



FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION  
3200 NE 151 STREET  
MIAMI FL 33181

REPORT NUMBER  
ARR005660

## ARREST REPORT

Report Date / Time 02/13/2018 02:37 PM	Agency Case/Offense Number FWSB17OFF2325	OCA Number	Originating Agency Case Number	OBTS Number 442025870	Offender Based Transaction System	Jail Booking Number	Other Number
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### LOCATION OF OCCURRENCE

County MONROE	Address 53 HIGH POINT ROAD, PLANTATION, FL 33070	
Range of Occurrence Date/Time 01/19/2017 12:00 AM to 01/22/2017 12:00 AM	Latitude N 24 58.8001	Longitude W 80 33.0836

### PERSON: SUSPECT

First Name JAVIER	Middle Name	Last Name TORRES	Suffix	Date of Birth 01/05/1976	Age 41	Race H	Sex M	Height 5'06"	Weight 210	Hair BLK	Eyes BRO
Master Name Index Number	Place of Birth CAIBARIEN, CUBA	Nation CUBA	SSN	Driver's License or Other ID T620420760050	State FL	Class or Type					
Address 14205 SW 154TH ST	City MIAMI	County MIAMI-DADE	State FL	Zip Code 33177	Phone						

### CHARGES

Counts 8	Charge Number 379.401(2)(a)	Charge 68A-27.005(2)(A)			
Charge Degree SECOND DEGREE	Charge Level MISDEMEANOR	General Offense Code	<input type="checkbox"/> Hate Crime	<input type="checkbox"/> Domestic Violence	Bond Amount \$40,000.00
NO PERSON SHALL TAKE, POSSESS, TRANSPORT, OR SELL ANY SPECIES OF SPECIAL CONCERN					

Counts 8	Charge Number 379.409.1	Charge CONSERVATION			
Charge Degree THIRD DEGREE	Charge Level FELONY	General Offense Code	<input type="checkbox"/> Hate Crime	<input type="checkbox"/> Domestic Violence	Bond Amount \$40,000.00
ALLIGATOR-INTENTIONALLY KILL, INJURE, POSSESS, OR CAPTURE, OR ATTEMPT TO KILL, INJURE, POSSESS, OR CAPTURE, AN ALLIGATOR OR OTHER CROCODILIAN, OR THE EGGS OF AN ALLIGATOR OR OTHER CROCODILIAN					

### PROBABLE CAUSE

Arrest Warrant:  
Court Case Number: 18CF38AP  
Law Enforcement Case Number: FWSB-17-OFF-2325

### LEO BOND

Bond Amount \$	None	<input type="checkbox"/> ROR	<input type="checkbox"/> Cash	<input type="checkbox"/> Any	<input type="checkbox"/> PreTrial If Qualify
	<input type="checkbox"/> Pro				<input type="checkbox"/>

### COURT APPEARANCE INFORMATION

Court (COUNTY) MONROE COUNTY COURT (PLANTATION KEY)	Court Phone (305)-852-7145	Court Date & Time
Court Address 88820 OVERSEAS HIGHWAY (88 1/2 MM GULF SIDE), PLANTATION KEY, FL 33070		
Instructions		

### ARREST INFORMATION

Arrest Date / Time 02/13/2018 12:00 AM	Residency Within state	Injured None	Extent of Injury N/A	Resist Arrest No
Prior Arrests Unknown	Arrest Jurisdiction Within state	Alcohol No	Drugs No	

### ARREST LOCATION

County MIAMI-DADE	Address 3200 NE 151 STREET, NORTH MIAMI, FL 33318
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### ARREST DELIVERED TO

Jail / Booking Facility	Location	Phone
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### ARRESTING OFFICER

Officer Call Number W293	Officer Name ALMAGRO, WILLIE	Officer Signature <i>WILLIE ALMAGRO</i>
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Subscribed and sworn to (or affirmed) before me this 13 day of Feb A.D. 2018 by \_\_\_\_\_ who is ☒ personally known to me or has produced \_\_\_\_\_ as identification.

Signature Freddy Romero Notary Public ☒ LEO ☐ CO Commission No: \_\_\_\_\_ My Commission Expires: \_\_\_\_\_

IN THE SIXTEENTH JUDICIAL CIRCUIT,  
IN AND FOR MONROE COUNTY, FLORIDA

STATE OF FLORIDA  
Plaintiff,

Vs.

