

ARREST WARRANT

CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT

IN AND FOR

OSCEOLA COUNTY, FLORIDA

State of Florida
v.
Marcus Martin Grubert
Defendant

)
) **Kissimmee Police Department**
) **Agency Case No.: 23-003026**
) **Court Case No.: 24 CF 1582**



DOB: 10/13/1982
Race/ Sex: White / Male
Height: 6'02
Weight: 220
Hair: brown
Eyes: brown
Scar(s), Mark(s),
Tattoo(s): unknown
Social Security: [REDACTED]
Driver License: G616-553-82-373-0
3300 Whitestone Circle apt 104, Kissimmee FL
34741
Address:

TO: ALL AND SINGULAR SHERIFFS OF THE STATE OF FLORIDA; SPECIAL AGENTS OF THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT; ANY INVESTIGATOR OF THE SEVERAL STATES ATTORNEY'S OFFICE; AND/OR ANY POLICE OFFICER OF THE KISSIMMEE POLICE DEPARTMENT:

An Affidavit or sworn Complaint having this day been presented to me, the **Honorable Patricia Strowbridge**, Judge, in and for Osceola County, Florida, Ninth Judicial Circuit wherein it is alleged that on/between **April 01, 2023**, and present in Osceola County, Florida, the Defendant, **Marcus Martin Grubert**, did in violation of Florida State Statutes and commit the offense(s) of:

C1: Sexual Battery by Custodian victim under 12 YOA F.S.S 794.011(8)(c)

Therefore, you are hereby commanded to arrest instanter the said Defendant if he/she be found within your jurisdiction, and bring him/her before the proper court to be dealt with according to law.

C1: No Bond

The said Defendant shall be admitted to bail in the total sum of \$ No Bond.

Other conditions of release shall include: No contact with Victim or Witnesses

Patricia L Strowbridge 05/21/2024

JUDGE / DATE

AGENCY CASE NUMBER: 23-003026
COURT CASE NUMBER: 24CF1582
IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT IN AND
FOR OSCEOLA COUNTY, FLORIDA

FILED BY OFFICE
CLERK OF THE COURT
AND COUNTY SHERIFF
2024 MAY 21 P 2:34
CLERK OF THE COURT
AND COUNTY SHERIFF

STATE OF FLORIDA

vs.

NAME: **Marcus Martin Grubert**

D.O.B: **10/13/1982** RACE/SEX: **White / Male**

HOME ADDRESS: **3300 Whitestone Circle apt 104, Kissimmee FL 34741**

PHYSICAL DESCRIPTION: HEIGHT: **6'02** WEIGHT: **220** HAIR: **brown** EYES: **brown**

SCAR(S)/MARK(S)/TATTOO(S): **unknown**

SOCIAL SECURITY NUMBER: [REDACTED]

DRIVERS LICENSE NUMBER: **G616-553-82-373-0**

A F F I D A V I T F O R A R R E S T W A R R A N T

STATE OF FLORIDA
COUNTY OF OSCEOLA

Comes now the affiant, Detective Elizabeth Acevedo , ID 819, a sworn law enforcement officer, to wit: an Officer for the Kissimmee Police Department, before The Honorable Patricia Strowbridge, Judge, in and for Osceola County, Florida, Ninth Judicial Circuit, who makes this affidavit and states under oath that affiant has probable cause to believe that certain laws have been violated in Osceola County, Florida, and that on/between April 01, 2023, the Defendant, Marcus Martin Grubert , did violate Florida State Statute(s), and commit the offense(s) of:

C1: Sexual Battery by Custodian victim under 12 YOA F.S.S 794.011(8)(c)

Your affiant, Detective Elizabeth Acevedo , ID 819, is a sworn law enforcement officer employed by the Kissimmee Police Department, and has been employed by said agency since 08/07/2018. Your affiant currently investigates crimes in the City of Kissimmee, Florida.

YOUR AFFIANT, IN THE COURSE OF HIS/ HER OFFICIAL DUTIES, HAS COME TO INVESTIGATE:

On 04/04/2023, Officers of the Kissimmee Police Department responded to 111-311 East Monument Avenue in reference to a sexual battery that occurred on or about 04/01/2023 at 3300 [REDACTED]

Officer Lopez made contact with Child Protective Investigator (CPI) Fermaint-Concepcion, who provided two intake reports, summarized with the following similar information. The victim, identified as [REDACTED], disclosed to her mother identified as [REDACTED] that during her sleepover at her friend's house (the above-mentioned address) on or about 04/01/2023, her friend's father came into the room when she was sleeping and the victim woke up to him licking her. He then stuck his tongue in the victim's mouth and told her to pretend it was a pacifier. The male stated to the victim "Do not say anything to your mother because she will kill me." The victim then ran out of the room and went seeking help from her friend's mother who was at the house. There were bruises observed on the victim's upper lip and

the victim would cry every time she would tell her mother about the incident.

The victim's friend was identified as [REDACTED]. [REDACTED] mother was identified as [REDACTED], and [REDACTED] father was identified as Marcus Martin Grubert (G616-553-82-373-0).

CPI Fermaint-Concepcion advised the family only spoke Portuguese. [REDACTED] provided Officer Lopez with the red shirt the victim wore on the night of the incident which was submitted to the evidence lab at the Kissimmee Police Department. In addition, [REDACTED] was provided a link from Officer Lopez to obtain the photos of the victim's bruise on her upper lip as mentioned in the intake report. CPI Fermaint-Concepcion contacted the Child Protection Team for a forensic interview with the victim which was scheduled for 04/05/2023. The red shirt was sent to the Florida Department of Law Enforcement (FDLE) at a later date for further analysis.

