

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA, IN AND FOR PASCO COUNTY
CASE NUMBER CRC2014CF005586CFAXWS

STATE OF FLORIDA,

Plaintiff,

vs.

VOLUME XII

ADAM MATOS,

Defendant.

PROCEEDINGS: JURY TRIAL

BEFORE: THE HONORABLE MARY M. HANDSEL
Circuit Court Judge

DATE: November 14, 2017

PLACE: Courtroom 3-A
West Pasco Judicial Center
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New Port Richey, Florida 3465

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I N D E XPAGEWITNESSES CALLED BY THE STATE OF FLORIDA:

JOSEPH RODRIGUEZ

Direct by Mr. Lawhorne

1776

Cross by Mr. Vizcarra

1783

SEAN KENNEDY

Direct by Mr. Sarabia

1786

Cross by Mr. Michailos

1802

ANTHONY BOSSONE

Direct by Mr. Lawhorne

1817

Cross by Mr. Michailos

1858

Redirect by Mr. Lawhorne

1859

CHET COUGILL

Direct by Mr. Sarabia

1864

STIPULATION

1831

EXHIBITS

		<u>PAGE</u>
1		
2		
3	614 - 618 (Photographs)	1796
	619 (Cell phone)	1797
4	620 (Tablet)	1797
	621 (Interview Tampa Bay Times)	1801
5	622 (Interview)	1799
	623 (Video surveillance)	1779
6	624 (Registration card)	1780
	625 (Disk)	1841
7	626 (Multimedia messages)	1828
	627 (Short message service)	1829
8	628 (Call log)	1830
	629 (Metadata)	1856
9	630 (Photographs)	1837
	631 (Report)	1824
10	632 (Report)	1824
	634 (New Star business record)	1813
11	635 (Wells Fargo business record)	1810
	636 (Google certificate of authenticity)	1801
12	637-640 (Screen captures)	1848

13

14

15

16

17

18

19

20

21

22

23

24

25

1 (Continued from Volume XI.)

2 P R O C E E D I N G S

3 * * * * *

4 (OPEN COURT.)

5 (Defendant present.)

6 (Jury absent.)

7 THE COURT: State and Defense, is there
8 anything we need to discuss about this morning's
9 trial?

10 MR. LABRUZZO: Not from the State, Judge. I
11 can provide some updated jury instructions.

12 THE COURT: Okay.

13 MR. SARABIA: Judge, we are expecting the
14 giant TV screen back in 20 minutes.

15 THE COURT: What happened?

16 MR. LABRUZZO: They needed it in 2A.

17 THE COURT: Why?

18 MR. LABRUZZO: The size of the screen allowed
19 you to see things that were not present on the
20 small screen up there. So part of their case went
21 to ID.

22 THE COURT: And we need it for the first
23 witness?

24 MR. SARABIA: We could probably do with the
25 small screen with the first witness.

1 * * * * *

2 (Thereupon, unrelated proceedings were
3 reported but not included as part of this
4 transcript.)

5 THE COURT: All right. We're back on the
6 record of the State of Florida versus Adam Matos.

7 The defendant is present with his lawyers,
8 State.

9 Is everyone ready for the jury to come up?

10 MR. SARABIA: I think so, Judge.

11 THE COURT: Okay. They're on their way.

12 Both sides ready? The jury is in the hallway
13 ready to go.

14 MR. SARABIA: We're ready.

15 THE COURT: All right. Bring the jury in.

16 THE BAILIFF: Yes, Judge.

17 The jury's now entering the courtroom, Your
18 Honor.

19 THE COURT: Thank you.

20 (Jury present.)

21 MR. MICHAÏLOS: Judge, we might have an issue
22 to address briefly. Sorry.

23 THE COURT: Wow. Could I have asked four more
24 times?

25 MR. VIZCARRA: We can do it later.

1 MR. MICHAÏLOS: We'll do it later.

2 THE COURT: Do we need to approach?

3 MR. MICHAÏLOS: We're good, Judge.

4 THE COURT: Okay.

5 THE BAILIFF: The jury's all present and
6 seated Your Honor.

7 THE COURT: Good morning, ladies and
8 gentlemen. How are you, good?

9 THE JURY PANEL: (Responding.)

10 THE COURT: Was everybody able to follow my
11 instructions?

12 THE JURY PANEL: (Responding.)

13 THE COURT: I'm sorry we started a little
14 late. I had a calendar go a little long this
15 morning. So I was working on some other things and
16 we did stay here last night and work on some other
17 things that will make the rest of it go faster too.
18 So we were here a little longer than you were
19 yesterday. I hope you had a nice afternoon.

20 State, are you ready to call your next
21 witness?

22 MR. LAWHORNE: We are, Judge.

23 THE COURT: All right.

24 MR. LAWHORNE: Judge, we would call Joseph
25 Rodriguez.

1 THE COURT: Last name again.

2 MR. LAWHORNE: Rodriguez.

3 THE COURT: Thank you.

4 Good morning, Mr. Rodriguez. How are you?

5 THE WITNESS: Good morning. Very good. Thank
6 you.

7 THE COURT: If you can step to the podium.
8 You can stop right there. Raise your right hand
9 and be sworn by my clerk.

10 THE WITNESS: Okay.

11 THEREUPON,

12 JOSEPH RODRIGUEZ,
13 the witness herein, having been first duly sworn, was
14 examined and testified as follows:

15 THE WITNESS: I do.

16 THE COURT: All right, sir. Have a seat in
17 the witness stand. Speak in a loud and clear voice
18 for me. Okay?

19 THE WITNESS: Yes, ma'am.

20 THE COURT: Thank you.

21 State, you may proceed.

22 MR. LAWHORNE: Thank you, Judge. Counsel.

23 DIRECT EXAMINATION

24 BY MR. LAWHORNE:

25 Q Good morning.

1 A Good morning.

2 Q Would you please introduce yourself to the
3 jury.

4 A Joseph Rodriguez.

5 Q And, Mr. Rodriguez, would you spell your last
6 name for the court reporter.

7 A Yes. R-o-d-r-i-g-u-e-z.

8 Q And, Mr. Rodriguez, where did you work during
9 the month of September of 2014?

10 A The Floridan Hotel.

11 Q And where is the Floridan hotel located?

12 A In downtown Tampa.

13 Q And what was your job there?

14 A Night auditor.

15 Q What does a night auditor do?

16 A Similar job description would be basically
17 front desk as well as accounting for the hotel itself.

18 Q Are you essentially the only employee there at
19 night?

20 A Correct.

21 Q And do you check in any guests that come in
22 for late night check-ins?

23 A I do.

24 Q On the night of September 4, 2014, did you
25 check in a guest at approximately 2:27 -- I'm sorry --

1 12:27 A.M.?

2 A Yes, I did.

3 Q And did that guest identify himself to you as
4 Adam Matos?

5 A He did.

6 Q Now, does the Floridan have surveillance video
7 inside of their lobby?

8 A It does. All throughout the hotel.

9 MR. LAWHORNE: Your Honor, may I approach the
10 witness with what's been marked for ID as State's
11 623?

12 THE COURT: 623?

13 MR. LAWHORNE: Yes, ma'am.

14 THE COURT: Okay. That's fine.

15 Q (By Mr. Lawhorne) And what is that?

16 A The surveillance video from the night in
17 question.

18 Q And how do you know that's what it is?

19 A I saw it in your office as you showed me and
20 as well as put my initials and date on it.

21 Q Okay. Great.

22 Now, is this a true and accurate recording of what
23 transpired that early morning in the hotel lobby?

24 A It was.

25 MR. LAWHORNE: Your Honor, at this time we

1 would like to introduce this into evidence as
2 State's 623?

3 THE COURT: Any objection?

4 MR. VIZCARRA: No.

5 THE COURT: All right. It will be entered as
6 623.

7 Q (By Mr. Lawhorne) Now, Mr. Rodriguez, when a
8 guest checks into the hotel, what is the process for
9 booking someone in?

10 A Of course you request a photo ID --
11 identification as well as credit card. If not a credit
12 card, then the option is to pay cash as well as leave a
13 cash deposit.

14 Q Now, the night when you checked in Adam Matos,
15 how did he pay for the hotel room?

16 A He paid cash.

17 Q And did he present an ID?

18 A Yes. His photo ID.

19 Q Now, when someone checks in, do you have them
20 sign any documents?

21 A We do, which is a registration card just
22 stating who's in the room, their name, address,
23 everything is on it as well as the total of the bill.

24 Q And you said it's called a registration card?

25 A Correct.

1 MR. LAWHORNE: And, Your Honor, may I approach
2 the witness with what has been marked for ID as
3 State's 624?

4 THE COURT: You may.

5 Q (By Mr. Lawhorne) And what is this document?

6 A This is the registration that he did indeed
7 sign stating he was taking the room and paying cash.

8 Q And so this is the registration card from that
9 night?

10 A Yes.

11 Q And this is the document that he signed that
12 evening?

13 A Correct.

14 Q And is this a true and exact copy of that
15 document?

16 A Yes.

17 MR. LAWHORNE: Your Honor, at this time we'd
18 like to introduce this into evidence as State's
19 624?

20 THE COURT: Any objection?

21 MR. VIZCARRA: No.

22 THE COURT: All right. 624 will be admitted.

23 MR. LAWHORNE: Your Honor, we would like to
24 publish the video and the document.

25 THE COURT: That's fine.

1 Q (By Mr. Lawhorne) Mr. Rodriguez, can you see
2 that television from where you're seated?

3 A I can.

4 THE COURT: Someone stole our big TV. So
5 we're going to use the little TV today. We'll have
6 it back, I'm told.

7 So if I could have the bailiffs -- can we turn
8 down the lights behind the jurors real quick? It
9 makes it a little easier to see that one.

10 Q (By Mr. Lawhorne) Now, Mr. Rodriguez, this
11 surveillance video is video only, not audio?

12 A Correct.

13 Q Okay.

14 THE COURT: No. That one is fine. That will
15 help. And then the ones behind them too. Perfect.
16 Thank you. It makes it a lot easier to see.

17 Q (By Mr. Lawhorne) Now, at the top of the
18 screen there we can see a gentleman sitting at a desk;
19 is that you?

20 A Yes, it is.

21 Q And are we looking at the lobby right now of
22 the Floridan Hotel?

23 A Correct. The lobby's on the second floor.

24 Q And where is the entrance on this screen?

25 A You have two entrances, one located on the

1 left side right there, in the upper left (indicating).

2 The other one located on the bottom right. You'll see

3 the exit sign that's lit up right there (indicating).

4 Q And this video is from approximately 12:30 in
5 the morning on September 4, 2014; is that right?

6 A Correct.

7 Q Okay.

8 (Thereupon, State's Exhibit 623 is published.)

9 Q Now, is this the man who identified himself to
10 you as Adam Matos?

11 A Yes, sir.

12 Q And it was just the man and the child? No one
13 else was with him; is that right?

14 A Correct.

15 Q Okay. Now, did he just hand you the payment
16 for the room?

17 A Correct.

18 Q Now, the documents you're handing him right
19 now that he is now signing; is that the same document?

20 A It is, as well as a copy for himself to keep
21 as a receipt.

22 Q Okay. And this document that's up on the TV
23 now, is this the registration? You can't see it. One
24 second. Let me get it in focus.

25 Is this the registration card that we have been

1 discussing?

2 A Yes, sir.

3 Q And is this the signature that was printed on
4 the card?

5 A Yes.

6 Q And the guest's name is?

7 A Adam Matos.

8 Q Adam Matos?

9 A (Nodding head.)

10 Q Thank you.

11 MR. LAWHORNE: Judge, we have no further
12 questions.

13 THE COURT: Any cross for Mr. Rodriguez?

14 MR. VIZCARRA: Yes, please.

15 THE COURT: Okay. You may proceed.

16 CROSS-EXAMINATION

17 BY MR. VIZCARRA:

18 Q Good morning.

19 A Good morning.

20 Q Just a couple of brief questions.

21 A Sure.

22 Q You had been a night auditor at the Floridan
23 Hotel for about one-and-a-half years at that time?

24 A Correct.

25 Q And you said this was between one and three in

1 the morning?

2 A Just after 12:00 A.M., yes.

3 Q Okay. All right. And about 20 to 45 minutes
4 after he checked in, did you get a visit from some other
5 people?

6 A Correct. About -- I want to say about 20 to a
7 half hour after him checking in two officers came in --

8 Q Okay.

9 A -- questioning, "Did Adam Matos checked in".

10 Q Now, he paid in cash you said?

11 A Correct.

12 Q And as far as ID, he gave you an ID with "Adam
13 Matos" on it?

14 A Correct. Yes, sir.

15 Q And, of course, you remember the young child
16 with him?

17 A Yes.

18 Q Do you remember anything unusual about his
19 shoe?

20 A The shoe was -- he had -- when he was walking
21 up the stairs, he had lost one of his shoes. And prior
22 to him getting in the elevator I instructed him -- said
23 that the child did lose his shoe to make sure to get
24 that.

25 Q So he went back and got the shoe?

1 A Correct.

2 Q Oh. Any suitcases that they had?

3 A As what you saw, just the bag, no suit cases.

4 Q Just a little backpack?

5 A Correct.

6 MR. VIZCARRA: That's all I have.

7 THE COURT: Anything else?

8 MR. LAWHORNE: No, Judge.

9 THE COURT: All right. Is he released from
10 his subpoena?

11 MR. LAWHORNE: He is.

12 THE COURT: Defense, any objection?

13 MR. VIZCARRA: No.

14 THE COURT: Mr. Rodriguez, you may step down.
15 You're released from your subpoena.

16 THE WITNESS: Thank you, ma'am.

17 THE COURT: Have a nice morning.

18 THE WITNESS: You as well.

19 THE COURT: State, call your next witness.

20 MR. SARABIA: The State would call Sean
21 Kennedy.

22 THE COURT: All right. Sean Kennedy.

23 Good morning, Mr. Kennedy. If you want to
24 step to the podium. Raise your right hand and be
25 sworn by my clerk.

1 THEREUPON,

2 SEAN KENNEDY,

3 the witness herein, having been first duly sworn, was
4 examined and testified as follows:

5 THE WITNESS: Yes.

6 THE COURT: All right. Have a seat in the
7 witness stand. Speak in a loud and clear voice for
8 me.

9 We're not going to have any videos for a
10 while. All right. We'll go ahead and turn the
11 lights back on.

12 MR. SARABIA: Not for this witness, Judge.

13 THE COURT: Thank you, Deputy.

14 MR. SARABIA: May it please the Court?

15 THE COURT: You may proceed.

16 MR. SARABIA: Defense Counsel.

17 DIRECT EXAMINATION

18 BY MR. SARABIA:

19 Q Could you please turn and introduce yourself
20 to the jury.

21 A My name is Sean Kennedy.

22 Q And, Mr. Kennedy, how were you employed back
23 in September 2014?

24 A I was a detective in the Major Crimes Unit of
25 the Pasco Sheriff's Office.

1 Q And retired now?

2 A Yes.

3 Q How long were you a law enforcement officer?

4 A Twenty-five years.

5 Q And was that all with the Sheriff's Office
6 here in Pasco?

7 A Yes.

8 Q How long were you a detective?

9 A Total of 16 years.

10 Q And what sort of training and experience did
11 you have in order to become a detective and to further
12 your investigative skills?

13 A I started as a Property Crimes detective
14 working burglaries. I went to economics where I worked
15 white collar crimes. I was in Vice and Narcotics for a
16 little bit and then I worked my way to Major Crimes
17 which is mostly crimes against persons.

18 Q Okay. Did you have -- have you investigated
19 homicides before?

20 A Yes.

21 Q Approximately how many, if you had to ballpark
22 it?

23 A About ten.

24 Q And did you become to be involved in the
25 investigation surrounding 7719 Hatteras Drive that it

1 turned into a homicide investigation?

2 A Yes.

3 Q And did you become involved in that
4 investigation around noon of September 4, 2014?

5 A Yes.

6 Q At that time, when you first get involved,
7 what's your role?

8 A Initially we were advised there was an
9 investigation going on on Hatteras. We responded as a
10 squad. Once on the scene, I was advised I was going to
11 be assigned as the assistant lead detective on the case.

12 Q Okay. And who's the lead detective?

13 A Detective Cougill.

14 Q Now, when you first get there, did you -- had
15 bodies been discovered yet?

16 A No.

17 Q Were you trying to locate people?

18 A Yes.

19 Q Did you know how many people you had missing?

20 A Initially about four, but then it moved up to
21 about six.

22 Q Okay. And who are the different people you
23 had missing?

24 A We had a child, his mother, his father,
25 another couple, and another gentleman.

1 Q Okay. Now, eventually some bodies were
2 discovered in a pile. You were made aware of that?

3 A Yes.

4 Q Now, as that was being processed, the medical
5 examiner responded and going through it, did you guys
6 yet know how many bodies were in that pile?

7 A No.

8 Q Did you know the identity of those bodies?

9 A No.

10 Q So you knew you had bodies, did you know
11 necessarily that they were connected to 7719 Hatteras
12 Drive?

13 A At that time no.

14 Q Did you have strong suspicion about that
15 though?

16 A Yes.

17 Q Was one of the people you were trying to --
18 well, two of the people you were trying to locate Adam
19 Matos and his son Tristen?

20 A Yes.

21 Q In reference to that, did you begin an
22 investigation and start going different places to try
23 and get information about people?

24 A Yes.

25 Q Was one of the places you went Get Hooked?

1 A Yes.

2 Q And what is Get Hooked?

3 A It's a restaurant down the street from the
4 scene. It's like a little fish place.

5 Q Approximately how far is it from 7719 Hatteras
6 Drive?

7 A About two miles.

8 Q Within biking distance, if one was so
9 inclined?

10 A Yes.

11 Q And did you make contact with the owner
12 Michelle Bittaker?

13 A Yes, I did.

14 Q And who were you looking for when you were at
15 Get Hooked?

16 A Adam Matos.

17 Q And were you able to determine whether or not
18 Adam Matos was still connected to that establishment?

19 A No.

20 MR. MICHAÏLOS: Objection, hearsay.

21 THE COURT: Overruled. I assume he's not
22 going to tell us exactly. You're just finding out
23 if he's connected.

24 Overruled. You may answer.

25 Q (By Mr. Sarabia) Were you able to get any

1 recent information about Mr. Matos from that
2 establishment?

3 A Yes. I was advised that he did work there,
4 but he wasn't working there since August 25.

5 Q In reference to a check?

6 A Yes.

7 Q Did you learn about a check that had been his
8 last paycheck?

9 A Yes. He received a paycheck.

10 Q And that check had been cashed --

11 A Yes.

12 Q -- at some point.

13 Did that lead you to Wells Fargo?

14 A Yes.

15 Q Did you speak with Stephanie Holyak and get
16 information from her?

17 A Yes.

18 Q And did you also go to the Fisherman's Shack?

19 A Yes.

20 Q Who were you looking for with regard to the
21 Fisherman's Shack?

22 A We received information that Megan worked
23 there.

24 Q Okay. And did you speak with Jimmy Sigler and
25 Tonya Carlson there?

1 A Yes.

2 Q Did you get information from them?

3 A Yes.

4 Q Did you make contact with Nicholas Leonard's
5 mother and father?

6 A Yes, I did.

7 Q And was that in reference to trying to
8 determine whereabouts of Nicholas Leonard or when he was
9 last seen?

10 A Yes.

11 Q Did they cooperate with you and provide you
12 with information?

13 A Yes, they did.

14 Q As this is going on and you're getting more
15 information from the pile of bodies, do you learn that
16 there is not a body that matches the description of
17 Tristen and not a body that matches the description of
18 Adam Matos?

19 A Yes.

20 Q And so were those two people you were still
21 trying to locate.

22 A Yes. That became a priority to locate them.

23 Q And as you're doing that, do you get
24 information that leads you to go to -- leads you
25 ultimately to go down to Tampa?

1 A Yes.

2 Q And approximately what time do you end up
3 heading to Tampa?

4 A Me and Detective Cougill arrived there at 2:45
5 A.M., 2:45 in the morning.

6 Q And where specifically did you go in Tampa?

7 A To the Grand Floridian (sic) Hotel.

8 Q Floridan?

9 A Floridan, yeah.

10 Q How far is the Floridan from the Greyhound Bus
11 Station there?

12 A It's about two blocks.

13 Q And the Greyhound Bus Station, is that a
14 location that you later went to to look for witnesses
15 and evidence?

16 A Yes.

17 Q Now, when you get to the Floridan, were you
18 the only agency that was involved at this point?

19 A No. Tampa Police Department was involved.

20 Q Did you have a good idea that the person or
21 people you were looking for at that point were present
22 at that location?

23 A Yes. We confirmed it.

24 Q Okay. And eventually does Tampa Police
25 Department assist you guys in apprehending people in a

1 specific room?

2 A Yes.

3 Q And do you recall what room you all went to?

4 A 1803.

5 Q And at what time was Adam Matos apprehended?

6 A 6:12 A.M. 6:12 in the morning.

7 Q So that would be September 5th?

8 A Yes.

9 Q The morning of September 5th?

10 A Yes.

11 Q And when he was apprehended, were you -- did
12 you go up there at the hotel room and see him with the
13 Tampa Police Department officers?

14 A Yes. Once we were notified he was in custody,
15 I immediately went upstairs. I observed him in the
16 hallway in custody, several SWAT members. And I went
17 into the bedroom -- I'm sorry -- the hotel room. I
18 observed Tristen sitting there.

19 Q And Tristen, approximately four-year-old
20 child.

21 A Uh-huh.

22 Q Now, any other people in the hotel room?

23 A There was a couple SWAT members that were just
24 standing by with the child.

25 Q Okay. Any other people who are not law

1 enforcement?

2 A No.

3 Q And did not come in order to apprehend
4 Mr. Matos and Tristen?

5 A No.

6 Q And was that hotel room secured by law
7 enforcement so that you guys could eventually go through
8 it and search it?

9 A Yes.

10 Q And was that done?

11 A Yes.

12 Q And were you present when that room was
13 searched?

14 A Yes, I was.

15 MR. SARABIA: And, Judge, I've already shown
16 Defense Counsel State's Exhibits 614 through 618.

17 Q (By Mr. Sarabia) If you could look through
18 these for me and tell me if you recognize those.

19 A Yes. That's the chest or dresser in the
20 hotel. That's a tablet that was plugged in in the
21 hotel, Samsung tablet. That's another tablet that was
22 in a bag. The Apple phone plugged in next to the bed.
23 A pack of Camel Crush cigarettes next to a Nestea iced
24 tea and a lighter and some chocolate milk.

25 Q Are those all fair and accurate

1 representations of what you saw in the Floridan Hotel
2 room that Mr. Matos had been in when you searched it?

3 A Yes.

4 Q Now, other than the orange and blue backpack
5 that we see there, was there any other luggage?

6 A No.

7 Q Are there suitcases?

8 A No.

9 Q Were there any changes of clothes?

10 A No.

11 Q Was there any toiletries?

12 A No.

13 Q A toothbrush?

14 A I don't recall that.

15 Q Just a phone, two tablets, and a bunch of
16 snacks?

17 A Yes.

18 Q And cigarettes?

19 A Yes.

20 MR. SARABIA: Judge, at this time the State
21 would like to move State's Exhibits 614 through 618
22 into evidence.

23 THE COURT: Any objection?

24 MR. MICHAÏLOS: No, Your Honor.

25 THE COURT: All right. They'll be so moved.

1 MR. SARABIA: Judge, I've previously shown
2 Defense Counsel State's 619 and 620.

3 THE COURT: Okay.

4 Q (By Mr. Sarabia) If you could look at State's
5 619 for me. Do you recognize that?

6 A Yes. That's a cell phone from the hotel.

7 Q And that's something that was collected at the
8 time that you guys searched the hotel room?

9 A Yes.

10 MR. SARABIA: Judge, at this time the State
11 would like to move State's 619 into evidence.

12 THE COURT: Any objection?

13 MR. MICHAIILOS: No, Your Honor.

14 THE COURT: All right. 619 will be in.

15 Q (By Mr. Sarabia) I'd like to show you 620.
16 Do you recognize that?

17 A Yes. That's the tablet that was in the hotel
18 room.

19 MR. SARABIA: At this time the State would
20 like to move State's 620 into evidence.

21 THE COURT: Any objection?

22 MR. MICHAIILOS: No, Your Honor.

23 THE COURT: All right. The tablet will be in.

24 MR. SARABIA: Judge, permission to publish the
25 photographs by handing them to the jury?

1 THE COURT: You may.

2 (Thereupon, State's exhibits were published.)

3 Q (By Mr. Sarabia) Now, once Mr. Matos was in
4 custody by the Tampa Police Department officers, was he
5 taken back to a Tampa Police Department station?

6 A Yes.

7 Q And did you and Detective Cougill go with him?

8 A Yes.

9 Q And approximately 7:00, 7:15 in the morning,
10 did you and Detective Cougill sit down and speak with
11 Mr. Matos?

12 A Yes.

13 Q And did Detective Cougill read him his rights
14 and inform him he had a right not to speak with you
15 guys?

16 A Yes.

17 Q And did Mr. Matos agree to speak with you
18 guys?

19 A Yes.

20 Q And did you then have a discussion with him?

21 A Yes.

22 Q And was it captured on video?

23 A Yes, it was.

24 Q Now, I'd like to show you what's been marked
25 as State's 622 for identification.

1 MR. SARABIA: For the record, I've previously
2 shown Defense Counsel this.

3 Q Do you recognize that?

4 A Yes.

5 Q And what is it?

6 A It's the interview we did with Mr. Matos at
7 the Tampa Police Department in the interview room.

8 MR. SARABIA: Judge, at this time the State
9 would like to move State's 622 into evidence?

10 THE COURT: Any objection?

11 MR. MICHAÏLOS: No, Your Honor.

12 THE COURT: All right. 622 will be in
13 evidence.

14 Q (By Mr. Sarabia) I also want to show you
15 State's exhibit -- well, before I do that --

16 And that first interview, so that would have been
17 September 5th, 2014, between 7:00 to 7:15,
18 approximately, in the morning?

19 A Yes.

20 Q Subsequent to that, on September 9th of 2014,
21 which I believe was a Tuesday --

22 A Yes.

23 Q -- did Mr. Matos agree to do an interview with
24 some Tampa Bay Times reporters?

25 A Yes.

1 Q And were you involved at all -- were you
2 involved in setting that up at all?

3 A Yes. We went out to the jail. The interview
4 room is set up with the newspaper. We were nextdoor in
5 the next room during an interview with the news and
6 Mr. Matos.

7 Q In terms of setting it up, did you coordinate
8 it? Did you get the Tampa Bay Times to do it? Did you
9 convince Mr. Matos to talk to them?

10 A No. No. No. We were notified that -- we
11 didn't have no idea this was even happening. We were
12 just called saying that he was going to do an interview
13 with the newspapers and they want us to go out to the
14 jail. So we had no idea -- we had nothing to do with
15 setting it up, no.

16 Q But when it happened, you went with -- was
17 Detective Cougill there as well?

18 A Yes.

19 Q Both of you were present when the interview
20 occurred?

21 A Yes.

22 Q You could hear what was being said?

23 A Yes.

24 Q And you saw Mr. Matos go into the interview
25 room, come out of the interview room?

1 A Yes.

2 Q Did you recognize his voice when he was
3 talking?

4 A Yes.

5 Q I'm showing you State's 621. Do you recognize
6 that?

7 A Yes.

8 Q Is that part of the interview that the
9 defendant did with the Tampa Bay Times?

10 A Yes.

11 MR. SARABIA: At this time, Judge, the State
12 would like to move State's Exhibit 621 into
13 evidence?

14 THE COURT: Any objection?

15 MR. MICHAÏLOS: No, Your Honor.

16 THE COURT: It will be admitted as 621.

17 MR. SARABIA: Judge, if I could have just a
18 moment?

19 THE COURT: You may.

20 MR. SARABIA: I don't have any more questions,
21 Judge.

22 THE COURT: Cross?

23 MR. MICHAÏLOS: May it please the Court?
24 Counsel.

25

1 CROSS-EXAMINATION

2 BY MR. MICHAİLOS:

3 Q Good morning, sir.

4 A Good morning, sir. How are you?

5 Q Mr. Kennedy, among his belongings, did he have
6 any guns?

7 A No, sir.

8 Q Any knives?

9 A No, sir.

10 Q No weapons of any type, correct?

11 A No, sir.

12 MR. MICHAİLOS: Thank you.

13 THE COURT: Anything further?

14 MR. SARABIA: No, Judge.

15 THE COURT: Defense, you're good?

16 MR. MICHAİLOS: Yes, Your Honor.

17 THE COURT: All right. State, is Mr. Kennedy
18 released from his subpoena?

19 MR. SARABIA: Subject to recall, yes, Judge.

20 THE COURT: All right. Mr. Kennedy, thank you
21 very much. You may step down. You remain on
22 standby. Okay? Thank you, sir.

23 State, call your next witness.

24 MR. SARABIA: Can we approach?

25 THE COURT: Certainly.

1 (BENCH CONFERENCE.)

2 MR. SARABIA: The next witness is the one that
3 I think you wanted to speak to the Judge about.

4 THE COURT: I thought we worked that all out.

5 MR. SARABIA: We worked that out. But we had
6 two witnesses that didn't involve any of the stuff
7 they were talking about.

8 THE COURT: Okay. What's the problem? Who's
9 the witness?

10 MR. SARABIA: Detective Bossone.

11 MR. MICHAIILOS: The State is going to
12 introduce, I guess, it's some compiled data that's
13 been printed out from the Apple phone that consists
14 of phone calls made from that phone.

15 THE COURT: Okay.

16 MR. MICHAIILOS: The State already introduced
17 the Sprint records which they have the information
18 in that. With regard to this -- these phone
19 records, there's been no testimony or expert to
20 testify that the phone was operating correctly and
21 documenting this information correctly.

22 Like I indicated, Judge, they introduced the
23 Sprint records via their custodian of records so
24 they have this information already.

25 In addition, I just found out this morning

1 that the State went ahead and altered the document
2 by replacing phone numbers with the names that they
3 believe are assigned to these numbers. So we're
4 objecting to these altered records. I understand
5 they're trying to make it easier for the jury, but
6 I object to them changing the actual nature of the
7 records. That is -- so that's my objection at this
8 point.

9 THE COURT: Okay. State?

10 MR. LAWHORNE: Judge, we will not admit the
11 phone record where we've replaced the numbers with
12 names. We'll just agree to that.

13 THE COURT: You're just going to put the
14 numbers in?

15 MR. LAWHORNE: We'll just put the numbers in.

16 THE COURT: And then you can have the witness
17 testify that that number goes to this person.

18 MR. LAWHORNE: I have another witness that's
19 already testified to. So it will have to be tied
20 up through closing I guess. But the numbers tied
21 to the names has already come in.

22 THE COURT: So if they don't put in the names
23 connected to the numbers, they just put in the
24 data, do you still have an objection?

25 MR. MICHAÏLOS: I do, Your Honor. Because

1 when I looked at them quickly, compared them to the
2 Sprint records, I see some discrepancies. So I
3 fear that these might not be correct.

4 THE COURT: State?

5 MR. LAWHORNE: Judge, we believe that would go
6 to weight not admissibility. Detective Bossone is
7 going to testify that the phone was locked, sent to
8 Apple. There's a stipulation we also have about
9 Apple's involvement. Apple pulled the data off,
10 sent the records back to Detective Bossone as an
11 extraction. Then he compiles the data from the
12 extraction using the standard software that law
13 enforcement uses.

14 THE COURT: And there may be some
15 differentiation because if the Sprint records --
16 one problem is the Sprint records were done in
17 their time, Sprint's time, and the data --

18 MR. LAWHORNE: They actually should both be in
19 Eastern times for the phone calls. The text
20 messages are not. The phone calls are.

21 MR. SARABIA: Also shows they completed all
22 the records.

23 MR. LAWHORNE: In addition to that, it also
24 shows that many of the calls were deleted.

25 THE COURT: So they show up on the Sprint

1 records, but then they don't show up on their
2 records because he deleted them?

3 MR. LAWHORNE: Actually, I can show you. This
4 is actually the -- this is a copy that has the
5 names, but in addition to what we learned from
6 Sprint, it also shows that these calls have been
7 deleted. And this is also just far easier to read
8 than the Sprint records are.

9 THE COURT: Okay.

10 MR. MICHAÏLOS: But my main objection is
11 there's been no evidence and no foundation laid
12 that these records are true and accurate to the
13 phone calls made by this phone. There's no expert
14 hired. The expert's hired were just for the sole
15 purpose of extracting what was in this phone.
16 There's no analysis of the phone to see if it was
17 working correctly and documenting all the phone
18 calls correctly, whether someone can manipulate and
19 delete different phones at different times.

20 So the difference between this and a
21 photograph is the photograph speaks for itself.
22 It's on there. I understand. This is more
23 complicated. There's no foundation laying that
24 these are accurate and, thus, our position is
25 they're inadmissible.

1 THE COURT: You agree that the phone was sent
2 to Apple.

3 MR. MICHAIILOS: Correct.

4 THE COURT: And Apple extracted the data.

5 MR. MICHAIILOS: Right.

6 THE COURT: And then the data was compiled
7 from the Apple extraction.

8 MR. MICHAIILOS: Right.

9 THE COURT: So you can ask the witness it was
10 put through any -- you know, I don't even know if
11 there is anything. You're saying that there's
12 something out there that there's some basis or some
13 sort of foundation that they need to lay, but what
14 is the foundation? You don't have anybody --

15 MR. MICHAIILOS: To authenticate these records
16 as being accurate.

17 THE COURT: But it doesn't matter whether
18 they're accurate. They came off the phone. They
19 came off the phone --

20 MR. MICHAIILOS: Right.

21 THE COURT: -- from Apple.

22 So the foundation is, did they -- did they
23 extract them to the from the phone. So the
24 foundation they need to lay is did these records
25 come off that phone and they got them through

1 Apple. That's the proper foundation. I don't know
2 any other foundation. The phone itself was locked.
3 We've had quite a lot of hearings about this locked
4 phone. Your client somehow doesn't remember the
5 number to unlock it. So the best foundation that
6 can be laid on this, because the phone cannot be
7 analyzed by an expert because it's locked and your
8 client doesn't remember the pass code, is to send
9 it to Apple, the manufacturer, and they provide any
10 and all documentation that can come from that
11 phone.

12 As long as it came from Apple and not some,
13 you know, five year guy from the detective who, you
14 know, has an AA Degree, I'll find it's admissible.
15 They sent the phone to Apple. They got the data
16 from Apple. They've printed out what they got from
17 Apple. That's the only foundation you can lay
18 because there is no one that can take that phone
19 and do anything else to it. It's locked and your
20 client doesn't have the pass code and it can't be
21 unlocked. So it can't be analyzed in any way,
22 shape or form past what it was done. They did
23 every single thing as best as anybody could on this
24 phone.

25 So there is no expert that you could hire.

1 There's no expert anybody could hire that can
2 review the phone and tell whether something is
3 wrong with the phone because you can't get into the
4 phone.

5 MR. MICHAÏLOS: I'm not --

6 THE COURT: Because your client doesn't
7 remember the pass code. So you got the objection,
8 it will be overruled.

9 MR. MICHAÏLOS: Right. That's fine.

10 THE COURT: Okay.

11 MR. MICHAÏLOS: Thank you.

12 MR. LAWHORNE: We also need the monitor for
13 this next witness and I believe it's in the
14 hallway.

15 THE COURT: Okay. Go ahead.

16 (OPEN COURT.)

17 THE COURT: We found our TV. We're bringing
18 it back.

19 In the State's defense, they have another
20 trial right below me and they needed the TV this
21 morning. So that's where it was. I actually knew
22 where it was. I was just hoping that it would be
23 back in time.

24 MR. LAWHORNE: While we bring in the monitor,
25 we actually have two self-authenticating documents

1 we'd like to introduce into evidence. They've been
2 marked for ID as State's 635 and 636, business
3 records for Wells Fargo and the business records
4 for --

5 The Defense has seen them.

6 THE COURT: They're marked as what, 635 and --

7 THE CLERK: 636.

8 THE COURT: Can I see them?

9 THE CLERK: Yes.

10 THE COURT: Defense, do you agree that the two
11 records that are marked as 635, which is the
12 business records of Wells Fargo, and 636, which is
13 a certificate of authenticity from Google, are
14 admitted without further testimony?

15 MR. MICHAÏLOS: Yes, Your Honor.

16 THE COURT: All right. So they'll be
17 admitted. 635 will be the business record of --
18 with a business record certificate. And 636 will
19 come in, which is the Google records. And, again,
20 they have a self-authenticating document.

21 Ladies and gentlemen, they're both business
22 records, so instead of having someone from Google
23 and Wells Fargo come in for further testimony, both
24 sides have agreed they're self-authenticating.
25 They are what they purport to be without any other

1 further witnesses. Okay?

2 Do we have it working?

3 MR. LABRUZZO: One moment, Your Honor.

4 THE COURT: Okay.

5 MR. SARABIA: Judge, can we have a bathroom
6 break?

7 THE COURT: Okay. Ladies and gentlemen, I'll
8 go ahead and let you go into the jury room. Plus
9 they can get the TV going. We'll take a restroom
10 break. Let us know when you're ready. All right?
11 We'll be in recess until the jury returns.

12 (RECESS.)

13 (OPEN COURT.)

14 (Defendant present.)

15 (Jury absent.)

16 MR. SARABIA: Judge, just to give the Court
17 some indication, we anticipate calling Detective
18 Bossone, who we expect to be about a half hour to
19 an hour. And then following him, Detective Cougill
20 and Mr. McCann. After Detective Bossone. I assume
21 decent time for lunch. And Detective Cougill and
22 McCann will be our last witnesses, if that's all
23 right with the Court.

24 THE COURT: That's fine.

25 MR. LAWHORNE: I think we should do this when

1 the jury's back. We have one more business record
2 and a stipulation.

3 THE COURT: Okay. All right. The jury's
4 ready. Bring them back.

5 Defense is present at the Defense Attorney's
6 table.

7 THE BAILIFF: The jurors are now entering the
8 courtroom, Your Honor.

9 (Jury present.)

10 THE COURT: Thank you. Is it cold in there?
11 Freezing?

12 THE JURY PANEL: (Responding.)

13 THE COURT: Have to work on that. We need to
14 bring blankets. What I'll probably do is we'll
15 leave the door open for a little while.

16 THE BAILIFF: The jury's all present and
17 seated, Your Honor.

18 THE COURT: State, call your next witness.

19 MR. LAWHORNE: Judge, our next witness is
20 Detective Anthony Bossone. And we also have --

21 THE COURT: All right.

22 MR. LAWHORNE: We have one more business
23 record and a stipulation.

24 THE COURT: Okay. What are they marked?

25 MR. LAWHORNE: The business record is for New

1 Star. It is marked 634 for ID. And the
2 stipulation is not marked. Does that need to be
3 marked?

4 THE COURT: No.

5 MR. LAWHORNE: Okay. Here's the stipulation
6 (indicating).

7 THE COURT: Okay.

8 MR. LAWHORNE: And Defense has seen the New
9 Star records as well.

10 THE COURT: Defense, any objection to the New
11 Star records?

12 MR. MICHAÏLOS: No, Your Honor.

13 THE COURT: All right. They'll come in as
14 634.

15 Do you want me to read the stipulation now or
16 after the detective takes the witness stand?

17 MR. LAWHORNE: Now is fine.

18 THE COURT: All right. Ladies and gentlemen,
19 the parties by and through their undersigned
20 attorneys hereby stipulate and agree as follows:

21 Alleviating the necessity for the State of
22 Florida to require the testimony of the individual
23 involved in the process of extracting data from the
24 defendant's cell phone, this stipulation does not
25 extend to the relevance of the evidence listed

1 below. That is decided by you the fact finders.

2 The custodian of records or custodian for
3 Apple Incorporated would testify with respect to
4 the extraction process of retrieving data from the
5 defendant's locked cellular telephone and each step
6 taken in the extraction process. Apple legal and
7 technical support staff responsible for reviewing
8 and responding to legal process and in appropriate
9 cases recovering from Apple devices certain stored
10 data are known as the extraction group.

11 The custodian would testify to the following:

12 First, the extraction group checks the legal
13 process, i.e., the warrant, and evaluates if the
14 process is appropriate and valid and that the
15 device has verifiable identification numbers, i.e.,
16 IMEI/serial numbers --

17 Just so you know, I'm reading this verbatim.
18 So I'm not adding or subtracting anything.

19 -- that match those in the legal process. The
20 extraction group then contacts the law enforcement
21 agent and informs the agent that Apple can perform
22 an extraction. The extraction group then obtains
23 the device from the law enforcement agent. And
24 once the device is received, two persons from the
25 extraction group review all of the relevant

1 documents to ensure compliance.

2 The extraction group then boots up the device
3 using an internal IOS machine. A read only copy of
4 certain information from the device is placed on a
5 stored media and that media is password protected
6 before it is sent to the law enforcement agent in a
7 sealed Federal Express box. The password for the
8 encryption is separately e-mailed to the law
9 enforcement agent.

10 Apple devices can be protected by a user
11 generated pass code which is used to encrypt the
12 data on the device which is a security measure.
13 And because of this encryption, the extraction
14 process can only access a limited subset of the
15 data that is on the device which is not encrypted
16 with the user generated password.

17 The data that is accessible to be extracted
18 includes: Pictures, videos, voice recordings, SMS
19 database, address book, and recent call log.

20 Before the extraction file is sent to law
21 enforcement agent, Apple runs a hash to ensure data
22 integrity. Hash values can be thought of as a
23 fingerprint for the files. The contents of a file
24 are processed through a cryptographic algorithm and
25 a unique numerical value. The hash value is

1 produced that identifies the contents of the file.
2 If the contents are modified in any way, the value
3 of the hash will also change significantly. The
4 hash algorithm used in this case was SHA-256.