JAVIER TORRES  
Defendant

Court Case Number:

18CF38AP

Florida Fish and Wildlife Conservation Commission  
Division of Law Enforcement  
Agency Case Number: FWSB-17-OFF-2325

ARREST WARRANT

Name: Javier Torres

Date of Birth: 01/05/1976

Hair: Black

D/L#: T620420760050

History of Violence: NO

Last Known Address: 14205 S.W. 154 Street, Miami, Fl. 33177

Race: W

Eyes: Brown

SSN#: [REDACTED]

Sex: Male

Weight: Unknown

Height: 5'6"

Age: 41

Believed to be Armed: NO

Prior Arrest Record: NO

To all State, County, and Local Law Enforcement Officers in the State of Florida, Greetings:

Before me personally appeared Investigator Guy Gilbert, a state law enforcement officer with the Florida Fish and Wildlife Conservation Commission Division of Law Enforcement, who being duly sworn, states that the Defendant Javier Torres did commit the acts stated in the attached Probable Cause Affidavit. Based upon this sworn statement of facts, I find probable cause that the defendant did commit the following crimes in the state waters of Monroe County, Florida, contrary to the Florida Statutes and against the peace and dignity of the State of Florida:

COUNTS	STATUTE	DESCRIPTION	LEVEL	BOND PER COUNT (SET BY JUDGE)
8	379.409(1)	Kill, possess, or capture American Alligator	F-3	\$ <del>15,000</del> x 8
8	379.401(2)(a)	Violation of FAC pertaining to Endangered or Threatened Species; prohibitions [68A-27.003]	M-2	\$ <del>15,000</del> x 8

Stay out of Big Cypress

Therefore, **you are hereby commanded** to immediately arrest Javier Torres and bring the defendant before me, a judge in the 16<sup>th</sup> Judicial Circuit of Florida, to be dealt with according to the law.

Extradition Information: (SAO Initial Applicable Line)

\_\_\_\_ Monroe County Only

\_\_\_\_ Florida Only

\_\_\_\_ Eastern United States Only

\_\_\_\_ Anywhere

\_\_\_\_ Monroe, Dade, and Collier Counties Only

\_\_\_\_ South Eastern United States Only

☒ All of the United States **LEBASA**

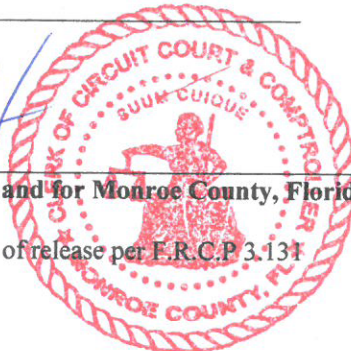
Other: \_\_\_\_\_

So ordered on February 9, 2018  
(Date)

\$ 30,000  
Total Bond Amount

Judge in the 16 Judicial Circuit in and for Monroe County, Florida

\_\_\_\_ Appearance Judge \_\_\_\_ may not ☒ may modify the condition of release per F.R.C.P. 3.131





(Judges Initials)

## **ARREST WARRANT – Statement of Probable Cause**

Agency Case Number: FWSB-17-OFF-2325

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On 2/22/17, I, Investigator Guy Gilbert, and Special Agents with the U.S. Fish and Wildlife Service, and Law Enforcement Officers with the National Park Service (Big Cypress Preserve), viewed a video uploaded to YouTube that was posted earlier that day by the user "Pionpalomero1", which is maintained by Alfredo Lopez de Queralta. The video was titled "Pantera de la Florida con dos cachorros." On the video, a Hispanic male is seen capturing two panther kittens. I watched the video in its entirety multiple times and downloaded the video to preserve it.

In the video, a Hispanic male, who I later identified as Javier Torres, by his FaceBook page and through a traffic stop conducted by Officers of Big Cypress National Preserve on 1/19/17, is seen walking through a wooded area consistent with South Florida and the Florida Everglades. Torres walks to an area of natural foliage consistent with what a Florida Panther would use for a den and then he begins crawling into it. As he crawls in, the person videotaping (Alfredo Lopez de Queralta) turns to witness an adult panther flee from the back side of the den and whispers "Pantera" to Torres who is in the den. Torres emerges out of the den shortly after holding two kittens consistent with being Florida Panthers, (*Puma (=Felis) concolor coryi*), which are Federally-designated as an Endangered and Threatened species. As Torres exited the den, he broke through the natural foliage used to conceal it, destroying the dens cover. Torres then poses with the panther kittens, kissing and cuddling them, and states that one is a male and one is female. He poses with the kittens again before tossing them back into the den. The video then cuts and picks up with Torres on the ground crying. He stands up and explained that he was emotional because they have spent so much time trying to find a panther den and it was a lot of work and took time away from their families. The video then ends.

During this investigation numerous other videos were posted on YouTube by user "Pionpalomero1", maintained by Alfredo Lopez de Queralta, as well as on the Facebook page of Javier Torres depicting Torres harassing and capturing wild alligators in violation of Florida Statute 379.409(1), while Alfredo Lopez de Queralta records the event on camera. There are several videos of this activity and they show the carelessness of Torres' behavior. In one video, he wades into a swamp to capture an alligator, then holds the alligator's mouth open while he put his head inside of the mouth. In several videos, the alligators attempt to evade Torres, but he continues to harass the animals by grabbing them, capturing them, sitting on top of them, and pulling them around. In several videos, Torres repeatedly smacks the alligators in the head and mouth.

