



RASTRELLI PRIVATE INVESTIGATORS
& CONSULTING, LLC

ASA Alissa Cohen
Office of the State Attorney
100 East Ocean Blvd.
Stuart, FL 34994

RE: Alfred J. Rastrelli
14-MM1082
Livestock at Large

Dear Ms. Cohen,

Upon investigating this matter involving Mr. Rastrelli in preparation for court, I find the complaint affidavit clearly devoid of any probable cause or facts to support the arrest. D/S Fennell's sworn affidavit contends that Mr. Rastrelli deliberately or negligently allows his horses to roam freely about. His affidavit also claims that the horses seen at Martin Crossings by D/S Bobby Smith belonged to Mr. Rastrelli.

The property where Mr. Rastrelli keeps his horses is approximately 50 acres in size and abuts to a larger vacant, densely wooded 300 acre parcel, which abruptly terminates at Martin Crossings. In addition to that there are numerous Five and Ten acre homesteads surrounding the Rastrelli property, where there are a number of horses in the area similar in color and size. The wooded area is so large that it is frequently utilized by horseback riders, ATV riders as means of recreation, evidenced by the many trails with horse hoof prints and ATV tire track impressions. For D/S Fennell to assert that the horses seen in Martin Crossings were without a doubt the Rastrelli horses is merely conjecture.

In fact Fennell never saw the horses roaming in Martin Crossings when he allegedly was conducting his investigation. He merely states that numerous witnesses see the horses roaming about and that they trample vegetation and leave their droppings throughout the neighborhood. He then ruminates about how dangerous it is for horses to be on the street yet; "All complainants refused to fill out witness statements due to the fact that they are afraid of this subject." These allegations are made twice by him, yet are all hearsay made in an affidavit by a sworn law enforcement officer with no support. Fennell also claims that a neighbor on Ault Ave., where Rastrelli lives has seen him let the horses out, who is also afraid of Rastrelli.

Fennell then alleges he verbally warned Rastrelli on October 3, 2013 about horses roaming from his property. If in fact the horses have roamed freely as often as he contends why wasn't Rastrelli cited for the offense?