



OFFICE OF THE DISTRICT ATTORNEY  
Adams County Courthouse  
111 Baltimore Street, Room 6  
Gettysburg, Pennsylvania  
17325

BRIAN. R. SINNETT  
DISTRICT ATTORNEY

PHONE (717)337-9840  
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**\*\*\*PRESS RELEASE\*\*\*PRESS RELEASE\*\*\*PRESS RELEASE\*\*\***

**FOR IMMEDIATE RELEASE  
October 22, 2018**

**Contact: Brian R. Sinnett, District Attorney  
Adams County  
Office (717)337-9840**

**FORMER AMERICAN LEGION TREASURER CHARGED WITH THEFT**

Adams County District Attorney Brian Sinnett announced today that charges have been filed against Jaime Orlando Zapata of Fairfield, Pennsylvania relating to theft and misappropriation of funds while he was the Treasurer for the Sons of the American Legion (SAL) sponsored by the Gettysburg American Legion Post #202 in Gettysburg, Pennsylvania. Gettysburg Borough Police filed charges of Access Device Fraud, Theft by Failure to Make Required Disposition of Funds Received, and Receiving Stolen Property against Zapata for his misappropriation of nearly \$12, 000 entrusted to him by the SAL. *Please see attached Criminal Complaint and Affidavit of Probable Cause.*

District Attorney Sinnett wished to thank the Gettysburg Borough Police Department and Adams County Detectives for their thorough and diligent investigation in this matter. Zapata was released on \$15,000 unsecured bail after being arraigned by Magisterial District Judge Daniel Bowman. Preliminary hearing in this matter is scheduled for October 31, 2018. In this case, as with all criminal cases, the defendant is presumed innocent until proven guilty.

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COMMONWEALTH OF PENNSYLVANIA  
 COUNTY OF ADAMS



**Preliminary Hearing Notice**

Commonwealth of Pennsylvania  
 v.  
 Jaime Orlando Zapata

Mag. Dist. No: MDJ-51-3-01  
 MDJ Name: Honorable Matthew Robert Harvey  
 Address: 34 East Middle Street  
 Gettysburg, PA 17325  
 Telephone: 717-334-7913

Adams County District Attorney's Office  
 Adams County Courthouse  
 111-117 Baltimore Street  
 Gettysburg, PA 17325

Docket No: MJ-51301-CR-0000349-2018  
 Case Filed: 10/22/2018  
 Comp/Cit #: 180200111  
 OTN: U 640088-1

Charge(s)	
18 § 4106 §§ A1IV (Lead)	Other Reason Access Device Is Unauth By Issuer
18 § 3925 §§ A	Receiving Stolen Property
18 § 3927 §§ A	Theft By Fail To Make Req Disp Funds

A Preliminary Hearing has been scheduled for the above captioned case to be held on/at:

Date: <b>Wednesday, October 31, 2018</b>	Place: Magisterial District Court 51-0-01, Gettysburg Adams County Central Court, 3rd Floor 117 Baltimore Street Gettysburg, PA 17325 717-337-9846
Time: <b>10:15 AM</b>	

**Notice To Defendant**

A complaint has been filed charging you with the offense(s) set forth above and on the attached copy of the complaint. If you fail to appear at the time and place above without cause, you will be deemed to have waived your right to be present at any further proceedings before the Magisterial District Judge and the case will proceed in your absence. If any of the charges against you are held for court, a request for a bench warrant against you will be transmitted to the Court of Common Pleas.

At the preliminary hearing you may:

1. Be represented by counsel;
  2. Cross-examine witnesses and inspect physical evidence offered against you;
  3. Call witnesses on your behalf other than witnesses to testify to your good reputation only, offer evidence on your behalf and testify;
  4. Make written notes of the proceeding, or have your counsel do so, or make a stenographic, mechanical, or electronic record of the proceedings.
- If the case is held for court and if you fail to appear without cause at any proceeding for which your presence is required, including trial, your absence may be deemed a waiver of your right to be present, and the proceeding, including the trial, may be conducted in your absence.

If you cannot afford to hire an attorney, one may be appointed to represent you. Please contact the office of the Magisterial District Judge for additional information regarding the appointment of an attorney. If you have any questions, please call the above office immediately. Should you fail to appear for your preliminary hearing, a warrant will be issued for your arrest.

