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IN THE CIRCUIT COURT FOR THE SIXTH JUDICIAL CIRCUIT OF FLORIDA IN AND FOR PINELLAS COUNTY

STATE OF FLORIDA

2015 SEP 11 PM 1:59

VS.

[Signature]
KEN BURKE
CLERK OF CIRCUIT COURT
AND COMPTROLLER

15-10197-CF
FELONY INFORMATION

2015 SEP 11 PM 1:59
ISSUED
CLERK OF CIRCUIT COURT AND COMPTROLLER
CABIAS

LISA McDONALD
PID 2918448
W/F; DOB: 01/22/58

GRAND THEFT, 1^oF

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

BERNIE McCABE, State Attorney for the Sixth Judicial Circuit of Florida, in and for Pinellas County, prosecuting for the State of Florida, in the said County, under oath, Information makes that

LISA McDONALD

in the County of Pinellas and State of Florida, on or between the 16th day of January, two thousand thirteen, and the 19th day of June, in the year of our Lord, two thousand fifteen, did knowingly and unlawfully obtain or use, or endeavor to obtain or use, the property of another, to-wit: the Residence located at 8039 Boca Ciega Drive, St. Pete Beach, of the value of \$100,000 or more, with intent to temporarily or permanently deprive Diane McRae and/or Richard McRae and/or U.S. Bank National Association of a right to the property or benefit therefrom, or with intent to appropriate the property to her own use or to the use of any person not entitled thereto; contrary to Chapter 812.014(2)(a)1, Florida Statutes, and against the peace and dignity of the State of Florida. [11H]/7

STATE OF FLORIDA
PINELLAS COUNTY

Personally appeared before me, BERNIE McCABE, State Attorney for the Sixth Judicial Circuit of Florida, in and for Pinellas County, or his duly designated Assistant State Attorney, who being first duly sworn, says that the allegations as set forth in the foregoing information are based upon facts that have been sworn to as true, and which if true, would constitute the offense therein charged; hence this information is filed in good faith in instituting this prosecution, and that he has received testimony under oath from the material witness or witnesses for the offense.

The foregoing instrument was acknowledged before me this SEP 10 day of 2015, 2015 by Bruce L. Bantick, who is personally known to me and who did take an oath.

[Signature]
Assistant State Attorney for the Sixth Judicial Circuit of the State of Florida, Prosecuting for said State

[Signature]
NOTARY PUBLIC

SO14-504679 NAF 15-01839-A SPEC-JBR/0908sw36

15-10197-CF
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INFORMATION FILED
312918



COUNTY COURT OR CIRCUIT COURT - CRIMINAL DIVISION
PINELLAS COUNTY, FLORIDA

STATE OF FLORIDA :
V. : WITNESS AFFIDAVIT
LISA McDONALD :

BEFORE ME, A NOTARY PUBLIC, personally appeared Karl Gwynne,
who being duly sworn says:

Your Affiant is a sworn law enforcement officer with
the Pinellas County Sheriff's Office. On December 2, 2014, your
Affiant initiated an investigation into JAMES HEBIN, W/M, DOB
6/05/1963, and LISA MCDONALD, W/F, DOB 1/22/1958, after receiving
information that they were unlawfully residing in, and
appropriating to their own use, the residence located at 8039
Boca Ciega Drive, St. Pete Beach, Pinellas County, Florida
(hereinafter referred to as "the Residence"). Your Affiant
conducted physical surveillance operations, utilized electronic
surveillance techniques, reviewed records of the Pinellas County
Clerk of Court and the Pinellas County Property Appraiser,
conducted witness interviews, and interviewed both JAMES HEBIN
and LISA MCDONALD. From this investigation, your Affiant
established the following.

According to the deed on file with the Pinellas County
Property Appraiser, the owner of record of the Residence in
August of 2014 was Diane McRae, "a married person." Your Affiant
spoke with Richard McRae, Diane McRae's surviving spouse, on
several occasions during February of 2015. Your Affiant learned
from Richard McRae that he and Diane McRae were married in March

of 1998 in Clark County, Nevada. Diane McRae purchased the Residence in June of 2007, during her marriage to Richard McRae.

Due to financial problems, Richard and Diane McRae moved out of the Residence in February 2009. They moved from the Residence to another residence located in Lee County, Florida, which they purchased in December of 2008. Although they left possessions in the Residence, including furniture, neither Richard nor Diane McRae ever resumed residency in the Residence. Richard and Diane McRae left the Residence unoccupied as Diane McRae was opposed to allowing tenants into the Residence. In September of 2012, US Bank National Association began foreclosure proceedings against the Residence in Pinellas County. The foreclosure proceeding was assigned civil case #12-010895-CI. Diane McRae died intestate in February of 2014, prior to a final judgement. The Residence was never re-deeded in Richard McRae's name; however, as Diane McRae's surviving spouse, ownership of the Residence passed to him upon Diane McRae's death. Richard McRae allowed the foreclosure proceedings to continue.

On or about January 16, 2013, LISA MCDONALD sent a document entitled "Agreement to Take Possession and Tenancy" to Diane McRae in Lee County, Florida. Your Affiant viewed a copy of the letter, which LISA MCDONALD subsequently filed with the Clerk of the Court. In the document, LISA MCDONALD writes that the Residence is uninhabited and deteriorating. LISA MCDONALD declares that she is going to move into the Residence, take possession of the Residence as a tenant, and make specified improvements at her own expense. LISA MCDONALD also gives Diane

LISA MCDONALD

McRae thirty days to respond and asserts that a failure to respond would indicate Diane McRae's approval. Richard McRae advised your Affiant that neither he nor Diane McRae ever saw the letter and that neither he nor Diane McRae ever intended to allow anyone else to reside in the Residence. Richard McRae also advised your Affiant that, by January of 2013, Diane McRae had been battling cancer for approximately five months. Richard McRae advised your Affiant that Diane McRae would not have done anything with the Residence during their marriage without his knowledge or approval. Richard McRae further stated that neither he nor Diane McRae gave anyone permission to enter or use the Residence. The Residence was not leased as Diane McRae was opposed to having renters in the Residence. Finally, Richard McRae stated that neither he nor Diane McRae knew anyone named JAMES HEBIN or LISA MCDONALD.

In December of 2014, your Affiant sent a subpoena to Duke Energy for subscriber information for the Residence. Your Affiant reviewed the records sent by Duke Energy and learned that the account for the Residence was in the name of JAMES HEBIN. The account was opened on September 6, 2013.

On December 2, 2014, your Affiant spoke with Adrienne Donahoe. Adrienne Donahoe met JAMES HEBIN at a restaurant where she worked. In approximately November of 2013, Adrienne Donahoe broke up with her boyfriend and needed a place to stay. JAMES HEBIN offered to allow Adrienne Donahoe to stay with him and LISA MCDONALD at the Residence. Adrienne Donahoe lived in the Residence with JAMES HEBIN and LISA MCDONALD from approximately

LISA MCDONALD

November 1, 2013, until approximately November 24, 2013.

Adrienne Donahoe was able to describe the Residence with specificity and confirmed that JAMES HEBIN and LISA MCDONALD were living in the Residence. JAMES HEBIN and LISA MCDONALD had keys to the Residence and provided Adrienne Donahoe with a spare key.

Adrienne Donahoe observed that JAMES HEBIN had a bedroom on the second floor and LISA MCDONALD had a bedroom on the third floor of the Residence. JAMES HEBIN and LISA MCDONALD had an office on the second floor of the Residence. The office had three computers and printers. Adrienne Donahoe described the furniture as "hand me downs" and advised that JAMES HEBIN and LISA MCDONALD said the furniture belonged to them. JAMES HEBIN and LISA MCDONALD slept inside of the Residence almost every night. JAMES HEBIN would cook food in the kitchen and meals were eaten at the dining table in the dining area. JAMES HEBIN stored a non-working vehicle inside of the garage. JAMES HEBIN and LISA MCDONALD would entertain others and hold seminars inside of the Residence.

Your Affiant believes that JAMES HEBIN and LISA MCDONALD held seminars at the Residence in which they instruct others how to unlawfully obtain real property. Your Affiant saw a video on the internet which was filmed on or about June 9, 2014. Adrienne Donahoe viewed the video and confirmed that it was filmed inside of the Residence. In the video, JAMES HEBIN and LISA MCDONALD discuss the principle of "tacit procurement by silent assent." During the video, JAMES HEBIN makes statements that he and LISA MCDONALD used the principles they were teaching to appropriate.

