



Stephen B. Russell, State Attorney

The Russell Report



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September 2017

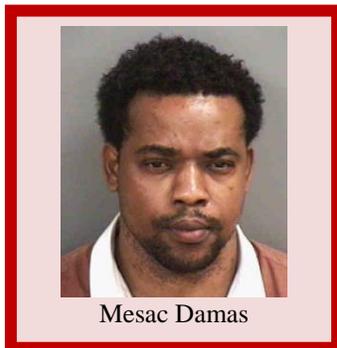
Volume 17, Issue 9

Mesac Damas Case

Mesac Damas, 41, pled guilty to six counts of First Degree Murder for the 2009 slaying of his wife and five children.

The penalty phase proceeding will be held the week of October 23rd in Naples. We will be seeking the death penalty.

Deputy Chief Assistant State Attorney Richard Montecalvo, Chief Assistant State Attorney Amira Fox, and Assistant State Attorney Dave Scuderi are handling the case.



Mesac Damas

Sexual Battery: Multiple Perpetrators

Joshua Dale Bryan, 22, faces 60 years in prison after being found guilty as charged of two counts of Sexual Battery on the Same Victim by Multiple Perpetrators. The two day trial in Hendry County centered around the 2013 incident where Bryan along with his co-defendant sexually battered the 16 year old victim on a party bus.

Sentencing for Bryan is scheduled for October 5th. His co-defendant, Timothy Alexander, was sentenced to 30 years in prison on the crime after being convicted by a jury earlier this summer.

Assistant State Attorneys John Dommerich Jr. and Abe Thornburg prosecuted the cases.



Joshua Bryan



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Hurricane Response Team

Hurricane Irma wreaked havoc in Southwest Florida forcing many of us to evacuate our homes while others were able to stay and ride out the storm. Many people are now dealing with hurricane damage to their homes and businesses. From getting ready for the hurricane to make landfall to dealing with the aftermath, we have had a chance to see the best in many people. There have been people lending a helping hand to assist their friends and neighbors in cleaning up their yards or fixing their homes. Others have provided a place to stay as they deal with severe home damage or financial losses.

We are also seeing people take advantage of the situation when so many people find themselves in need. The State Attorney's Office 20th Judicial Circuit has created a Hurricane Response Team. The prosecutors and staff who focus on economic crimes will be putting their efforts into cases coming into our office dealing with price gouging and contracting without a license during a state of emergency which is a felony. Additionally our prosecutors will seek enhanced sentences for those who are found to be looting during this time. This process will be overseen by Chief Assistant State Attorney Amira Fox.

"Much of Southwest Florida has been impacted by this devastating hurricane. Our office will not allow people to be taken advantage of, especially not in the face of a disaster. Our experienced prosecutors will review these cases as they come in and make sure those who prey on people at their most vulnerable times are held accountable. We urge all citizens of Southwest Florida to be diligent and make sure they hire individuals who are properly licensed and insured." said Chief Assistant Fox.

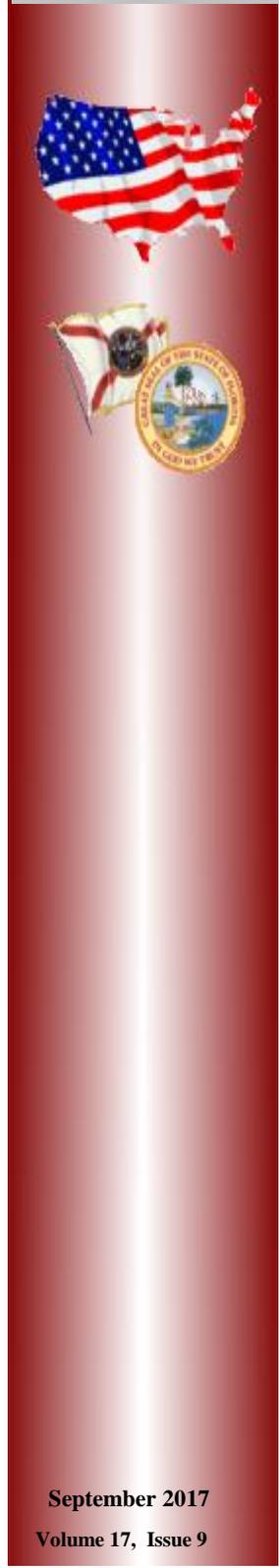
We have already had cases coming into our office involving crimes during the state of emergency. Some cases may come in months from now as unlicensed contractors target people in our area. The repairs sometimes fail or the jobs are not completed. When that happens the victims will then reach out to law enforcement to make a report.

Our Hurricane Response Team is working with all of our partners in law enforcement throughout Southwest Florida as we work as a collective group to combat these individuals.



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Aggravated Battery: Guilty as Charged

Rene Cruz, 29, was found guilty as charged of Aggravated Battery Causing Great Bodily Injury, Permanent Disfigurement, or Using a Deadly Weapon. He now faces up to 15 years in prison.

The crime occurred at the casino on the Brighton Indian Reservation in Glades County. The victim was at the bar with friends and family when he made a comment that offended Cruz's girlfriend. He apologized and thought that was the end of it. Cruz and his girlfriend then left the casino.

Minutes later the defendant came back to speak to the victim. He then struck the victim twice with a beer bottle. He was able to block the first shot with his hand but the second caused life threatening damage to his neck. The victim had to be med-flighted to a hospital and luckily survived the attack.

Assistant State Attorney Will Dorman handled the case.



Rene Cruz

Exploitation Case

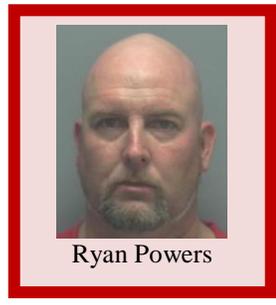
Ryan Todd Powers, 41, was found guilty of four counts of Exploiting an Elderly or Disabled Person following a four day trial in Lee County. He faces up to 60 years in prison at his sentencing on October 2nd.

Powers became the Power of Attorney for the 73 year old victim and her husband. After obtaining power of attorney he opened a fraudulent checking account in her name without her knowledge or approval and had her monthly social security checks redirected into the new account.

He then used this account, along with her husband's account for his own personal use which prevented the victims from having money for their personal care.

Powers also sold some of the victims' assets and deeded the victim's home to himself. Power's actions resulted in a loss of a total amount exceeding \$50,000.00.

Assistant State Attorneys Jennifer Royal and J.D. Miller of our Economic Crimes Unit handled the case.



Ryan Powers



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GUILTY VERDICTS

ASAs Jennifer Royal and J.D. Miller: First Degree Exploitation of Elderly or Disabled Person (4 Counts)

ASA Tino Cimato: Possession of Counterfeit Credit Card (4 Counts)

ASAs John Dommerich Jr. and Abe Thornburg: Sexual Battery on Same Victim by Multiple Perpetrators

ASA Heather Searcy: Battery, Trespass in an Occupied Structure

ASAs Deborah Cunningham and Katherine Rumley: Lewd or Lascivious Molestation (3 Counts)

ASA Will Dorman: Aggravated Battery Causing Great Bodily Injury, Permanent Disfigurement, or Using a Deadly Weapon

ASAs Ashley Adams and Leena Marcos: Possession of Heroin, Sale of Heroin within 1,000 ft. of a Park

ASA Ashley Adams: Resisting without Violence, Disorderly Intoxication

ASAs Matthew Heider and Jennifer Justham: Possession of Marijuana, Possession of Paraphernalia

ASAs Matthew Heider and Jennifer Justham: Battery

ASA Alyssa Wolf: Improper Exhibition of a Firearm (2 counts)

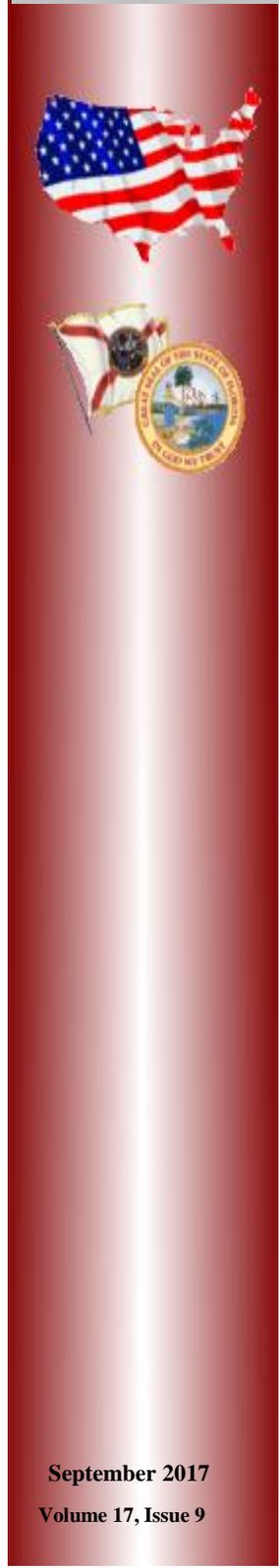




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Serving Charlotte, Collier, Glades, Hendry and Lee Counties

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SEPTEMBER ANNIVERSARIES:

In recognition of service to the citizens of Southwest Florida, and dedication to their jobs with the State Attorney's Office, a heartfelt thank you goes to the following people on their September employment anniversary dates:

- | | | |
|------------------------|-----------------------|----------------------|
| Bianca Bentley '11 | Kathryn Horst '10 | Stephanie Powers '10 |
| Heather Boltz '12 | Julia Howard '98 | Johnnie Reid '12 |
| Mitchell Cooper '13 | Elizabeth Johnson '12 | Dana Schwarz '94 |
| John Dommerich Jr. '10 | Heather Kobilus '04 | Samantha Seles '16 |
| Michael England '15 | Leena Marcos '11 | Debbie Stanboro '91 |
| Robert Foley '16 | Melissa Mears '15 | Linda Tonks '13 |
| Lindsay Gaide '13 | Nicole Mirra '06 | Femi Young '14 |
| Julia Goncharova '16 | Paul Poland '96 | |

Learning About the State Attorney's Office

Staff members of the State Attorney's Office are available to speak to local students or groups. Throughout the year we visit classrooms and organizations to teach people about what our office does and how the law works in Florida.

We also invite local college students to volunteer at one of our offices throughout Southwest Florida. We have many volunteers who get to work closely with our prosecutors and get an education about the criminal justice system.

If you would like to learn more about our programs, contact our Volunteer Coordinator, Nancy Cruz at ncruz@sao.cjis20.org or call her at 533-1000.