October 22, 2018

Date

Magisterial District Judge Daniel S. Bowman



If you are disabled and require a reasonable accommodation to gain access to the Magisterial District Court and its services, please contact the Magisterial District Court at the above address or telephone number. We are unable to provide transportation. You can make case payments online through Pennsylvania's Unified Judicial System web portal. Visit the portal at <http://ujportal.pacourts.us> to make a payment.



COMMONWEALTH OF PENNSYLVANIA  
 COUNTY OF: ADAMS  
 Magisterial District Number: 51-3-01  
 MDJ: Hon. Matthew Harvey  
 Address: 34 East Middle Street  
 Gettysburg, PA 17325  
 Telephone: 717 334-7913



**POLICE CRIMINAL COMPLAINT**  
**COMMONWEALTH OF PENNSYLVANIA**  
**VS.**

DEFENDANT: (NAME and ADDRESS):  
 JAIME ORLANDO ZAPATA  
 First Name Middle Name Last Name Gen  
 19 Crossland Trail, Fairfield, PA 17320

NCIC Extradition Code Type

- 1-Felony Full
- 2-Felony Limited
- 3-Felony Surrounding States
- 4-Felony No Extradition
- 5-Felony Pending Extradition
- 6-Felony Pending Extradition Determ.
- A-Misdemeanor Full
- B-Misdemeanor Limited
- C-Misdemeanor Surrounding States
- D-Misdemeanor No Extradition
- E-Misdemeanor Pending Extradition
- F-Misdemeanor Pending Extradition Determ.

DEFENDANT IDENTIFICATION INFORMATION

Docket Number <b>CR-349-2018</b>	Date Filed <b>10/22/18</b>	OTN/LiveScan Number <b>U 640088-1</b>	Complaint/Incident Number <b>1802-0011-I</b>	SID	Request Lab Services? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Gender <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	DOB <b>08/07/1979</b>	Place of Birth	Add'l DOB <b>08/07/1979</b>	Co-Defendant(s) <input type="checkbox"/>	Gen.
First Name <b>AKA</b>	Middle Name	Last Name			
Race <input checked="" type="checkbox"/> White <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Native American <input type="checkbox"/> Unknown	Ethnicity <input type="checkbox"/> Hispanic <input checked="" type="checkbox"/> Non-Hispanic <input type="checkbox"/> Unknown				
Hair Color <input type="checkbox"/> BLK (Black) <input type="checkbox"/> BLN (Blonde/Strawberry) <input type="checkbox"/> BLU (Blue) <input type="checkbox"/> BRN (Brown) <input type="checkbox"/> GRY (Gray) <input type="checkbox"/> GRN (Green) <input checked="" type="checkbox"/> XXX (Unk/Bald)	Eye Color <input type="checkbox"/> BLK (Black) <input type="checkbox"/> BLU (Blue) <input checked="" type="checkbox"/> BRO (Brown) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> GRY (Gray) <input type="checkbox"/> HAZ (Hazel) <input type="checkbox"/> MAR (Maroon) <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> MUL (Multicolored) <input type="checkbox"/> XXX (Unknown)				
Driver's License State <b>PA</b>	License Number <b>25772185</b>	Expires	Weight <b>0 lbs.</b>	Height <b>5 Ft. 09 In.</b>	
Defendant Fingerprinted <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	FBI Number	MNU Number	Defendant a Veteran? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		

DEFENDANT VEHICLE INFORMATION

Plate Number	State	Hazmat <input type="checkbox"/>	Registration Sticker (MM/YY)	Commercial Veh. <input type="checkbox"/>	School Veh. <input type="checkbox"/>	Other NCIC Veh. Code	Reg. same as Def. <input type="checkbox"/>
VIN	Year	Make	Model	Style	Color		

Office of the attorney for the Commonwealth  Approved  Disapproved because:

(The attorney for the Commonwealth may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing. See Pa.R.Crim.P. 507).

(Name of the attorney for the Commonwealth) (Signature of the attorney for the Commonwealth) (Date)

I, Dennis Bevenour 5876 & 9-1  
 (Name of the Affiant) (PSP/MPOETC -Assigned Affiant ID Number & Badge #)  
 of Gettysburg Borough Police Department 0010100  
 (Identify Department or Agency Represented and Political Subdivision) (Police Agency ORI Number)

do hereby state: (check appropriate box)  
 1.  I accuse the above named defendant who lives at the address set forth above  
 I accuse the defendant whose name is unknown to me but who is described as \_\_\_\_\_

I accuse the defendant whose name and popular designation or nickname are unknown to me and whom I have herefore designated as John Doe or Jane Doe  
 with violating the penal laws of the Commonwealth of Pennsylvania at 01407 Gettysburg Borough Police  
American Legion, 528 E. Middle St (Subdivision Code) (Place-Political Subdivision)

in Adams County 01 on or about Sat - 8/1/2015 08:00 hrs. to Thu - 8/31/2017 22:00 hrs.  
 (County Code) (Offense Date)



# POLICE CRIMINAL COMPLAINT

Docket Number <b>CR-349-2018</b>	Date Filed <b>10/22/18</b>	OTN/LiveScan Number <b>U 640088-1</b>	Complaint/Incident Number <b>1802-0041-1</b>
Defendant Name	First <b>JAIME</b>	Middle <b>ORLANDO</b>	Last <b>ZAPATA</b>

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically. (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA.Code §§ 213.1 - 213.7.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older <u>0</u>
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<input checked="" type="checkbox"/>	1	4106	A14	of the	18	1	F3	2605	110
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PennDOT Data (if applicable)	Accident Number	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	
						<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone

Statute Description (include the name of statute or ordinance):  
Credit cards for any other reason card is unauthorized

Acts of the accused associated with this Offense:  
CC4106A14 - Credit cards for any other reason card is unauthorized

- (a) A person commits an offense if he:
- (iv) for any other reason his use of the access device is unauthorized by the issuer or the device holder;

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older <u>0</u>
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<input type="checkbox"/>	2	3925	A	of the	18	1	F3	2803	130
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PennDOT Data (if applicable)	Accident Number	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	
						<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone

Statute Description (include the name of statute or ordinance):  
RECEIVING STOLEN PROPERTY

Acts of the accused associated with this Offense:  
CC3925A - RECEIVING STOLEN PROPERTY

A person is guilty of theft if he intentionally receives, retains, or disposes of movable property of another knowing that it has been stolen, or believing that it has probably been stolen, unless the property is received, retained, or disposed with intent to restore it to the owner.

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older <u>0</u>
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<input type="checkbox"/>	3	3927	A	of the	18	1	F3	2399	120
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PennDOT Data (if applicable)	Accident Number	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	
						<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone

Statute Description (include the name of statute or ordinance):  
THEFT BY FAIL TO MAKE REQUIRED DISPOSITION FUNDS

Acts of the accused associated with this Offense:  
CC3927A - THEFT BY FAIL TO MAKE REQUIRED DISPOSITION FUNDS

(a) A person who obtains property upon agreement, or subject to a known legal obligation, to make specified payments or other disposition, whether from such property or its proceeds or from his own property to be reserved in equivalent amount, is guilty of theft if he intentionally deals with the property obtained as his own and fails to make the required payment or disposition. The foregoing applies notwithstanding that it may be impossible to identify particular property as belonging to the victim at the time of the failure of the actor to make the required payment or disposition.



# POLICE CRIMINAL COMPLAINT

Docket Number <b>CR-349-2018</b>	Date Filed <b>10/22/18</b>	OTN/LiveScan Number <b>U 640088-1</b>	Complaint/Incident Number <b>1802-0011-1</b>
Defendant Name	First <b>JAIME</b>	Middle <b>ORLANDO</b>	Last <b>ZAPATA</b>

- I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
- I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 PA.C.S.§4904) relating to unsworn falsification to authorities.
- This complaint consists of the preceding page(s) numbered 1 through 3.

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of the Assembly, or in violation of the statutes cited.  
**(Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)**

\_\_\_\_\_ **OCT 22 2018** \_\_\_\_\_  
 (Date) (Signature of Affiant)

AND NOW, on this date 10-22-18 I certify that the complaint has been properly completed and verified.  
 An affidavit of probable cause must be completed before a warrant can be issued.

51-3-01  
 (Magisterial District Court Number)

\_\_\_\_\_  
 (Issuing Authority)





# POLICE CRIMINAL COMPLAINT

Docket Number: CR-349-2018	Date Filed: 10/22/18	OTN/LiveScan Number U 640088-1	Complaint/Incident Number 1802-0011-I
Defendant Name	First: JAIME	Middle: ORLANDO	Last: ZAPATA

## AFFIDAVIT of PROBABLE CAUSE

On 2/5/2018 I, Investigator Dennis Bevenour, employed by the Gettysburg Police Department, received correspondence from Puhl, Eastman & Thrasher Law Firm alleging missing funds from The Sons of the American Legion (SAL), sponsored by Gettysburg American Legion Post 202, 528 E. Middle Street, Gettysburg, Adams County, PA 17325.

The correspondence contained a cover letter signed by Attorney Thrasher, representing the Gettysburg American Legion Post 202, and an accounting audit from Boles, Metzger, Brosius and Walborn Certified Public Accountants & Consultants, Harrisburg, PA, for the Gettysburg American Legion Post 202, alleging misappropriated funds from the SAL by Jaime Zapata, Treasurer for the SAL, dating from 8/1/15 to 8/31/17.

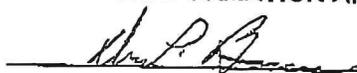
The financial audit shows a total misappropriation of \$11,462.30 by Jaime Zapata from unauthorized ATM withdrawals, unauthorized payments on personal credit cards, unauthorized credit card transactions, financial shortages from Dues in 2016 & 2017 and an \$800 Toshiba laptop computer Jaime Zapata has in his possession purchased with SAL funds.

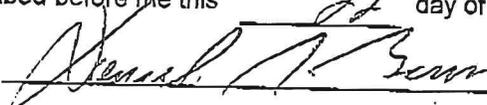
Of the total amount of \$11,462.30, \$9,915.71 is attributed to Jaime Zapata using the SAL credit card for unauthorized SAL credit card purchases, unauthorized SAL credit card ATM withdrawals from ACNB and unauthorized SAL credit card Capitol One Mobile payments, all for the calendar years of 2015 to 2017.

On 9/20/2018 an interview with Jaime Zapata was conducted by County Detective Wade Lauer and your Affiant at the Gettysburg Police Department. During the interview Jaime Zapata admitted to Detective Lauer and your Affiant to misuse of the SAL credit card at various locations to include but not limited to McDonalds, Walmart, Royal Farms, Touchtunes, La Bella, Sheetz, Laundromat, Wendy's, Kleffels and Solo Hill Car Wash. Jaime Zapata also admitted to misuse of cash withdrawals during the calendar years of 2015 to 2017. Jamie Zapata could not produce any receipts for the purchases and his monthly SAL Financial Reports did not account for the purchases.

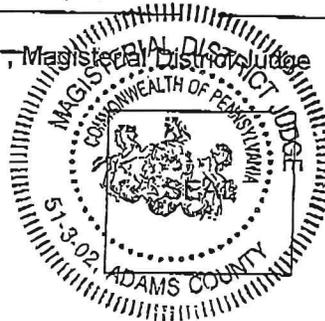
I, INV. DENNIS P. BEVENOUR, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

I CERTIFY THAT THIS FILING COMPLIES WITH THE PROVISIONS OF THE CASE RECORDS PUBLIC ACCESS POLICY OF THE UNIFIED JUDICIAL SYSTEM OF PENNSYLVANIA THAT REQUIRE FILING CONFIDENTIAL INFORMATION AND DOCUMENTS DIFFERENTLY THAN NON-CONFIDENTIAL INFORMATION AND DOCUMENTS.

  
 (Signature of Affiant)

Sworn to me and subscribed before me this 22 day of Oct. 18  
10-22-18 Date 

My commission expires first Monday of January, 1-2022





**POLICE CRIMINAL COMPLAINT  
AFFIDAVIT CONTINUATION PAGE**

Docket Number: <b>CR-349-2018</b>	Date Filed: <b>10/22/18</b>	OTN/LiveScan Number <b>U 640088-1</b>	Complaint/Incident Number <b>1802-0011-I</b>
Defendant Name:	First: <b>JAIME</b>	Middle: <b>ORLANDO</b>	Last: <b>ZAPATA</b>

**AFFIDAVIT of PROBABLE CAUSE CONTINUATION**

On 10/12/2018, an interview was conducted with John (Jack) Fiscel, past SAL Commander. Fiscel was SAL Commander for a portion of the period in which Jaime Zapata's served American Legion Post 202 as the Adjutant and Financial Officer. County Detective Wade Lauer and your Affiant conducted the interview at the Gettysburg Police Department. During the interview, John Fiscel told Detective Wade Lauer and your Affiant that Jaime Zapata was not authorized by the SAL or its Officers to make personal purchases with the SAL credit card, make ATM cash withdrawals or make Capitol One Mobile payments.

*Heard A. Bow*  
51-302

*Heard A. Bow*

(Signature of Affiant)

*Heard A. Bow*