During an ongoing Investigation of Illegally killing, possessing, injuring, or capturing American Alligators (*Alligator Mississippiensis*), which are listed under the Federal Endangered Species Act, 16 U.S.C. 1531 et seq. I, Guy Gilbert, the Lead Investigator, reviewed documents that were obtained through two separate search warrants for Javier Torres Social Media Accounts and his residence. During my review of these documents and photographs obtained by the warrants, Law Enforcement Rangers with Big Cypress National Preserve, were able to

determine six of the videos were of locations on Loop Road, in Monroe County, Florida, where these photographs were taken by screen shots of the videos. All six video locations were confirmed to have been filmed in Monroe County. On August 30, 2017, Officer G. Fernandez and I verified the information received from Big Cypress National Preserve, Law Enforcement Officers by driving on Loop Road to the locations provided and matching the screen shots from the videos to the exact location. This identification was accomplished by matching several of the unique characteristics of flora and fauna as well as other man-made characteristics located along Loop Road. In five of the six videos, the identified locations contain violations of Florida State Statutes 379.409(1). A total of eight different alligators were seen being captured by Javier Torres in the five videos titled "Los Everglades son divertidos", "Alligator herido", "Adentro de los pantanos de la Florida", "Alligator", and "Alligator wrestling", which the meta data for the videos provided by Google in reference to a search warrant were created between 11/29/16 to 2/8/17, and up loaded to google / youtube site "Pionpalomero 1" that is maintained by Alfredo Lopez de Queralta. Mr. Javier Torres did not obtain any permits or license that would allow him to possess, capture, injure or kill American Alligators from the Florida Fish and Wildlife Conservation Commission or the U.S. Fish and Wildlife Service on any portion of The Big Cypress National Preserve.

In the video titled "Adentro de los pantanos de la Florida", which was uploaded to website youtube.com under "Pionpalomero 1" on 12/2/16, and created on or before 12/2/16 at GPS coordinates 25.760605N / 81.002525W, located in Monroe County, depicts Torres wearing a Gray short sleeve t-shirt with Black Shorts with Gray pin stripe down the side. In this video Torres is observed in the water catching an approximately three and half to four-foot alligator and later in the same video Torres is observed in the water along Loop Road where he catches a hatchling alligator and is observed handling and kissing the hatchling on the head.

In the video titled "Alligator", which was uploaded to website youtube .com under "Pionpalomero 1" on 1/23/17, and created on or before 1/23/17 at GPS coordinates 25.767155N / 81.076040W, located in Monroe County, depicts Torres wearing a white short sleeve t-shirt with black shorts with gray pin stripe in the water at culvert number 25. In the video Torres is seen catching an approximately 6-foot alligator and after a brief struggle Torres places the alligator up on the roadway and is observed placing a stick in the alligator's mouth causing the alligator to snap its mouth closed.

In the video titled "Alligator herido", which was uploaded to website youtube.com under "Pionpalomero 1" on 1/30/17 and created on or before 1/30/17 at GPS coordinates 25.750840N / 80.967202W, located in Monroe County, depicts Torres wearing a light gray short sleeve t-shirt and black shorts with a shark tooth neckless. In this video Torres is observed capturing a 10-foot alligator up along the roadway. The alligator has what appears to be an old bullet wound on its snout. Torres is observed getting on this alligator back and opening its mouth.

In the video titled "Los Everglades son divertidos", uploaded to website youtube.com under "Pionpalomero 1" and created on or before 2/5/17 at GPS coordinates 25.761190N / 80.910472W, located in Monroe County, is a combination of videos. In this video first depicts

Torres wearing a black short sleeve t-shirt and black shorts with a blue stripe down the sides catching a six-foot alligator in the water that is fighting to escape then the video shows Torres white long sleeve shirt with the letters "EVO" on the front holding onto an alligator's foot that is trying to escape into a concrete culvert as Torres bites the alligator on the right rear foot.

In the video titled "Alligator wrestling", uploaded to youtube.com under "Pionpalomero 1" and created on or before 2/8/17 at GPS coordinates 25.781624N / 81.092127W, located in Monroe County, depicts Torres wearing a Black t-shirt with an Everglades Outpost logo and Black shorts with gray pin strip along the sides. In this video Torres is filmed capturing two alligators the first is an approximant nine-foot alligator in the water in which he is filmed placing his head inside the month of the alligator and the second is an approximant seven-foot alligator that is up along the roadway. Torres is observed placing his head inside the alligator's mouth as well.

During a sworn interview conducted on 3/16/17, with Javier Torres, he stated he was the only one to handle the alligators and that the cameraman Alfredo Lopez de Queralta was the one operating the camera during the wildlife violation video recordings and the one taping, editing and posting 20 videos of various wildlife on youtube and facebook.

Below are snap shots from two videos in evidence, showing Javier Torres capturing, possessing, Alligators in violation of FSS: 379.409(1) which occurred in Monroe County.





# ARREST WARRANT – Signature of Affiant

Investigator Guy Gilbert

(Signature of Affiant)

Subscribed and sworn to (or affirmed) before me this 9 day of FEB, 2018 by  
(Date) (Month) (Year)

Investigator Guy Gilbert, who is personally known \_\_\_\_\_ or produced identification X to me.

(Signature of Notary, LEO, CO)

(Printed or Stamped name of Notary, LEO, CO)

Commission Number:

My Commission Expires: