIS CASE IS

HEREBY SET IN THE SUM OF

\$ FAR

NO contact with other co-conspirators

Received this Warrant on the ____ day of _____,
2023 and served same on the ____ day of _____,
2023, by delivering a true copy of same to the within
named defendant,

Sheriff

County, Florida

By:

Deputy Sheriff.

In the County Court Leon County, Florida

'23 NOV 13 PM 5:46
LEON CO. CLERK/COURT

Warrant# 2023CF 3226A1
Agency Case # TPD 2014-19848
Officer I.D.# SAO 2
Charge First Degree Murder

STATE OF FLORIDA

vs.

Donne Sue Adelson

Defendant. **COMPLAINT**

2127 Brickell Avenue Apt 1602, Miami, FL 33129
Address.

Degree of Charge Capital Felony
Statute No. 782.04(1)(a)1
DOB 02/05/1950 Sex F
Race W Hgt 5'06"
Wgt 140 Hair Blonde
Eyes Brown SSN 114-38-5966

**IN THE NAME AND BY THE AUTHORITY OF THE STATE
OF FLORIDA:**

Before me, the undersigned authority, personally appear by Inv. Jason Newlin, who, first being duly sworn says that one the 18th day of July, A.D. 2014, in Leon County, Florida, the aforesaid defendant

did commit the unlawful killing of a human being, Daniel E. Markel, by shooting him with a firearm, and the killing was perpetrated from a premeditated design to effect his death,

: contrary to Sec., 782.04(1)(a)1 F.S.

contrary to the statute, rule regulation or other provision of law in such case made and provided, and against the peace and dignity of the State of Florida.


Inv. Jason Newlin, Complainant

State Attorney's Office, Leon County Courthouse, 301 S. Monroe St., Suite 475, Tallahassee, FL 32301
Address

Sworn to and subscribed before me this 13 day of November, 2023.


Judge, Assistant State Attorney or Notary Public

In the County Court Leon County, Florida

'23 NOV 13 PM 5:46
LEON CO. CLERK/COUR

Warrant# 2023 CF 3226 A2
Agency Case # TPD 2014-19848
Officer I.D.# SAO 2
Solicitation to Commit 1st
Charge Degree Murder

Degree of Charge 1st Degree Felony
Statute No. 777.04(2)
DOB 02/05/1950 Sex F
Race W Hgt 5'06"
Wgt 140 Hair Blonde
Eyes Brown SSN 114-38-5966

STATE OF FLORIDA

vs.

Donne Sue Adelson

Defendant.

WARRANT

2127 Brickell Avenue Apt 1602,
Miami, FL 33129

Address.

**IN THE NAME AND BY THE AUTHORITY OF THE
STATE OF FLORIDA:**

TO ALL AND SINGULAR THE SHERIFFS OF THE STATE OF FLORIDA:

WHEREAS, a complaint has this day been filed before me by Inv. Jason Newlin, who, being first duly sworn says that one the 18th day of July, A.D. 2014, in Leon County, Florida, the aforesaid defendant did solicit another person, Charles Adelson, and others to commit first degree murder and in the course of such solicitation did engage in specific conduct which resulted in the death of Daniel Markel, contrary to the statute, rule regulation or other provision of the law in such case made and provided, and against the peace and dignity of the State of Florida.

THESE ARE, THEREFORE, to command you to arrest instanter the aforesaid defendant and bring him or her before me to be dealt with according to law.

Given under my hand and seal this 13 day of November, 2023.

Stephen S. Everett (SEAL)
County Court Judge County

WARRANT

**IN THE COUNTY COURT
COUNTY, FLORIDA**

**THE STATE OF FLORIDA,
PLAINTIFF**

vs.

Donna Sue Adelson

Defendant

2127 Brickell Ave. Apt 1602, Miami, FL 33129

Address

WARRANT

Solicitation to Commit 1st Degree Murder

THE AMOUNT OF BAIL IN THIS CASE IS

HEREBY SET IN THE SUM OF

\$ FAR

NO CONTACT WITH CO-CONSPIRATORS

Received this Warrant on the ____ day of _____,
2023 and served same on the ____ day of _____,
2023, by delivering a true copy of same to the within
named defendant,

Sheriff

County, Florida

By:

Deputy Sheriff.

In the County Court Leon County, Florida

23 NOV 13 PM 5:46
LEON CO. CLERK/COUR

Warrant# 2023CF3226 AZ
Agency Case # TPD 2014-19848
Officer I.D.# SAO 2
Solicitation to Commit 1st
Charge Degree Murder

STATE OF FLORIDA

vs.

Donne Sue Adelson

Defendant. **COMPLAINT**

2127 Brickell Avenue Apt 1602, Miami, FL 33129
Address.

Degree of Charge 1st Degree Felony
Statute No. 777.04(2)
DOB 02/05/1950 Sex F
Race W Hgt 5'06"
Wgt 140 Hair Blonde
Eyes Brown SSN 114-38-5966
274451

IN THE NAME AND BY THE AUTHORITY OF THE STATE
OF FLORIDA:

Before me, the undersigned authority, personally appear by Inv. Jason Newlin, who, first being duly sworn says that one the 18th day of July, A.D. 2014, in Leon County, Florida, the aforesaid defendant

did solicit another person, Charles Adelson, and others to commit first degree murder and in the course of such solicitation did engage in specific conduct which resulted in the death of Daniel Markel,

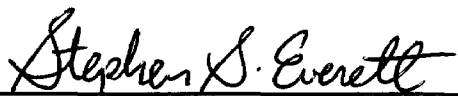
: contrary to Sec., 777.04(2) and 782.04(1)(a)1, F.S.
contrary to the statute, rule regulation or other provision of law in such case made and provided, and against the peace and dignity of the State of Florida.