LISA MCDONALD

the Residence to their own use approximately a year and one-half prior.

Your Affiant reviewed the records of the foreclosure case for the Residence. A final judgement was rendered on November 18, 2014. On May 6, 2015, the Clerk of the Court issued a certificate of title, confirming the foreclosure sale of the Residence to, and its acquisition by, US Bank National Association. Upon further review, your Affiant determined that LISA MCDONALD filed numerous documents in the foreclosure proceeding, even though she was not a party to it. On December 13, 2013, LISA MCDONALD filed a "MOTION TO INTERVENE" and a "CLAIM OF EQUITABLE LIEN." On February 13, 2014, LISA MCDONALD filed a "MOTION FOR MEDIATION." On March 13, 2014, LISA MCDONALD filed an "ANSWER OF LISA MCDONALD" which included a claim of equitable lien and "Master Lease" as exhibits. The document purporting to be the "Master Lease" attached as an exhibit is the "Agreement to Take Possession and Tenancy." On May 7, 2014, LISA MCDONALD filed a "MOTION FOR MEDIATION." On January 26, 2015, LISA MCDONALD filed an "EMERGENCY MOTION TO CANCEL/POSTPONE SALE, VACATE FINAL JUDGMENT AND REQUEST ORDER FOR RECONSIDERATION." On February 10, 2015, LISA MCDONALD filed a "MOTION TO ADD CO-DEFENDANT" in which she describes "JAMES BERNARD HEBIN, who has been a defendant in this case, previously known as 'unknown tenant 1' since March 1, 2013;" a "MOTION TO VACATE CERTIFICATE OF SALE;" a "MOTION TO VACATE FORECLOSURE SALE AND AMOUNT OF BID;" and an "OBJECTION TO FORECLOSURE SALE AND AMOUNT OF BID." On March 27, 2015, LISA MCDONALD filed a "MOTION FOR RELIEF FROM

LISA MCDONALD

JUDGMENT, DECREES OR ORDERS." Your Affiant also found that LISA MCDONALD filed the "Agreement to Take Possession and Tenancy" with the Clerk of Court in St. Petersburg, Pinellas County, on January 22, 2015, and on March 5, 2015, filed a "POSSESSORY MARITIME AGRICULTURAL LIEN" for \$3,750,000 in the name of the "LISA SHARON MCDONALD ESTATE" against the Residence.

On April 9, 2015, your Affiant interviewed JAMES HEBIN at the Residence. JAMES HEBIN would not come outside and instead spoke from the screened, second-floor balcony. JAMES HEBIN stated that he was living in the Residence pursuant to a written lease contract with the original owner, Diane McRae. JAMES HEBIN stated that notice had been given and that he has been living in the Residence with LISA MCDONALD for approximately two and one-half years. JAMES HEBIN claimed that, per his lease, he does not pay rent but does make repairs and maintains the property. JAMES HEBIN could not locate his alleged lease but claimed that it had been filed with the clerk of the court. Your Affiant showed JAMES HEBIN a copy of LISA MCDONALD'S "Agreement to Take Possession and Tenancy," which he identified as LISA MCDONALD'S "master lease." JAMES HEBIN stated that he had an identical document in his name and to which Diane McRae never responded. JAMES HEBIN claimed to have "a private agreement option to buy."

JAMES HEBIN stated that he had not spoken with Diane McRae in "quite a while." JAMES HEBIN did not have Diane McRae's phone number but was aware that she lived somewhere in Lee County in south Florida. JAMES HEBIN asserted that the Residence is the property of the United States Government as LISA MCDONALD had

LISA MCDONALD

assigned all of her interests in the "LISA MCDONALD ESTATE," including her alleged master lease, to the United States government "pursuant to 12 USC 95a(2)." Moreover, JAMES HEBIN claimed that the Residence was exempt from arrest or seizure and, as a result, the trust company and its attorneys are engaged in a "seditious conspiracy to commit insurrection and rebellion" by trying to foreclose on the Residence.

On April 27, 2015, your Affiant interviewed LISA MCDONALD after she was arrested for driving while her license was suspended or revoked. After reading LISA MCDONALD her Miranda warning, she agreed to speak with me. LISA MCDONALD confirmed that she has been residing in the Residence and stated that she had a written lease. Your Affiant showed LISA MCDONALD the "Agreement to Take Possession and Tenancy" which she claimed to have sent to Diane McRae, and LISA MCDONALD confirmed Diane McRae never responded.

Between November of 2014 and May of 2015, your Affiant conducted both physical and electronic surveillance of the Residence. Your Affiant observed both JAMES HEBIN and LISA MCDONALD at the Residence on multiple occasions. That surveillance established that JAMES HEBIN and LISA MCDONALD made regular and sustained use of the Residence. On June 19, 2015, JAMES HEBIN and LISA MCDONALD were evicted from the Residence by members of the Pinellas County Sheriff's Office.

During the time JAMES HEBIN and LISA MCDONALD lived in the Residence, the Residence lawfully belonged to Diane and Richard McRae and, upon Diane's death, Richard McRae. During the time

LISA MCDONALD

JAMES HEBIN and LISA MCDONALD lived in the Residence, the Residence was also the subject of a civil forfeiture proceeding. LISA MCDONALD attempted to disrupt the civil proceedings by filing simulated legal process. JAMES HEBIN and LISA MCDONALD continued to live in the Residence, even after the conclusion of the foreclosure proceedings and title passed to US Bank National Association, until they were evicted. During the time JAMES HEBIN and LISA MCDONALD lived in the Residence, from approximately January 16, 2013, until June 19, 2015, JAMES HEBIN and LISA MCDONALD deprived the lawful owners of the Residence of use of the Residence and appropriated the Residence to their own use. Your Affiant reviewed the records of the Pinellas County Property Appraiser and determined that during the time of your Affiant's investigation, while JAMES HEBIN and LISA MCDONALD lived in the Residence, the Residence had an approximate value of \$1,600,000.

WHEREFORE, your Affiant respectfully requests this Honorable Court to issue a writ of habeas corpus so that JAMES HEBIN may be made to answer to the charge of Grand Theft.

The foregoing instrument was acknowledged before me this _____ day of SEP 08 2015, 2015 by Karl C. Guevara who is personally known to me or has produced PLSO-ID as identification and who did take an oath.

Sharon A. McNeil
 NOTARY PUBLIC

County Court or Circuit Court -
 Criminal Division, Pinellas County, Florida



Karl C. Guevara
 AFFIANT
Pinellas Co. Sheriff's Office
10750 Ulmerton Rd.
Largo, FL 33778
 AFFIANT'S ADDRESS
(727) 582-6200
 AFFIANT'S TELEPHONE NUMBER

SPEC JBR/0908sw33

LISA MCDONALD

FINDING OF PROBABLE CAUSE

I, THANE B. COVERT,
CIRCUIT JUDGE have reviewed this affidavit
and do find there is probable cause to hold and bind over for
trial the defendant named in this affidavit.

Clerk of this Court is hereby directed to
ISSUE CAPIAS for arrest of Defendant

LISA McDONALD

Defendant is to be admitted to Bail in

the sum of \$ 50,000
including surcharge

Thane B Covert
Circuit/County Judge

Thane B Covert
JUDGE

9/10/15
DATE

LISA McDONALD

PERSONAL DATA INFORMATION SHEET

WARRANT/CAPIAS #:
(TO BE ASSIGNED)

FOLLOWING INFORMATION TO BE PROVIDED BY INVESTIGATING OFFICER WHEN REFERRING A CASE!

*Note: starred lines are required for computer warrant entries *FCIC system (local) **NCIC system*

*Defendant's Full Name: M^c DONALD, LISA SHARON

Alias: _____

SSN: 365-64-9671
Fla. DIL # M235-537-58-522-0

Last Known Address: 10021 Gulf Blvd., Treasure Island, FL

Place of Employment:

(Company)

(Business Address)

*DOB: 1-22-58

*SEX: F

*RACE: W

**HT: 5'3"

**WT: 120

**HAIR: RED

EYES: HZ

OTHER FEATURES:

Beard, Marks, Scars, Tattoos

PHOTO AVAILABLE:

YES

NO

FINGERPRINTS AVAILABLE:

YES

NO

*AGENCY: Pinellas Co. Sheriff's Office

*OFFENSE NUMBER: 5014-504679

*INVESTIGATING OFFICER(S): Det. K. Gwynne