Case Coordinator Stephanie Rodriguez interviewed the victim along with a Portuguese interpreter due to the victim's native language. Detective Kaluszkin was present during the CPT interview in a separate observation room. During the interview, the victim did not make a disclosure, however, CC Rodriguez had high concerns of sexual abuse and recommended that the victim attend therapy sessions and would want to conduct a secondary interview with the victim in the future.

Detectives attempted to make contact with the suspect Marcus Martin Grubert, in reference to the incident, however, he retained counsel, and detectives were notified via email that Michelle Yard from Joshi Law Firm represents Grubert. It should be noted, the victim's family and the Marcus' family had a close relationship in the past. The victim and Marcus' daughter are around the same age and would regularly interact with each other during family gathering and church events. Both families attended the same church, [REDACTED] worked for Marcus' wife and the victim had slept in Marcus house in the past overall three times with [REDACTED] permission.

As recommended by CC Rodriguez, the victim began counseling shortly after her first CPT interview. On 11/01/2023, there was a DCF intake generated with additional information for the case that had the following summarized information: The victim had a breakthrough in therapy where she remembered what happened during the sleepover and was able to describe in detail what occurred.

A second CPT interview was conducted on 11/08/2023. During the interview, CC Rodriguez had a Portuguese interpreter due to the victim's native language. The victim was asked qualifying questions where she was able to correctly distinguish between a truth and a lie. The victim disclosed during the sleepover at her friend [REDACTED] house, Marcus put his penis in her mouth. The victim recalled she and [REDACTED] were in the same bedroom sleeping, [REDACTED] was in the top bunk bed and she was in the bottom bunk bed. The victim stated she woke up and Marcus told her it was a pacifier in her mouth but it was his penis in her mouth. The victim demonstrated with her hands a back-and-forth motion as to what Marcus was doing with his penis in her mouth. The victim recalled Marcus was wearing underwear at the time of the incident.

On 01/19/2024, a DNA search warrant was obtained and executed on Marcus for the comparison to the red shirt submitted.

On 02/07/2024, I, Detective E. Acevedo was reassigned to the case. I contacted the victim's therapist Ms. Castillo from Healing Tree who confirmed to me the common practice of children

learning the correct terminology of the human anatomy which she did exercise with the victim. Mr. Castillo was the therapist for both the child and [REDACTED] which were one-on-one therapy sessions. Both mother and child finished therapy on 01/23/24. I asked Healing Tree if they were able to produce the victim's therapy notes, demonstrating her progress throughout her session which led up to the disclosure.

On 03/26/2024, an attorney of the Healing Tree facility identified herself via email as Andrea L. Diederich, advised she would need a court order to produce the victim's therapy notes. On 04/15/2024, I obtained a signed search warrant from the Honorable Judge Michael Murphy which I provided Ms. Diederich a copy of the signed search warrant via email.

On 05/06/2024, I was provided with the victim's individual therapy notes via email which I downloaded and printed out to review which I summarized as follows:

Through the course of the victim's therapy, the victim showed progression throughout time. She initially began with play therapy, a common practice of using play as a way young kids communicate. The victim learned healthy coping skills to help with unwanted feelings through toys in the playroom. The therapist incorporated YouTube educational videos and handouts, worksheets to increase the victim's knowledge about different types of abuse, the correct terminology of the private parts, learning about males' and females' bodies, and identifying touching rules for okay and not okay touches. The victim verbalized the correct terminology of each image by saying penis, vagina, and butt after the therapist identified each private part.

The therapist introduced coping skills to the victim, which helped to manage trauma-related emotional reactions. The therapist engaged in discussions with the victim to identify felt emotions associated with the sexual abuse and reviewed positive and negative emotions, feelings, and behaviors. The therapist engaged in discussions with the victim to identify body response and the emotions increasing associated with the sexual abuse. Throughout the sessions, the victim was able to identify good and bad emotions including drawing what happened during the incident. The victim was able to identify, processes and recreate two situations she encountered in the past that triggered her emotions. The victim described the good and bad emotions in each incident and verbalized her discomfort with the bad memories and how she did not want the suspect (Marcus) to be affected because she liked him. The victim shared how she knows she did not provoke the suspect to place or touch her mouth. The victim worried about the suspect going to jail because of what he did and being apart from his kids.

The therapist facilitated a discussion about the rationale for the trauma narrative which would be helpful in the treatment process. In the course of writing about her trauma, the victim completed the first three sentences to include her name, her age, and who abused her. The victim became dysregulated, guarded, and tearful while processing the sexual abuse experience with the suspect. The victim was able to disclose to the therapist that the suspect walked into the room in his underwear. The victim stated the suspect covered her eyes while he introduced his penis into her mouth multiple times. After the disclosure was made to the therapist by the victim, and second CPT was conducted where the victim was able to articulate and express herself as to what occurred on or about 04/01/2023 at [REDACTED] house.

Based on the totality of the circumstances throughout the investigation, the victim's consistent recounting of the events that occurred since the initial disclosure to her mother, the therapy notes of the victim demonstrating her progression throughout her sessions, and the disclosures made by the victim to the therapist and during her second CPT interview stating Marcus put his penis in her

mouth, I have probable cause to believe Marcus Martin Grubert is in violation of Sexual Battery by a person of familial or custodial authority when Marcus put his penis in the victim's mouth while the victim was at a sleepover at his residence.

Detective Elizabeth Acevedo , ID 819
AFFIANT

SWORN TO AND SUBSCRIBED before me in the County and State aforesaid this 21th day of May , 2024.

Cpl B. Illgen ID 650
PLACED UNDER OATH BY