Inv. Jason Newlin, Complainant

State Attorney's Office, Leon County Courthouse, 301 S. Monroe St., Suite 475, Tallahassee, FL 32301
Address

Sworn to and subscribed before me this 13 day of November, 2023.



Judge, Assistant State Attorney or Notary Public

In the County Court Leon County, Florida

23 NOV 13 PM 5:46
LEON CO. CLERK/COUR

Warrant# 2023CF3226 AB
Agency Case # TPD 2014-19848
Officer I.D.# SAO 2
Charge Conspiracy to Commit 1st
Degree Murder

STATE OF FLORIDA

vs.

Donne Sue Adelson

Defendant.

WARRANT

2127 Brickell Avenue Apt 1602,
Miami, FL 33129

Address.

Degree of Charge 1st Degree Felony
Statute No. 777.04(3)
DOB 02/05/1950 Sex F
Race W Hgt 5'06"
Wgt 140 Hair Blonde
Eyes Brown SSN 114-38-5966

IN THE NAME AND BY THE AUTHORITY OF THE
STATE OF FLORIDA:

TO ALL AND SINGULAR THE SHERIFFS OF THE STATE OF FLORIDA:

WHEREAS, a complaint has this day been filed before me by Inv. Jason Newlin, who, being first duly sworn says that one the 18th day of July, A.D. 2014, in Leon County, Florida, the aforesaid defendant

did conspire with another person, Charles Adelson, and others to commit first degree murder and in the course of such conspiracy did engage in specific conduct which resulted in the death of Daniel Markel,

contrary to the statute, rule regulation or other provision of the law in such case made and provided, and against the peace and dignity of the State of Florida.

THESE ARE, THEREFORE, to command you to arrest instanter the aforesaid defendant and bring him or her before me to be dealt with according to law.

Given under my hand and seal this 13 day of November, 2023.

Stephen S. Everett (SEAL)
County Court Judge County

WARRANT

**IN THE COUNTY COURT
COUNTY, FLORIDA**

**THE STATE OF FLORIDA,
PLAINTIFF**

vs.

Donna Sue Adelson

Defendant

2127 Brickell Ave. Apt 1602, Miami, FL 33129

Address

WARRANT

Conspiracy to Commit 1st Degree Murder

THE AMOUNT OF BAIL IN THIS CASE IS

HEREBY SET IN THE SUM OF

\$ FAR

NO CONTACT WITH OTHER CO-CONSPIRATORS

Received this Warrant on the ____ day of _____,
2023 and served same on the ____ day of _____,
2023, by delivering a true copy of same to the within
named defendant,

Sheriff

County, Florida

By:

Deputy Sheriff.

In the County Court Leon County, Florida

'23 NOV 13 PM 5:46
LEON CO. CLERK/COURT

Warrant# 2023CF3226 A3
Agency Case # TPD 2014-19848
Officer I.D.# SAO 2
Charge Conspiracy to Commit 1st
Degree Murder

STATE OF FLORIDA

vs.

Donne Sue Adelson

Defendant. **COMPLAINT**

2127 Brickell Avenue Apt 1602, Miami, FL 33129
Address.

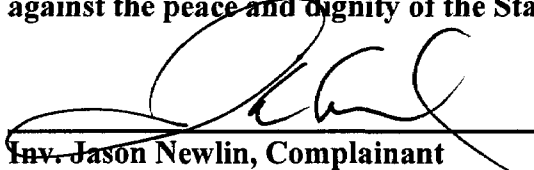
Degree of Charge 1st Degree Felony
Statute No. 777.04(3)
DOB 02/05/1950 Sex F
Race W Hgt 5'06"
Wgt 140 Hair Blonde
Eyes Brown SSN 114-38-5966

IN THE NAME AND BY THE AUTHORITY OF THE STATE
OF FLORIDA:

Before me, the undersigned authority, personally appear by Inv. Jason Newlin, who, first being duly sworn says that one the 18th day of July, A.D. 2023, in Leon County, Florida, the aforesaid defendant

did conspire with another person, Charles Adelson, and others to commit first degree murder and in the course of such conspiracy did engage in specific conduct which resulted in the death of Daniel Markel,

: contrary to Sec., 777.04(3) and 782.04(1)(a)1 F.S.
contrary to the statute, rule regulation or other provision of law in such case made and provided, and against the peace and dignity of the State of Florida.


Inv. Jason Newlin, Complainant

State Attorney's Office, Leon County Courthouse, 301 S. Monroe St., Suite 475, Tallahassee, FL 32301
Address

Sworn to and subscribed before me this 13 day of November, 2023.


Judge, Assistant State Attorney or Notary Public