

COMPLAINT NUMBER: 2019-0034799

WARRANT NUMBER: GS880290

PROSECUTOR: Coleman Russell Womack

DEFENDANT: Marcos A Vielma

VICTIM: [REDACTED]

F

STATE OF TENNESSEE, COUNTY OF DAVIDSON
AFFIDAVIT

Credit Card, Fraudulent User- \$2,500 or > but < \$10,000
39-14-118*12

Personally appeared before me, the undersigned, [Select one] Commissioner ___ Metropolitan General Sessions Judge, the prosecutor named above and made oath in due form of law that [Select one] he ___ she [Select one] ___ personally observed has probable cause to believe that the defendant named above on 12/03/2018 in Davidson County, *did unlawfully* [Enter brief description of the offense] fraudulently use the victim's credit cards

and that *the probable cause is as follows:*

The victim lives in East Nashville and has been diagnosed with Parkinson's Disease. The defendant was assigned by his company as the victim's caretaker.

The victim reported an unrelated theft committed by the defendant from his home. He filed a report with police. He then noticed that one of his credit cards was missing from his wallet. He checked with his bank and received a list of bank transactions for the last several months. He noticed many fraudulent transactions that he didn't authorize. Here is a list of the fraudulent transactions made with three of the victim's credit cards.

Account ending in [REDACTED]

12/6/2018 \$200.00 from 1401 Gallatin Avenue
12/31/2018 \$200.00 from 927 Gallatin Avenue
1/2/2019 \$200.00 from 927 Gallatin Avenue
1/7/2019 \$100.00 from 927 Gallatin Avenue

Account ending in [REDACTED]

12/3/2018 \$140.00 from 225 25th Avenue North
12/4/2018 \$80.00 from 1401 Gallatin Avenue
12/4/2018 \$60.00 from 1401 Gallatin Avenue
12/24/2018 \$108.67 from PPL Team Beachbody
12/26/2018 \$17.43 from PPL Team Beachbody
12/31/2018 \$240.00 from 4112 Hillsboro Road
1/2/2019 \$9.48 from 2500 Gallatin Pike
1/2/2019 \$9.48 from 2500 Gallatin Pike
1/3/2019 \$200.00 from 927 Gallatin Avenue
1/10/2019 \$200.00 from 927 Gallatin Avenue

Account ending in [REDACTED]

1/9/2019 \$202.95 from 927 Gallatin Avenue
1/10/2019 \$102.75

The victim believes that the defendant had been taking his credit cards from his wallet over a period of time and would then return it each day so the victim wouldn't notice they were gone. The third credit card used on 1/9 and 1/10 was stolen and never returned. The defendant was the only person that would've had access to the victim's wallet on a daily basis. The victim believes that the defendant obtained his PIN number by watching him enter it several times while shopping.

On 1/6/2019, the defendant used credit card [REDACTED] for two withdrawals at the Regions Bank in Clarksville. The defendant lives in Clarksville. I have clear video of the defendant making the withdrawal. He was driving a cream Mini Cooper displaying Tennessee tag 3H71B6. This is the defendant's vehicle.

Finally, when the defendant discovered that there was an active police investigation, he text [REDACTED], who lives with

COMPLAINT NUMBER: 2019-0034799

WARRANT NUMBER: GS880290


PROSECUTOR: Coleman Russell Womack

DEFENDANT: Marcos A Vielma

VICTIM: [REDACTED]

the victim. He told him that he had permission by the victim to make the above transactions. Obviously, the victim denies that this is true.

Total loss to the victim in Davidson County is \$3225.06.



ESignature

Prosecutor: Coleman Russell Womack

ARREST WARRANT

Information on oath having been made, that on the day and year aforesaid, and in the County aforesaid, the offense of Credit Card, Fraudulent User- \$2,500 or > but < \$10,000 D FELONY, as aforesaid, has been committed and charging the defendant thereof, you are therefore commanded, in the name of the State, forthwith to arrest and bring the defendant before a judge of the Court of General Sessions of Davidson County, Tennessee, to answer the above charge.

Sworn to and subscribed before me on 01/30/2019 14:49:28.


Sheila B. Stevenson

Judicial Magistrate

Sheila B. Stevenson

Judge of the Metropolitan General Sessions Court/Commissioner

DC
CRIMINAL JUSTICE CLERK
2019 MAR -6 AM 5:51
SERVED