5 After the extraction is performed and before
6 the device and media are sent back to the law
7 enforcement agent, both the device and the media
8 are stored in a locked file cabinet in a locked
9 office.

10 This is a stipulation which will go back to
11 the jury during deliberations and it's agreed to by
12 both parties. All right?

13 State, are you ready for Detective Bossone?

14 MR. LAWHORNE: We are, Judge.

15 THE COURT: All right. The detective can come
16 in.

17 Good morning, Detective.

18 THE WITNESS: Good morning.

19 THE COURT: You want to step up to the podium
20 for me. You want to stop right there. Raise your
21 right hand and be sworn by my clerk.

22 THEREUPON,

23 ANTHONY BOSSONE,

24 the witness herein, having been first duly sworn, was
25 examined and testified as follows:

1 THE WITNESS: I do.

2 THE COURT: All right, sir. Please have a
3 seat in the witness stand. Speak in a loud and
4 clear voice for me.

5 State, you may proceed.

6 MR. LAWHORNE: Thank you, Judge.

7 DIRECT EXAMINATION

8 BY MR. LAWHORNE:

9 Q Good morning.

10 A Good morning.

11 Q Would you please introduce yourself to the
12 jury.

13 A Anthony Bossone.

14 Q And will you spell your last name for the
15 court reporter.

16 A B-o-s-s-o-n-e.

17 Q I think you're about to tell us about before I
18 actually interrupted you, where do you work?

19 A I'm a detective with the Pasco County
20 Sheriff's Office.

21 Q What is your current assignment?

22 A Cybercrimes Unit.

23 Q How long have you been with the Sheriff's
24 Office?

25 A Seventeen years.

1 Q Seventeen years is a while. I don't want the
2 full 17 years of your training and experience, but will
3 you give us your training and experience related to your
4 current assignment of cybercrimes?

5 A Can I refer to an excerpt of my resume?

6 Q Sure.

7 A Basic data recovery and acquisitions ...

8 Q And what is this you're telling us?

9 A So these are all training courses I'm going to
10 lay out that deal with did digital forensics, either
11 mobile or computer.

12 Q Okay.

13 A Intermedia Data Recovery and Analysis, cell
14 phone investigations, Katana Forensics, Lantern iOS
15 First Responder Certification. Katana Forensics
16 Laboratory iOS/MAC OS X certification, Computer Crime
17 Investigation, Seize Computer Evidence Recovery
18 Specialist, Celebright Certified Logical Operator,
19 Celebright Certified Physical Analyst, CompTIA A+
20 Certification, Basic Computer Forensic Examiner's
21 Course, Certified Forensic Computer Examiner through the
22 International Association of Computer Investigative
23 Specialists, Basic Network Intrusion Investigations, XRY
24 Certification Training, XRY Intermediate Training,
25 Advanced JTAG Mobile Forensics, Advanced Chip-off 2.0

1 forensics.

2 Q Now, we may come back to a couple of those in
3 a few minutes and talk about what they mean,
4 specifically the Lantern and Celebright. But before we
5 get to that, were you involved in the investigation that
6 happened on September 4th at 7719 Hatteras Drive?

7 A I was.

8 Q What was your involvement on the 4th?

9 A Initially responded to the scene and assisted
10 with a neighborhood check.

11 Q And when you say, "a neighborhood check",
12 would you tell us that what that means?

13 A We canvas the neighborhood and speak to any of
14 the residents in the surrounding homes to see if they
15 have any information about the case.

16 Q And did you speak with a handful of neighbors
17 on Hatteras Drive or in the immediate vicinity?

18 A I did.

19 Q Did you speak specifically with Ryan McCann?

20 A I did.

21 Q And do you recall where Ryan McCann lived?

22 A Directly next door to the left to 7719
23 Hatteras.

24 Q Immediately next door? One house over?

25 A Yes.

1 MR. LAWHORNE: Your Honor, I'm showing the
2 witness what's been entered as State's 257.

3 THE COURT: All right.

4 Q (By Mr. Lawhorne) Would you point out where
5 7719 Hatteras is?

6 A (Indicating.)

7 Q The house with the gold star that you're
8 pointing at?

9 A Yes.

10 Q And then the house next door to it?

11 A Would be Mr. McCann's residence.

12 Q Right there (indicating).

13 And when you spoke with Mr. McCann, did you show
14 him a photo pack?

15 A I did.

16 Q And when you show somebody a photo pack, what
17 is the -- well, first, I guess, tell us what a photo
18 pack is.

19 A A photo pack is a method used to identify
20 someone where the specific individual and then -- is
21 coupled with five photos of persons with similar
22 descriptive -- description, I'm sorry -- would be of
23 similar description. And they're coupled with two blank
24 photographs. So those images are all shuffled together
25 and then numbered and then presented to the witness to

1 see if they recognize any of the persons depicted.

2 Q And then if the witness does recognize a
3 person, what do you do?

4 A They would indicate -- there's a form, and
5 they would indicate the person that they recognize and
6 how they recognize -- or how they know that person.

7 Q Now, I'm going to show you what's been marked
8 for identification purposes as State's 633. Defense has
9 already seen this. It's over here at the top. Would
10 you mind looking at that, without showing the jury, and
11 telling us what that is.

12 A This is the photo pack that I showed Ryan
13 McCann.

14 Q And is that the actual photo pack that you
15 showed him?

16 A Yes.

17 Q And the person you were trying to get
18 identified in there, is that Adam Matos?

19 A Correct.

20 Q Thank you.

21 MR. LAWHORNE: Judge, we will not be
22 introducing this at this time.

23 THE COURT: Okay.

24 Q (By Mr. Lawhorne) So while you were out at
25 7719 and in the area, did you have any other involvement

1 with the case?

2 A Yes. I also processed two cellular phones
3 taken from within the residence.

4 Q And did you personally go retrieve the phones
5 from the residence?

6 A I did.

7 Q And where were these two telephones?

8 A In the kitchen area.

9 MR. LAWHORNE: Your Honor, may I approach the
10 witness with what's been marked for ID State's 632
11 and 631?

12 THE COURT: That's fine.

13 Q (By Mr. Lawhorne) Can you tell us what these
14 two documents are?

15 A These are from the Celebright extraction
16 reports on the two devices.

17 Q And let's talk about one at a time. First
18 let's talk about 631.

19 Well, actually before we do that, tell us what
20 Celebright is. You mentioned a class earlier and you
21 just mentioned that's a Celebright report. What is it?

22 A Celebright is a mobile device extraction tool.
23 It is to pull data from cellular phones and tablets
24 and -- for investigative purposes.

25 Q And is this the standard software that law

1 enforcement uses to examine data on cellular telephones?

2 A Yeah. It's very common.

3 Q And is Lantern another one?

4 A Yes.

5 Q And that's one of the programs you mentioned
6 earlier when reading your classes?

7 A Correct.

8 Q So what sort of data does this document give
9 us? What type of information?

10 A It shows the device, model number. If you
11 look, there's a mobile directory number which is the
12 phone number that corresponds to the device. It gives
13 you extraction date and time, method that was done. And
14 it will give you a summary. This particular thing shows
15 the summary of what was pulled, whether it be contacts,
16 text messages, multi-media messages, whatnot.

17 Q And is that a true and accurate copy of the
18 report you generated using Celebright?

19 A Yes.

20 Q And this next document, I believe the number
21 on it is 632, is it the exact same type of document but
22 for the other phone you retrieved?

23 A Yes, it is.

24 Q And are these both for the phones you
25 retrieved from the residence?

1 A Yes.

2 Q Items 1-AB and 2-AB?

3 A That's correct.

4 Q And both of these, are they true and accurate
5 copies of what you were able to pull from the phone?

6 A Yes.

7 MR. LAWHORNE: Your Honor, at this time we'd
8 like to introduce these two documents into evidence
9 as State's 631 and 632?

10 THE COURT: Any objection?

11 MR. VIZCARRA: Can we see it again, Judge?

12 THE COURT: Will you step over.

13 MR. MICHAIILOS: No objection, Your Honor.

14 THE COURT: All right. They'll be admitted as
15 631 and 632 into evidence.

16 Q (By Mr. Lawhorne) Now, using this to refresh
17 your memory, can you tell us what the phone numbers are
18 for these two telephones that were retrieved from the
19 kitchen?

20 A So for the HTC Droid DNA, the number was
21 610-704-6583.

22 Q And is that one labeled as 2-AB? I'm sorry.
23 What you took into evidence, was it 2-AB?

24 A Let me refer to my -- so the HTC Droid --

25 Q If I show you the property receipt, would that

1 help you?

2 A Yes. HTC Droid Maxx -- HTC Droid was 2-AB,
3 Droid DNA.

4 Q And let me just hand you that for one second.
5 The other document, is that for 1-AB?

6 A That's correct. That's the Motorola Droid
7 Maxx.

8 Q And what is the phone number that goes with
9 this one?

10 A The Droid Maxx, the phone number is
11 484-788-9221.

12 Q And the Droid Maxx for the record is State's
13 631.

14 Now, we're talking about the phone number, I think
15 you mentioned earlier that the document doesn't actually
16 say the word, "phone number", it says MDN?

17 A Correct.

18 Q And is that the same as a phone number for
19 this purpose?

20 A Yes. A mobile directory number, that is the
21 phone number for the device.

22 Q Okay. Now, were you also involved in
23 analyzing the data from Item SK-3, a locked iPhone?

24 A Yes.

25 Q So when the Sheriff's Office gets a -- or I

1 think the procedure may have changed a little bit since
2 2014, since the technology of the cell phone changed.

3 Back in 2014, when you got a locked iPhone, what is the
4 process for trying to evaluate the data on that phone?

5 A We would need to send the device to Apple for
6 them to perform the extraction. That would require us
7 to get a search warrant for the device and send that
8 along with a new unused external hard drive. Apple
9 would extract the device, put the information onto the
10 hard drive, and then send the items back to us.

11 Q And is that what was done in this case?

12 A Yes.

13 Q So you get this hard drive back from Apple
14 that contains the data that they pulled off of the
15 telephone?

16 A Correct.

17 Q Now what do you do with that data once you
18 have it on this hard drive?

19 A We review the data through a forensic tool,
20 Lantern, Celebright, XRY.

21 Q And that last one we haven't talked about yet.
22 What is it?

23 A XRY is another mobile device forensic tool.

24 Q Is it very similar to Celebright and Lantern?

25 A It's similar, yes.

1 Q Okay. Now, did you specifically run this
2 particular phone's data that was retrieved from Apple
3 through Celebriqht?

4 A I did.

5 Q And were you able to put the data in a format
6 where it was legible, you could read it and easily tell
7 what it was?

8 A Yes.

9 Q So I'm going to approach with State's 626.
10 Can you tell us what this document is? It's 626 for ID.

11 A This is the multimedia messages which were
12 pulled from the extraction provided by Apple.

13 Q And would you tell the jury what multimedia
14 messages are.

15 A They are messages containing pictures or video
16 that you would send like a text message but it contains
17 that content.

18 Q And how is that difficult from SMS?

19 A So SMS, Short Message Services, it's just
20 simply text messages. There's no actual video or
21 pictures; it's just message, just texts.

22 Q And is it fair to say at least as a simple
23 explanation is that MMS -- multi --

24 A Multimedia Message.

25 Q Thank you. And SMS, the Short Messaging

1 Service, are both different types of text messages?

2 A Yes.

3 Q Okay. And that document there, is that a true
4 and accurate reflection of the data that was pulled
5 using Celebriq from the Apple extraction?

6 A Yes, it was.

7 MR. LAWHORNE: All right. Your Honor, at this
8 time we would like to introduce State's 626 into
9 evidence as State's 626.

10 THE COURT: It will be admitted over the
11 objection of the Defense previously raised.

12 Q (By Mr. Lawhorne) Detective, I'm going to
13 show you another document. This one has been labeled
14 for identification purposes as 627. Can you tell us
15 what this document is?

16 A This is the SMS or Short Message Service.

17 Q Is that the data that was pulled from the same
18 Apple extraction?

19 A Yes, it is.

20 Q And so these are a different type of text
21 messages than the ones we just looked at?

22 A Correct.

23 Q Now, this document, does it actually contain
24 some content of the messages?

25 A It does.

1 Q And is that a true and accurate reflection of
2 the data that you were able to examine using the
3 Celebright tool for the phone that was -- or the data
4 that was recovered from Apple?

5 A Yes, it is.

6 MR. LAWHORNE: Your Honor, at this time we
7 would like to introduce this into evidence as
8 State's 627, I believe. Yes.

9 THE COURT: Any objection?

10 MR. MICHAÏLOS: The same objection as before,
11 Your Honor.

12 THE COURT: All right. It will be admitted
13 over the Defense's objection.

14 Q (By Mr. Lawhorne) And now I would like to
15 show you what's been marked for ID as State's 628.

16 Can you tell us what this is?

17 A This is the call log pulled from the Apple
18 extraction.

19 Q And is that a true and accurate copy of the
20 data that you were able to examine?

21 A Yes.

22 Q And when you say, "call log", could you give
23 us a brief idea of what that means?

24 A It's just a record, you know, on your cellular
25 phone. You have a record of your calls. That is this

1 information for that particular device.

2 MR. LAWHORNE: Your Honor, at this time we
3 would like to introduce this document into evidence
4 as State's 628.

5 THE COURT: All right. It will be admitted
6 over the same objection.

7 MR. LAWHORNE: Your Honor, we'd like to
8 publish to the jury.

9 THE COURT: You may.

10 (Thereupon, State's exhibits are published.)

11 Q (By Mr. Lawhorne) Detective, I'm going to
12 assuming this is working this morning. I'll put this up
13 on the display for you to get you to kind of explain
14 what these documents mean. I think just a lot of is it
15 is self-explanatory, but some of it may need some
16 explaining.

17 Just one second, Detective. It's turning itself
18 back on now.

19 THE COURT: Can we turn off the overhead
20 lights for me.

21 Excellent. Thank you.

22 Q (By Mr. Lawhorne) All right. Detective, I'm
23 trying to get to where this can be read.

24 THE COURT: Detective, if you need to step
25 down, feel free.

1 THE WITNESS: Okay.

2 Q (By Mr. Lawhorne) Let me zoom in on the
3 column headings so we can talk about these.

4 So this one is entered into evidence as 626. And
5 this is the one you said is the multimedia messages or
6 MMS.

7 Can you tell us what these first three column
8 headings mean that are visible on the screen?

9 A So the direction, you can see outgoing --
10 whether it's incoming or outgoing message. Date, the
11 date it was received or sent. And then this is further
12 breakdown showing the date and time.

13 Q And the UTC -4, the parenthetical at the end,
14 what does that mean?

15 A The UTC is universal time code. UTC -4 is
16 Eastern Daylight Time.

17 Q And September and August, are those Eastern
18 Standard Daylight Times here in Florida?

19 A Eastern Daylight, yes.

20 Q And the very first column, it just has a
21 number sign with one, two, three, four, five, six, is
22 that just literally a running count of the rows?

23 A Yeah. That's simply just a count.

24 Q Okay. I'm going to slide it over. All right.
25 So these next four columns, can you just tell us what

1 these are?

2 A The status is whether the tool can tell
3 whether it's sent from this folder. It shows that it's
4 from the sent -- within the sent folder.

5 This deleted column is whether or not the tool
6 detects whether it was a deleted message.

7 Here's the attachment. This is the picture or
8 video that was sent with the message.

9 Q And now you said that the MMS data have
10 pictures attached to them?

11 A Correct.

12 Q And on this one, does the fact that they say
13 "empty file" mean that the picture is no longer on the
14 phone?

15 A Yes. "Empty file" would mean that the picture
16 is no longer present on the device -- "extraction" I
17 should say.

18 Q Now, we'll talk about six -- let me show you
19 one more thing on here. On this document, the MMS, does
20 it contain the content of any messages or just simply
21 the fact the messages were sent with the date and time?

22 A It's just showing that the messages were sent.

23 Q Okay. Now, the next document we'll talk about
24 is in evidence as State's 627. Again, we'll go through
25 the columns just to make sure everybody is on the same

1 page what they are.

2 Could you just go through what's on the screen
3 right now, the column heading?

4 A Again, that's date, just as before. This
5 column here shows date and time. UTC -4 which is
6 Eastern Daylight Time. The direction that the message,
7 whether it's incoming or outgoing message.

8 Q Let me slide it over to the next few columns.
9 Okay.

10 A So here, the read date. So it would be the
11 tool being picked up when the message was read. Same
12 thing with time. So it can pick up the time that the
13 message was read. What folder within the extraction
14 that whether it was sent or from the inbox. Status,
15 again, whether it was sent. It can detect whether it
16 was sent and read.

17 Q Let's go back to the read date and read time.
18 On iPhones, if you're using iMessage, does that have the
19 ability, assuming the settings are turned on for it, to
20 allow a person to see if the message has been read?

21 A Yes.

22 Q Is that what we're talking about here?

23 A Yes.

24 Q And the next columns, I think last two for
25 this page.

1 A Here's the actual message content and whether
2 or not the tool determined whether it was deleted or
3 not.

4 Q Now, on the SMS messages, does it appear to
5 actually have the content of the messages?

6 A Yes.

7 Q And have you had a chance to review all of
8 these prior to today?

9 A I have.

10 Q And is it fair to say that the content of
11 these messages appear to all be about selling items in
12 some manner, items or puppies?

13 A Yes.

14 Q Okay. And now we'll look at State's 628.
15 Again, we'll go through the columns.

16 A So the cellular network under network name,
17 whether the call -- the directions, whether the call was
18 an outgoing or incoming call. The party, whether it was
19 the person calling or the person that the phone was
20 calling. Whether it was recipient or the sender.
21 Again, the date the call was placed or received, date
22 with the time. Duration of the call. And whether it
23 was an outgoing or incoming call.

24 Q Let me slide it over a little bit for these
25 next two. All right.

1 A So if the tool can detect whether it was a
2 video call it would list it here. And it will -- if it
3 can detect a source of the video call, it would list
4 that here. And then whether or not the tool showed that
5 the record of the call was deleted or not.

6 Q Thank you, Detective.

7 MR. LAWHORNE: Your Honor, may I have just one
8 moment?

9 THE COURT: You may.

10 Q Now, with the call log -- actually we'll come
11 back to that. Let's talk about the other items pulled
12 off the extraction.

13 Now, were you able to remove some photos from the
14 extraction?

15 A Yes.

16 Q And when I say, "extraction", I think you know
17 what I mean. But just to be clear for the record, I'm
18 referring to the extracted data that Apple pulled off
19 the phone and sent to the Sheriff's Office.

20 A Yes.

21 MR. LAWHORNE: And I'd like to approach the
22 witness, Judge, with what's been marked for ID as
23 State's 630.

24 THE COURT: You may.

25 Q (By Mr. Lawhorne) Without showing the jury,

1 can you look at these documents and tell us what that
2 is?

3 A Photograph of a dog.

4 Q Well, you don't need to be that specific right
5 now.

6 A Okay.

7 Q Could you kind of just flip through all of
8 those and tell us in general what those documents are?

9 A These are photographs which were recovered
10 through the device extraction.

11 Q And there's some text at the bottom, and I
12 believe it continues to the second page on those
13 documents as well. What is the text at the bottom?

14 A This is metadata that comes with the photo.
15 It will capture the time that the photo was taken and
16 other information about the photo.

17 Q And these -- in addition to the time, it looks
18 like these may also tell you a lot of information about
19 the camera settings; is that correct?

20 A Sure. And it will also show the type of
21 camera.

22 Q Okay. And these photographs in the metadata,
23 are these true and accurate copies of the data that was
24 examined from the extraction?

25 A Yes.

1 MR. LAWHORNE: Your Honor, at this time we
2 would like to introduce this into evidence as
3 State's 630.

4 THE COURT: Any objection?

5 MR. MICHAÏLOS: No, Your Honor.

6 THE COURT: All right. 630 will come in.

7 MR. LAWHORNE: Your Honor, may we publish?

8 THE COURT: You may.

9 Q (By Mr. Lawhorne) All right. Now, the first
10 photo that's in State's 630, I believe you said that is
11 a dog?

12 A Yes.

13 Q And the bottom of it is where we have what we
14 refer to as the metadata?

15 A Correct.

16 Q I'll zoom in so you can read it.

17 Can you point out where to find the date and time?

18 A (Indicating.)

19 Q And what is the date and time for this photo?

20 A August 29, 2014, at 2:33 P.M.

21 Q And you said 2:33, but it looks like the
22 screen says 14. Are you converting that to standard
23 12-hour time?

24 A Yes.

25 Q And can you tell us the jury how to do that?

1 A It's basically anything after noon, you would
2 add -- you would subtract 12 from that would be your --

3 Q And the year -- the date is written as year,
4 month, day?

5 A Correct. Year, month, day.

6 Q And then on the second page, this is what we
7 were talking about a minute ago as a lot of camera
8 settings?

9 A Correct.

10 Q And I believe it also contains the same date
11 and time, but the bulk of this is camera settings,
12 correct?

13 A Correct.

14 Q And this photo, can you tell us what we're
15 looking at there?

16 A Another photo of a dog.

17 Q And the date, let me zoom in so we can see it
18 for this photo.

19 A August 29, 2014. Again that's 2:34 P.M.

20 Q And the next page again is a bunch of camera
21 settings?

22 A Correct.

23 Q And more pictures of dogs inside a house,
24 correct?

25 A Correct.

1 Q And the date for this one?

2 A August 29, 2014, at 2:34 P.M.

3 Q And more camera settings?

4 A Correct.

5 Q Oops, wrong way. Okay. And what is this
6 photo?

7 A A photo of a subject holding a dog.

8 Q And the date -- let me get that bigger. Date
9 and time on this one?

10 A August 29, 2014, at 4:47 P.M.

11 Q And, again, the second page is the camera
12 information again, correct?

13 A Correct.

14 Q More photos of dogs inside a residence?

15 A Correct.

16 Q And what is the date and time?

17 A August 29, 2014, at 4:47 P.M.

18 Q More camera settings.

19 And what do we have here?

20 A A photo of a tablet.

21 Q Being held in someone's hand inside a
22 residence?

23 A Yes.

24 Q And the -- well, date and time for this photo?

25 A September 2, 2014, at 12:16 P.M.

1 Q More camera settings?

2 A Correct.

3 Q And is this also a picture of a tablet being

4 held in someone's hand inside of a residence?

5 A Yes.

6 Q And the date and time?

7 A September 2, 2014, at 7:03 P.M.

8 Q And more camera settings, correct?

9 A Yes.

10 Q Now, in addition to these photographs that you

11 were able to get from the extraction, were there also

12 thumbnails on the phone?

13 A Yes.

14 Q Could you tell the jury what a thumbnail is?

15 A A thumbnail is generated with a photo so that

16 you can view it like on your phone in your gallery

17 application. So instead of having to scrolling through

18 a huge photo, it's just a small photo so you can scroll

19 through the application.

20 Q And are they lower quality photos than the

21 actual image?

22 A Yes.

23 Q And it's essentially space saving thing so you

24 can have a small image to view?

25 A Right.

1 Q Okay. I'm going to show you what's been
2 marked for ID as State's 625. Can you tell us what that
3 is?

4 A These were thumbnails -- or this disk contains
5 thumbnails recovered from the extraction.

6 Q And how do you know that's what this disk is?

7 A I reviewed it.

8 Q And did you indicate on the disk that's the
9 one you reviewed?

10 A My initials and the date.

11 Q Okay. Is this a true and accurate reflection
12 of thumbnails that were recovered from the extraction?

13 A Yes.

14 MR. LAWHORNE: Your Honor, at this time we'd
15 like to introduce this into evidence as State's
16 625.

17 THE COURT: Any objection?

18 MR. MICHAÏLOS: No, Your Honor.

19 THE COURT: All right. It will be in as 625.

20 MR. LAWHORNE: And we would like to publish.

21 THE COURT: You may.

22 Q (By Mr. Lawhorne) Detective, I'm going to
23 direct your attention to the large screen there. And
24 these are the thumbnails that were taken from the
25 telephone and placed on this disk, correct?

1 A Yes.

2 Q I'm just going to click on some of these.
3 They don't get much larger without being pixilated but
4 I'll zoom in a little bit on some of them.

5 Does that appear to be essentially a screenshot
6 marking a location?

7 A Yes.

8 Q Again, this is a screenshot marking a
9 location?

10 A Yes.

11 Q And now we mentioned earlier that these were
12 lesser quality and that's the reason for the zooming in
13 being not very good; is that accurate?

14 A That's accurate.

15 Q Now, this is -- is that a television? I'll
16 zoom in some.

17 A Yes.

18 Q Television again?

19 A Yes.

20 Q And an entertainment center?

21 A That's correct.

22 Q Again, television and entertainment center?

23 A Yes.

24 Q The living room with couches and table and
25 maybe a rug or something in the back?

1 A Yes.

2 Q Is that a tablet?

3 A Tablet, yes.

4 Q That one actually zooms pretty well.

5 And what is this one?

6 A It appears to be a cellular phone or tablet.

7 Q Is that a television?

8 A Television.

9 Q Television again?

10 A Correct.

11 Q And an entertainment center?

12 A Yes.

13 Q Very similar to the previous photo?

14 A Yes.

15 Q Now, what is this one?

16 A A dog lying on a newspaper.

17 Q Inside a residence?

18 A Inside a residence.

19 Q A dog inside a residence again?

20 A A dog inside a residence.

21 Another photo of a dog inside a residence.

22 Two dogs inside a residence.

23 Q And there it looks like there's some sort of
24 pen or gate blocking part of that; is that accurate?

25 A Yes.

1 Q Can you tell you what that is?

2 A It appears to be someone's foot or leg.

3 Q Inside of a residence?

4 A Inside of a residence.

5 A dog on newspaper inside a residence.

6 A dog inside a residence.

7 A dog inside of a residence.

8 A dog and a pen.

9 Cellular phone.

10 Cellular phone.

11 A cellular phone.

12 A cellular phone.

13 A cellular phone.

14 I don't know what that is.

15 Q Does it look like --

16 A It could be --

17 Q -- a Bose speaker? A Bose bluetooth speaker?

18 A Yes. It does look like a Bose speaker.

19 Television, entertainment center.

20 Couch.

21 Couch.

22 Couch.

23 Television and an entertainment center.

24 Couch.

25 Q Unfortunately we're going a little faster than

1 the computer loads the photos. We'll have to have it
2 catch up to us.

3 A Dogs.

4 Q Inside a residence?

5 A Inside a residence.

6 Dogs inside of a residence.

7 Dogs inside of a residence.

8 Q Does there appear to be something behind the
9 dogs?

10 A Appears to be a gate.

11 Q Does that appear to be a television with two
12 black spots on the screen?

13 A It does.

14 Q Another similar photo?

15 A Yes.

16 Dogs inside of a residence.

17 Dog inside of a residence.

18 Dog inside of a residence.

19 Dog inside of a residence.

20 Dog inside someone's hand.

21 Dog in someone's hand.

22 Laptop computer.

23 A chest.

24 A screen capture.

25 It's another screen capture.

1 A tablet.

2 A tablet.

3 Q Thank you, Detective.

4 Detective, let's go back to the call log for just a
5 minute. I'm going to ask you about some specific phone
6 numbers.

7 So the first number I want to ask you about is area
8 code --

9 MR. LAWHORNE: And for the record, the call
10 log is 628.

11 Q -- area code 727-207-6640.

12 And how many times was that number called between
13 8/27, 2014, at approximately 10:05 at night and
14 August 28, 2014, at approximately 4:13 in the afternoon?

15 A 118.

16 Q 118 times?

17 A Yes.

18 Q After the August 28th, approximately 4:13
19 telephone call, was that telephone number ever called
20 again?

21 A No.

22 Q Now, phone number 727-488-8804, how many times
23 was that number called?

24 A Seven.

25 Q And was that number ever called after that

1 same time frame?

2 A No.

3 Q And the phone number 610-704-6583, how many
4 times was that number called?

5 A Five.

6 Q And was that number ever called again after
7 that time frame?

8 A No.

9 Q And when is it that the bodies were
10 discovered?

11 A September 4, 2014.

12 MR. LAWHORNE: Okay. Your Honor, may I have
13 one second?

14 THE COURT: You may.

15 Q (By Mr. Lawhorne) Now, Detective. With the
16 text messages, the printout here, is that all of the
17 text messages that were recovered from the phone?

18 A Yes.

19 Q And so prior to the dates that are shown in
20 there, there were just no text messages recovered from
21 the extraction?

22 A Correct.

23 MR. LAWHORNE: Your Honor, may I have just one
24 moment to show some items to Defense?

25 THE COURT: You may.

1 MR. LAWHORNE: Your Honor, may I approach the
2 witness with items that have been marked for ID as
3 636 -- I'm sorry -- 638, 637, 639 and 640?

4 THE COURT: You may.

5 Q (By Mr. Lawhorne) Without showing this to the
6 jury, would you please tell us what that is?

7 A It's a screen capture.

8 Q All the documents, just in general what they
9 are.

10 A I'm sorry. These are screen captures
11 recovered from the device extraction.

12 Q And are these all true and accurate copies of
13 the extraction data?

14 A Yes.

15 MR. LAWHORNE: And, Your Honor, at this time
16 we would like to introduce these into evidence.

17 THE COURT: Any objection?

18 MR. LAWHORNE: No, Your Honor.

19 THE COURT: All right. They'll be so
20 introduced.

21 MR. LAWHORNE: Your Honor, may I publish?

22 THE COURT: You may.

23 Q (By Mr. Lawhorne) Now, Detective, the
24 thumbnails we looked at earlier, did all of those
25 thumbnails have accompanying photographs?

1 A No.

2 Q When I say, "accompanying photographs", I mean
3 the larger photo that the thumbnail represented?

4 A No.

5 Q Did some of them have accompanying
6 photographs?

7 A Yes.

8 Q I'm now showing you what's been entered into
9 evidence as State's 637. I direct your attention to the
10 screen. And tell us what this is.

11 A The screen captured on the map.

12 Q And is this one of the items that did have an
13 accompanying thumbnail?

14 A Yes.

15 Q And can you read that address?

16 A 15625 Bertram Drive, Hudson, Florida.

17 Q And that's a screen capture extracted from the
18 Apple telephone?

19 A Yes.

20 Q The next item is State's 638. Can you tell us
21 what that is?

22 A It's a screen capture on the map application.

23 Q And what is the address there?

24 A 15625 Bertram Drive.

25 Q And it says "drop" at the top; do you know

1 what that means?

2 A Just marking the location.

3 Q And that terminology is dropping a pen
4 somewhere.

5 A Yes.

6 Q Digitally marking your location on the phone.
7 And this screen here, I believe -- can you -- can
8 you read that, Detective, or is it blurry?

9 A I can read it.

10 Q Okay. What is this one?

11 A It's a screen capture showing the Google
12 e-mail address.

13 Q And does this appear to be the creational
14 screen for the address?

15 A It is.

16 Q And what is that e-mail address?

17 A Smithryan964@gmail.com.

18 Q And what is the name that's been typed in?

19 A Ryan Smith.

20 Q And that document, can you tell us -- or this
21 photo?

22 A A screen capture showing the welcome screen
23 after you signed up for a gmail account.

24 Q "Welcome, Ryan" at the stop?

25 And is that the same e-mail you just read,

1 smithryan?

2 A Yes.

3 Q Now, Detective, I'm showing you what's been
4 introduced into evidence as State's 634. Can you tell
5 us what this is?

6 A This is subpoena results from an IP address
7 request.

8 Q And what is the process for getting those?

9 A You identify the IP address and you contact
10 the Internet service provider, request that they provide
11 you the customer assigned to that IP address.

12 Q And the company that this is requested from
13 back then was it called Bright House?

14 A Yes.

15 Q Is it the same company that's now called
16 Spectrum?

17 A Yes.

18 Q Okay. And the documents that were provided
19 for, what information do they give you?

20 A They give you the IP address, the customer
21 name, the customer address or service address for where
22 the, you know, where the account's being serviced,
23 account number, activation date. And they also provide
24 additional information, the home phone number, the
25 e-mail address.

1 Q And what is the IP address that's on that?

2 A 68.200.111.86.

3 Q And what is the physical address associated
4 with that IP address?

5 A 7719 Hatteras Drive, Hudson, Florida.

6 Q And what is the time frame that these -- is it
7 for August 28, 2014 to September 2nd?

8 A It is.

9 Q And would you tell the jury in general what an
10 IP is address is, how it works, and how it's tied to a
11 physical address?

12 A So an IP address is a unique number to
13 assigned to devices connected to the Internet. So an IP
14 address works -- you need to have a unique number. When
15 you request something on an Internet, you go to a
16 website. That information has to be able to come back
17 to you, not your neighbor or anyone else. So the
18 website or whatever you request will come -- you know,
19 routes that traffic back to your specific IP address.

20 Q And so each address that has a subscription to
21 Internet service would be assigned a unique IP address?

22 A Yes.

23 Q Now, I'm going to show you what's been
24 introduced into evidence as State's 636. Can you tell
25 us what this is?

1 A It's a result of a subpoena request to Google
2 regarding a gmail account in the name of smithryan964,
3 matosadam6 and jakevns0.

4 Q Would you say those last two again. Is it
5 matosadam6; that's one user name?

6 A Yes.

7 Q And then what's the third user name?

8 A Jake, j-a-k-e, vns, it looks like a zero
9 actually.

10 Q And was the IP address information provided
11 from Google for these -- when these accounts were last
12 accessing the Internet?

13 A Yes.

14 Q And could you tell us the time frame and what
15 the IP address is?

16 You don't have to go through all of them. If you
17 can just give us the general range.

18 A So for the jakevns0, the IP address is
19 68.200.111.86, showing that the time frame July 9, 2014.
20 There's 60 consecutive login events.

21 For the matosadam6, the IP address shown is
22 68.200.111.86 over numerous login events going from
23 September 2, 2014, to August 11, 2014 and beyond until
24 July 10, 2014, all with that same IP address.

25 Q Did you get all three addresses?

1 A I don't see smithryan.

2 Q Okay. I'm now going to direct your attention
3 to the screen again. I'm showing you what's been
4 entered into evidence as State's 565. We're going to
5 look at a few different pages. Just three of them.
6 We'll start with Page 32.

7 And we can't read that yet. Is that big enough to
8 read, Detective?

9 A Yes.

10 Q Okay. What is -- this is the first -- is this
11 a Craigslist posting data guide?

12 A Correct.

13 Q Now, what's the e-mail address that we're
14 looking at here on Page 32? Does it says host or
15 e-mail?

16 A japens0@gmail.com.

17 Q And what is the poster IP?

18 A 68.200.111.86.

19 Q Now, we're going to go to Page 33 of that same
20 document. I'm going to get it in focus.

21 Can you tell us the host or e-mail?

22 A matosadam6@gmail.com.

23 Q And the IP address?

24 A 68.200.111.86.

25 Q And now we're going to flip to Page 44 of the

1 same document. Could you tell us the host or e-mail
2 there?

3 A smithryan964@gmail.com.

4 Q And the poster IP?

5 A 68.200.111.86.

6 Q And those IP addresses are all the same; is
7 that correct?

8 A That's correct.

9 Q And are they the same IP address that we read
10 earlier that was assigned to 7719 Hatteras Drive?

11 A Yes, it is.

12 Q Now, Detective, I'm showing you what's been
13 introduced into evidence as State's 619. And let me
14 grab you some gloves.

15 Is that Item Number SK-3 that was entered into
16 evidence that was sent to Apple and the extraction data
17 was obtained from? But take a minute and look at it to
18 make sure. I think it's actually wrapped up inside of
19 the bag. So you'll have to actually unwrap it to look
20 at it.

21 A Yes.

22 Q Thank you.

23 Now, I'd like to kind of switch subjects just a
24 little bit and talk about two other photos.

25 I'm now showing you what's been marked for

1 identification as State's 629. Could you tell us what
2 that is?

3 A It's a photograph of a truck under a carport.

4 Q And there's two photos there; what's the next
5 one?

6 A The second image is a photo of a red sedan
7 underneath a carport.

8 Q And are these photos that were given to you
9 and asked to look at the metadata on those?

10 A Yes.

11 Q And did you do that?

12 A I did.

13 Q And did you put the metadata below the photo
14 as well?

15 A I did.

16 Q And this metadata, is it a true and accurate
17 copy of the metadata that accompanies those photos?

18 A It is.

19 MR. LAWHORNE: And just for the record, the
20 photos are already in evidence individually.

21 At this time, Your Honor, we would like to
22 introduce these into evidence as State's 629.

23 THE COURT: Any objection?

24 MR. MICHAÏLOS: No, Your Honor.

25 THE COURT: All right. They'll be in as 629.

1 Q (By Mr. Lawhorne) Detective, I direct your
2 attention one more time to the screen there.

3 This is the first photo. And you said that appears
4 to be a truck in a parking spot, correct?

5 A Correct.

6 Q And below it, did you put the IP address --
7 I'm sorry, the metadata, just like you had previously
8 done?

9 A Yes.

10 Q And would you point out the date and time of
11 this photo?

12 A August 30, 2014, 12:31 P.M.

13 Q And just to be clear, these are not photos
14 obtained from the extraction; these are photos you were
15 given separately, correct?

16 A That's correct.

17 Q Okay. The next page of that, is that just
18 going to be camera settings?

19 A Yes, it is.

20 Q Okay. And this photo you said was of a red or
21 maroon car. And what is the date and time that goes
22 with this photo?

23 A August 29, 2014, at 6:26 P.M.

24 Q And, again, this photo also not obtained from
25 the extraction, just a separate photo you were asked to

1 analyze the metadata on?

2 A Yes.

3 MR. LAWHORNE: Okay. Your Honor, may I have
4 just one moment?

5 THE COURT: You may.

6 MR. LAWHORNE: Thank you, Detective. We have
7 no further questions for you right now.

8 THE WITNESS: Excuse me.

9 MR. LAWHORNE: May I have one moment to
10 gather the evidence up and return it to the clerk?

11 THE COURT: Thank you. Please do.

12 MR. LAWHORNE: Unless the Defense wants me to
13 leave the evidence out.

14 MR. MICHAÏLOS: No.

15 THE COURT: Okay.

16 All right. Cross?

17 CROSS-EXAMINATION

18 BY MR. MICHAÏLOS:

19 Q Good afternoon, sir.

20 A Good afternoon, sir.

21 Q Did you, by any chance, have an opportunity to
22 review Sprint records relating to the same phone?

23 A I did not.

24 Q Would you be able to, if there was a
25 discrepancy between the two, decide which one is more

1 accurate, the Sprint records or the records that were
2 extracted from the Apple phone?

3 A Would I be able to determine which is more
4 accurate?

5 Q Right.

6 A No.

7 MR. MICHAÏLOS: Thank you, sir.

8 THE COURT: Redirect?

9 MR. LAWHORNE: Just one question.

10 REDIRECT EXAMINATION

11 BY MR. LAWHORN:

12 Q On Item Number SK-3, the Apple phone that the
13 extraction data came from, were you able to find the MDN
14 or the phone number associated with that device?

15 A Yes.

16 Q And could you tell us what that is? If you
17 need to refer to your notes, please feel free.

18 A 484-951-2687.

19 THE COURT: All right. Can we read slower so
20 the court reporter can type it down.

21 THE WITNESS: Oh, I'm sorry.

22 THE COURT: Maybe it's just me, but I doubt
23 she got that. Can you read it again.

24 THE WITNESS: 484-951-2687.

25 MR. LAWHORNE: Thank you, Detective. We have

1 no other questions.

2 THE COURT: All right. Is he released from
3 his subpoena?

4 MR. MICHAÏLOS: Actually, Judge, we'd like to
5 hold on to him.

6 THE COURT: All right. Sir, you may step
7 down, but you'll remain under your subpoena. But
8 you're released for now. Okay?

9 THE WITNESS: Okay. Thank you.

10 THE COURT: Thank you.

11 Ladies and gentlemen, it's 12:05. So we're
12 going to go ahead and take lunch at this time.

13 If you want to put your papers away. We're
14 going to have you back in the jury pool room at
15 1:10.

16 I understand we have the two next witnesses --
17 well, the next witness is a longer than this
18 witness. So -- but we are moving along at the
19 required pace.

20 So I'll have you back down in the jury pool
21 room at 1:10.

22 No tweeting, texting, blogging or looking at
23 anything. You guys have been great. And we'll see
24 you back downstairs until 1:10. All right? You'll
25 be released for lunch.

1 (Jury absent.)

2 THE BAILIFF: The jury's are out of the
3 presence of the Court, Your Honor.

4 THE COURT: All right. Anything else we need
5 to address before lunch?

6 MR. SARABIA: I don't believe so, Judge.

7 THE COURT: All right.

8 MR. SARABIA: How early will the courtroom be
9 open so that I can put photographs in a particular
10 place for the next witness?

11 THE COURT: Kelly, when can you come back?

12 THE CLERK: I'm going to have someone come and
13 sit with my evidence, so they'll be here.

14 THE COURT: Talk to my bailiff. The evidence
15 is going to be here. We're going to have someone
16 here the whole time.

17 MR. SARABIA: Okay.

18 THE COURT: So just talk to the bailiff; he'll
19 let you in whenever you want him to. Okay?

20 MR. SARABIA: Very good.

21 THE COURT: All right. We'll be in recess
22 until 1:10.

23 (RECESS.)

24 (OPEN COURT.)

25 (Defendant present.)

1 (Jury absent.)

2 THE COURT: All right. We're back on the
3 record. The defendant's present. Everybody's
4 here. They're on their way to get the jury.

5 Is there anything we need to discuss before we
6 move on to the next witness?

7 MR. SARABIA: I don't believe so, Judge.

8 MR. LABRUZZO: Yes, there is.

9 THE COURT: And then again.

10 MR. LABRUZZO: It's their issue. You asked me
11 to remind you.

12 THE COURT: What's the issue?

13 MR. LABRUZZO: Through Detective Coogill we
14 will be, with Court's permission, publishing the
15 interviews that have been redacted. And there's an
16 instruction as to the redaction, I believe.

17 THE COURT: Okay. Well, it's up to you all if
18 you want it. I didn't know. When we talked
19 about --

20 MR. SARABIA: Unfortunately the redactions are
21 obvious. It's obvious there's something missing.
22 It's necessary.

23 THE COURT: Okay. Okay. No problem. I can
24 read it.

25 (Staff conversation.)

1 THE COURT: Do you want me to read it for both
2 times?

3 MR. SARABIA: Yes. It will be towards the end
4 of the detective's testimony, but, yes. Both of
5 them have pretty obvious redactions.

6 THE COURT: Okay.

7 MR. LABRUZZO: But we're going to play them
8 back to back, so reading them once will be good for
9 both.

10 THE COURT: Okay. If you're going to play
11 them back to back, I'll just -- and I'll read it's
12 for the -- it will be for 621 and 622. So I'll
13 just put that in when I -- that this instruction
14 when they publish 621 and 622.

15 So we're just going to put the last two on and
16 then you guys are going to rest?

17 MR. SARABIA: Yes, Judge.

18 THE COURT: Okay. Because you had that maybe
19 extra witness.

20 MR. SARABIA: He did not come. So ...

21 THE COURT: Okay.

22 Are we ready for the jury?

23 THE BAILIFF: Yes, Judge.

24 THE COURT: All right. Bring the jury in.

25 THE BAILIFF: Jury's now entering the

1 courtroom, Your Honor.

2 THE COURT: Thank you.

3 (Jury present.)

4 THE BAILIFF: Jurors all present and seated,
5 Your Honor.

6 THE COURT: All right. Everybody able to get
7 lunch? Yes?

8 THE JURY PANEL: (Responding.)

9 THE COURT: Everybody able to follow my
10 instructions? Yes?

11 THE JURY PANEL: (Responding.)

12 THE COURT: All right. State, call your next
13 witness.

14 MR. SARABIA: The State would call Detective
15 Chet Cougill.

16 THE COURT: All right. Detective Cougill.

17 THE BAILIFF: Yes, Judge.

18 THE COURT: Good afternoon, Detective. If you
19 can step to the podium for me.

20 THE WITNESS: Yes, ma'am. Good afternoon.

21 THE COURT: Good afternoon.

22 Raise your right hand and be sworn by my
23 clerk.

24

25

1 THEREUPON,

2 CHET COUGILL,

3 the witness herein, having been first duly sworn, was
4 examined and testified as follows:

5 THE WITNESS: Yes.

6 THE COURT: Please have a seat in the witness
7 stand and speak in a loud and clear voice for me.

8 THE WITNESS: Yes, ma'am.

9 THE COURT: All right. State, you may
10 proceed.

11 MR. SARABIA: Thank you, Judge.

12 DIRECT EXAMINATION

13 BY MR. SARABIA:

14 Q Can you please turn and introduce yourself to
15 the jury.

16 A Yes, sir. Good afternoon, everyone. My name
17 is Chet Cougill. I'm a detective with the Pasco
18 Sheriff's Office. My last name is spelled
19 C-o-u-g-i-l-l.

20 Q And, Detective Cougill, how long have you been
21 with the Pasco County Sheriff's Office?

22 A Almost 13 years.

23 Q And what is your current assignment with the
24 Sheriff's Office?

25 A I am a Major Crimes detective.

1 Q And what does Major Crimes do?

2 A We handle any investigation involving crimes
3 against a person: Robbery, homicide, any kind of sexual
4 assault, stuff like that.

5 Q And what was your role in the investigation
6 surrounding 7719 Hatteras Drive and the four homicides
7 that were discovered in close proximity?

8 A I was assigned as the lead detective.

9 Q As the lead detective, what are your duties in
10 a case?

11 A General leadership role over the
12 investigation. I try to keep track of all the other
13 detectives that are assisting. And just try and
14 organize all the different units that are coming into
15 assist.

16 Q Okay. I want to draw your attention back to
17 September 4th of 2014. Do you remember that day?

18 A Yes, sir. I do.

19 Q And approximately when were you assigned this
20 investigation?

21 A I was notified at approximately 11:30, 12:00
22 in the afternoon. I was sitting at lunch.

23 Q Okay. And when you first got this
24 investigation, when you began and go out to the scene,
25 had they found the bodies yet?

1 A No, sir.

2 Q So your investigation did it focus first at
3 7719 Hatteras Drive?

4 A Yes, it did.

5 Q And were there people that were supposed to be
6 there that you didn't know where they were?

7 A Yes, sir.

8 Q How many people at that point were unaccounted
9 for that you were aware of?

10 A We were notified of a family. Two parents,
11 their daughter who was an adult, and another gentleman
12 that was supposed to be living there, and a small child.

13 Q As the investigation progressed, bodies were
14 discovered?

15 A Yes.

16 Q Did you actually go out to that scene on Old
17 Dixie Highway and see the bodies?

18 A Yes, sir. I did.

19 Q And was it some time before the medical
20 examiner was able to arrive and begin to process those?

21 A Yes, sir.

22 Q Even once the bodies were discovered were you
23 aware how many bodies were located in that pile?

24 A No, sir. I was not.

25 Q Did you know which people were accounted for

1 in that pile?

2 A No, sir.

3 Q Did you know if the little boy might be in
4 that pile?

5 A I did not, no.

6 Q Could you tell that there was at least three
7 maybe more bodies in that pile?

8 A Yes, sir.

9 Q And so were you still looking for outstanding
10 people at that point?

11 A Yes, sir. We were.

12 Q And gradually as those bodies -- well, first
13 let me ask you: When you went to that scene at Old
14 Dixie Highway, did you notice any particular odors when
15 you were there?

16 A Yes, sir. I did.

17 Q How would you describe that odor?

18 A It was a very foul odor that I've recognized
19 time again as decomposing bodies.

20 Q Have you been involved in other investigations
21 that had a decomposing body before?

22 A Yes, sir.

23 Q Multiple times in the past?

24 A Yes, sir.

25 Q Is it an odor that you've come to be familiar

1 with?

2 A Yes, sir.

3 Q And how quickly were you able to detect that
4 smell once you got up to that Old Dixie Highway scene?

5 A As soon as I stepped out of my vehicle. I
6 parked and I didn't hesitate to get out. As soon as I
7 parked my vehicle I stepped out and it hit me right in
8 the face.

9 Q Okay. In terms of 7719 Hatteras Drive, did
10 there come a point where you were able to enter that
11 residence and walk around and see what things looked
12 like?

13 A Yes, sir.

14 Q And when you got to that scene, when you were
15 there at that residence, did you detect any odor there?

16 A Yes, sir. I did.

17 Q Could you describe that for the jury?

18 A Again, it was another foul odor of decomposing
19 bodies.

20 Q Was it a strong smell?

21 A Yes, sir.

22 Q Was it a smell that you could detect
23 throughout that residence?

24 A Yes, sir.

25 Q Was it a smell that was particularly strong in

1 the east garage?

2 A Yes, sir. Very strong.

3 Q Now, as the -- as the day progresses and the
4 medical examiner gets out there and the bodies begin to
5 be dealt with appropriately, did you have a better idea
6 of who they may or may not be?

7 A Yes, sir.

8 Q Did there come a point during this
9 investigation where you linked another individual who
10 was missing to this situation?

11 A Yes, sir. We did.

12 Q What was it that first led you to a link up
13 Nicholas Leonard to this situation?

14 A Well, we conducted a search through the
15 Computer Automated Dispatch System. It's a system that
16 sends calls to our deputies. So it's a history search
17 of the residence. And we discovered that an individual
18 named Nicholas Leonard on August 28th contacted the
19 Sheriff's Office to advise us of an event that took
20 place earlier that day. So that's where we became
21 involved in trying to locate Nicholas Leonard.

22 Q Okay. And did that take another branch of the
23 investigation to go to his residence and talk to his
24 people to try and determine where he might be?

25 A Yes, sir.

1 Q And in regards to that 911 event that you were
2 just discussing, was that in reference to the incident
3 that occurred at 6:00 in the morning on August 28th that
4 the jury's already heard about where Megan herself first
5 called 911?

6 A Yes, sir. It was.

7 Q And then you're referring to the subsequent
8 call by Nicholas Leonard referencing that same incident?

9 A Yes.

10 Q Okay. So at 7719 Hatteras Drive, by the time
11 you are able to do a walk around, there's been
12 discussion that there had been lots of small dogs there.
13 What happened to almost all of those small dogs before
14 you are walking around the residence?

15 A Prior to my arrival, they -- the deputies
16 secured as many as of the dogs they could, contacted
17 animal control. Animal control arrived and took custody
18 of those dogs.

19 Q Is one of the reasons to make sure that they
20 don't mess around in the potential crime scene?

21 A Yes.

22 Q And also to make sure that they're well cared
23 for?

24 A That's correct.

25 Q And when you're walking around in the

1 residence, did you discover any additional dogs?

2 A I did. Yes.

3 Q Could you describe the circumstances of that
4 for the jury?

5 A So on the first level of the residence,
6 it's -- as looking at it from the front, you see two
7 garages with a stairwell. Well, I went through the east
8 garage. And then behind the garages there's another
9 room that leads to the pool area. So in that room I
10 observed multiple dog feces, urine throughout that room.
11 And while I was in there, a small puppy came out of a
12 little crevasse and just walked right over to me.

13 Q And did animal control subsequently pick up on
14 that dog as well?

15 A Yes, they did.

16 Q And now the residence itself, walking around
17 the residence -- I want to focus your attention on a
18 couple different areas.

19 The master bedroom area, aside from what we've
20 discussed earlier, the saturation stain in the master
21 bedroom closet on the bare floor, was it immediately
22 obvious that anything bad had happened in the master
23 bedroom?

24 A Not right away it wasn't, no.

25 Q Was it -- did it look like there had been a

1 gunshot and there was blood all over the floor when you
2 got there?

3 A I didn't observe anything like that.

4 Q Now, going into the north -- or, I'm sorry,
5 the southeast bedroom which we have been referencing as
6 Megan's bedroom at different points of this trial,
7 again, aside from the giant stain on the bare floor, was
8 there a whole lot of indication that something bad had
9 happened in that room?

10 A Not necessarily, no.

11 Q Not until forensic technicians got in there
12 and started looking around?

13 A Yes.

14 Q Now, the east garage, was that a different
15 story?

16 A That was a different story, yes, sir.

17 Q Okay. West garage, was there -- as you walked
18 through there, was there any immediate indications that
19 something bad had happened in there?

20 A No, sir.

21 Q I want to talk to you about some locations.

22 MR. SARABIA: And, actually, Judge, may the
23 witness step down?

24 THE COURT: He may.

25 Q (By Mr. Sarabia) First I want to start with

1 State's 256. Take a moment and let me know if you
2 recognize this. And I'll try not to block anyone on the
3 jury's view.

4 Do you recognize this area?

5 A Yes, sir, I do.

6 Q Could you just give us a basic where's Old
7 Dixie Highway on this?

8 A Okay. So this road here (indicating), that's
9 kind of -- it doesn't run exactly north and south, but
10 that's Old Dixie Highway here.

11 Q And do you see Hatteras Drive on this -- on
12 this aerial photograph.

13 A Yes, sir, I do.

14 Q And here?

15 A Okay.

16 Q And go ahead show us where Hatteras Drive is .

17 A So if you can see this gold star (indicating),
18 that's the incident location, 7719 Hatteras. And
19 Hatteras Drive is a road that runs east and west. And
20 I'm going in a westerly direction right here
21 (indicating).

22 Q Okay. And is that roadway, if you were to
23 follow that all the way to the end, is there a
24 cul-de-sac?

25 A Yes, sir.

1 Q And is that -- is that a peninsula that's
2 surrounded by canals?

3 A Yes, sir, it is.

4 Q So the only way for a vehicle to go to or from
5 the end of Hatteras Drive would be to come out at Old
6 Dixie Highway where 7719 Hatteras Drive is?

7 A Yes, sir. That is correct.

8 Q Now, there's a couple other stars on this map.
9 Did you place these stars here at an earlier date?

10 A Yes, sir, I did.

11 Q And you already indicated, the gold star is
12 indicating 7719 Hatteras Drive. Can you tell us what
13 the red star is just on the left side of the photograph?

14 A So if you follow from the incident location
15 and you kind of go in a northerly direction on Old Dixie
16 Highway, it leads to like an electronic subpanel area.
17 There's no offices or anything there. Right across the
18 street, almost a little bit, is where we found the
19 bodies.

20 Q Okay. About how far is that?

21 A It's approximately a mile.

22 Q And did you drive that and time yourself how
23 long it takes to make that drive?

24 A Yes, sir, I did.

25 Q How long did it take to get from 7719 Hatteras

1 Drive to where the bodies were located?

2 A Just a couple of minutes.

3 Q And there's a blue star on this map as well,
4 can you tell us what that is referencing?

5 A So if you can see these buildings here
6 (indicating), this is a townhome community. And there
7 are -- if you take from the incident location north on
8 Old Dixie to Gulf Way and you follow that to the east,
9 there's an entrance to this little subdivision right in
10 this area (indicating). And that is the location where
11 Nicholas Leonard's truck was towed after the incident
12 took place.

13 Q Okay. And have you driven that distance?

14 A Yes, sir.

15 Q How far is it from 7719 Hatteras Drive to
16 where Nicholas Leonard's truck was located?

17 A That's less than a mile.

18 Q And how long does it take to get from 7719
19 Hatteras Drive to the location depicted by the blue
20 star?

21 A Between like a minute and minute-and-a-half.

22 Q Is it walkable?

23 A Yes, sir.

24 Q Approximately how long would it take to walk
25 at a normal pace?

1 A Fifteen minutes, maybe.

2 Q And if someone was running, would they be able
3 to do it quicker?

4 A Yes, sir.

5 Q And along this road, Old -- I'm sorry. What
6 is that, Gulf Bay (sic)?

7 A Gulf Way.

8 Q Gulf Way?

9 A Uh-huh.

10 Q Are these residential houses?

11 A Yes, sir. There are.

12 Q Are there any -- are there any decent parking
13 areas between 719 Hatteras Drive and where that blue
14 star is?

15 A I didn't locate any public areas. There was a
16 business here that was closed. Everything else is
17 residential.

18 Q Okay. Now, using this photograph, when law
19 enforcement had responded on September 4th, of 2014, and
20 once the bodies were discovered and you guys were
21 starting to realize what kind of investigation this was,
22 can you describe for the jury what law enforcement did
23 with regards to these roadways, what kind of presence
24 they had?

25 A We always establish an inner crime scene and

1 we also establish an outer crime scene to try to keep,
2 you know, just sightseers from coming in and try to keep
3 everybody back that's not part of the investigation.
4 And so we had this road and this area up here at that
5 intersection (indicating) kind of blocked off. And then
6 down a little bit further, we had that area down here
7 blocked off as well (indicating).

8 Q Now, people going to and from Hatteras Drive,
9 were deputies making contact with them to see where they
10 were going?

11 A Yes.

12 Q And why they were there?

13 A Yes, sir.

14 Q And was part of that to see if any of them
15 were any of your missing people that you were looking
16 for?

17 A Yes.

18 Q Now, do you know what this road right here is
19 (indicating)?

20 A This road right here is Mako Drive
21 (indicating). Again, this is Hatteras (indicating).
22 You have Mako Drive and then down here is Yachtsman
23 (indicating).

24 Q Now, so, Yachtsman, if somebody was traveling
25 down Yachtsman and goes south on Old Dixie Highway,

1 would they have been past the area that there was heavy
2 law enforcement?

3 A Yes.

4 Q Now, when law enforcement was there, did you
5 guys have lights on, like the blue and red lights, to
6 indicate your presence there?

7 A Some of the vehicles did, yes.

8 Q And were there a significant number of law
9 enforcement vehicles there?

10 A Several, yes.

11 Q And in addition to your standard patrol cars,
12 what other types of vehicles did you guys have there?

13 A We had a command operation vehicle that was
14 parked right in the front. There were citizen service
15 unit vehicles that are trucks and they're fully marked
16 Sheriff's Office Citizen Service Units. Unmarked
17 detective units, and K-9 units and different other kinds
18 of vehicles like that.

19 Q So would it have been difficult to miss that
20 you guys were there at that intersection?

21 A Not likely.

22 Q I want to show you State's 257. Have you seen
23 this before?

24 A Yes, sir.

25 Q And can you acquaint the jury on this

1 photograph where Old Dixie Highway is?

2 A So it's almost looking at the opposite view of
3 what we were just looking at. This is Old Dixie Highway
4 here (indicating). Gulf Way goes this way and just this
5 way (indicating). Here's the incident location where
6 this gold star is (indicating). And here's Hatteras
7 Drive (indicating).

8 Q So, again, the gold star denotes 7719 Hatteras
9 Drive?

10 A Yes, sir.

11 Q And, in particular, the gold star, the red
12 star, and the green star, are those all stars that you
13 placed on this photograph --

14 A Yes, I did.

15 Q -- at an earlier date?

16 A Yes.

17 Q Now, what is in this area of the green star
18 here (indicating)?

19 A Okay. So if you follow Hatteras Drive all the
20 way to the end, it's where our cul-de-sac is. And,
21 again, there's canals surrounding all sides of Hatteras
22 Drive. That's an area where we located a canoe that was
23 misplaced.

24 Q All right. And the canoe would have been on
25 the far shore away from Hatteras Drive?

1 A That's where we found it, yes.

2 Q Okay.

3 A Across the canal from Hatteras Drive.

4 Q Okay. And so if you're at the end of this
5 cul-de-sac and you don't want to go through where all
6 the major law enforcement presence is at the
7 intersection down at Old Dixie Highway and Hatteras
8 Drive, would you be forced to take a watercraft in some
9 way across the canal in order to get away?

10 A Or swim, yes.

11 Q Okay. And where is this red star right here
12 (indicating)?

13 A So later on in the investigation we discovered
14 that a taxicab picked up a gentleman by the name of Adam
15 Matos and a small child. And that is kind of at the
16 intersection of Bertram and Yachtsman which is kind of
17 down here (indicating).

18 Q Okay. And you're saying this is Yachtsman
19 here (indicating)?

20 A Yes.

21 Q And Bertram would be down this way
22 (indicating)?

23 A Yes.

24 Q Okay. Now, how far approximately from 7719
25 Hatteras Drive is that intersection of Yachtsman and

1 Bertram?

2 A If you take Hatteras across the water? It's
3 maybe a half a mile.

4 Q And how far approximately from -- well, from
5 the green star to the red star, approximately how far is
6 that?

7 A It's only maybe two-tenths of a mile.

8 Q Okay. You can resume your seat.

9 A Okay.

10 Q And you're aware that there were some weapons
11 found in the canal behind the residence?

12 A Yes, sir. I am aware.

13 Q So in terms of weapons being dumped, bodies
14 being dumped, and a truck being dumped, was that all
15 approximately within a mile of 7719 Hatteras Drive?

16 A Yes, sir.

17 Q I want to go over some locations with you.

18 In addition to 7719 Hatteras Drive, are you
19 familiar with the Wawa located at U.S. 19 and Ridge
20 Road?

21 A Yes, sir. I am.

22 Q And we may talk about how that played into
23 your investigation a little bit more.

24 Approximately how far is that from 7719 Hatteras
25 Drive?

1 A Approximately eight miles.

2 Q And have you driven that distance?

3 A Yes, sir. I did.

4 Q Have you driven between the Wawa and 7719
5 Hatteras Drive between the hours of 11:00 and 12:00 at
6 night?

7 A Yes, sir. I did.

8 Q And how long approximately did it take you to
9 get from the Wawa to 7719 Hatteras Drive?

10 A Approximately 15 minutes.

11 Q Do you know where the Fisherman's Shack is
12 located?

13 A Yes, sir.

14 Q Where is that located in relation to 7719
15 Hatteras Drive?

16 A It has an address of Old Dixie Highway, so
17 it's approximately a mile south of that intersection
18 sex, maybe a little bit more.

19 Q Okay. And approximately how long does it take
20 to get from 7719 Hatteras Drive to the Fisherman's
21 Shack?

22 A Maybe five minutes.

23 Q Is it a distance that is walkable or
24 bike-able, if one was so inclined?

25 A Yes, sir.

1 Q Now, I want to you talk to you some about the
2 crime scene.

3 How many cell phones or -- and you've reviewed all
4 the forensic documents and forensic reports and the
5 items that were collected in evidence?

6 A Yes, sir.

7 Q And did the forensic technicians collect
8 numerous items in this case to preserve them?

9 A Yes, sir. They did.

10 Q And how many phones, cell phones, total were
11 found within the residence?

12 A Three cell phones. Oh, within the residence,
13 two, and then we found another one in the canal.

14 Q Okay. Now, two of those cell phones, I think
15 we have a picture of them in the kitchen, and we've also
16 discussed with Detective Bossone the phone numbers
17 assigned to those. Based on the phone numbers and your
18 information, do you believe those to be Margaret and
19 Greg's phones?

20 A Yes, sir.

21 Q Now, the phone in the canal, were you ever
22 able to find someone who could pull any information off
23 of it?

24 A No, sir. We were not.

25 Q And to be clear -- and I'm going to hold up

1 State's 221.

2 We're talking about this phone (indicating)?

3 A Yes, sir.

4 Q And does that phone look like it was just
5 tossed in the canal to you?

6 A It looks like somebody crushed it first.

7 Q Now, let's talk about two phones in the house
8 and this phone. In terms of the people who were killed,
9 Margaret Brown, Greg Brown, Megan Brown and Nicholas
10 Leonard, how many phones did you -- were you looking
11 for?

12 A We were looking for four.

13 Q Did you ever find a fourth phone?

14 A No, sir.

15 Q And if that phone is either Megan's or Nick's,
16 then the other person's phone is missing?

17 A Yes, sir.

18 Q Okay. And you're aware that Nicholas
19 Leonard's truck was found at a tow yard?

20 A Yes, sir.

21 Q Are you aware -- throughout the investigation,
22 were keys to that vehicle ever located anywhere?

23 A Not to my knowledge. No, we did not find any
24 keys.

25 Q Now, there was a shovel in a silver van which

1 is now in evidence. You know what I'm talking about?

2 A Yes, sir.

3 Q We may talk about it a little bit more later
4 in your testimony. But aside from that shovel, were
5 there any other large shovels found within the
6 residence?

7 A No, sir. I didn't see any.

8 Q Now, we talked some about items taken out of
9 the canal. And in particular -- never mind. I don't
10 want to talk about that yet.

11 In regards to the house itself, there's been some
12 discussion of DNA and fingerprints and things of that
13 nature. Would it have assisted your investigation at
14 all if you had checked for the defendant's fingerprints
15 or DNA or found the defendant's fingerprints or DNA in
16 the kitchen of this residence?

17 A It wouldn't have assisted in trying to find
18 out who committed the murders, no.

19 Q And why not? Why would placing the defendant
20 through DNA or fingerprints within different living
21 areas of this house not have assisted you?

22 A It wouldn't have been uncommon for his DNA to
23 be in the house because he lived there.

24 Q Okay. And when you get DNA evidence or get
25 fingerprint evidence, are you able to tell when that was

1 left there?

2 A No, sir.

3 Q Even in the bedroom, the southeast bedroom
4 where other testimony has indicated Nicholas Leonard was
5 killed, if you had found his fingerprint or DNA in that
6 bedroom would that have been unusual?

7 A No, sir.

8 Q Even on the guns that were located in the
9 canal that have been identified as Greg Brown's guns, if
10 you had found the defendant's fingerprints on those or
11 his DNA on those, would that have been something that
12 would have aided you in your investigation at all?

13 A No, sir.

14 Q And why not?

15 A Because we were aware that he lived there. He
16 may have handled them with permission of Greg and he may
17 have assisted in moving them into the residence when
18 they got there.

19 Q And, again, if you had found his fingerprints
20 or DNA, would that have told you when he was handling
21 any of that stuff or coming into contact with any of
22 these places.

23 A No, sir.

24 Q Now, that said, were there items -- several
25 items that you did attempt to get DNA and fingerprints

1 from?

2 A Yes, sir.

3 Q For instance, the Kel-Tec firearm found in the
4 canal and the hammer found in the canal, did you send
5 those off in an attempt to get stuff from those?

6 A Yes, sir. We did.

7 Q Do you have much hope for it?

8 A Not much hope.

9 Q And why not?

10 A I've had experienced with items being
11 recovered from saltwater and we don't usually get
12 anything but I tried anyway.

13 Q Okay. And does that mean that nobody ever
14 touched that hammer and nobody ever touched that firearm
15 and it just existed in that canal?

16 A No.

17 Q And other items with regard to the bodies.
18 There were some ropes that were around the bodies.
19 There was zip ties. There was a plastic bag on
20 Margaret's head, were those all things that you sent off
21 to see if there was any evidence that could be gleaned
22 that might assist you in your investigation?

23 A Yes, sir. We did.

24 Q Do you have a whole lot of hope for any of
25 that?

1 A Not necessarily, no.

2 Q But you did try?

3 A Yes.

4 Q Now, I want to go over some of the different
5 evidence in the case with you.

6 Did you find -- were spent bullets found at the two
7 crime scenes in this case?

8 A Yes, sir.

9 Q How many are you aware of that were found
10 total?

11 A Four.

12 Q And did you find any shell casings?

13 A No. None.

14 Q To your knowledge, was there any shell casings
15 whatsoever found at any of these crime scenes.

16 A No.

17 Q If a bullet is discharged from a firearm,
18 would you expect there to be a shell casing left over?

19 A Sometimes, yes.

20 Q Now, some firearms expel them and some retain
21 them?

22 A That's correct.

23 Q But either way, you agree there would still be
24 a shell casing that went along with the dispelled
25 bullet?

1 A Yes, sir.

2 Q Okay. Now, in terms of gunshots potentially
3 involved in your incident, how many gunshots
4 approximately can you account for?

5 A Four for sure and possibly five, maybe more.

6 Q Okay. And which different -- what leads you
7 to those conclusions? If you could walk us through it.

8 A Okay. Well, we found four spent bullets, so
9 that four we can account for those. When I met with
10 Dr. Palma, who works for the Medical Examiner's Office,
11 he advises that they found some possible signs of other
12 bullets that could have been fired. We just couldn't
13 tell for sure.

14 Q Okay. And you had one in Megan?

15 A Yes.

16 Q Two or more with Greg?

17 A Yes.

18 Q Where do you get the other ones? Walk us
19 through that, please.

20 A Okay. The first responding deputy was Deputy
21 Silva. He advised us that he found a spent bullet
22 laying in the driveway of the residence.

23 Q All right. And did you have any holes that
24 coordinated potentially with that bullet?

25 A Yes, we did.

1 Q And where was that?

2 A That was in the southeast bedroom where we
3 think is where Megan's bedroom was. There was a hole in
4 the wall that led right out to the front of the
5 residence.

6 Q Okay. And so that gets us to four. Where is
7 the fifth?

8 A The fifth was found in a garbage bag that was
9 located in the west garage, along with other items in a
10 garbage bag.

11 Q Were there any holes within the residence that
12 potentially coordinated to that one?

13 A We didn't find any holes downstairs. There
14 were no holes in the garbage bag itself. So it was
15 placed in there with the other items. It wasn't shot
16 and landed in the garbage bags in other words.

17 Q Were there any master bedroom holes that may
18 have coordinated with that shot before it was removed?

19 A Yes, sir. We believe there was, yes.

20 Q And where was that hole?

21 A When you enter the master bedroom from the
22 dining room area, which is where the door is, when you
23 turn to the right, there's a corner of a wall. And
24 approximately five feet up or so, there was a hole that
25 appeared to be like a bullet hole, I've seen those

1 before, right in the corner.

2 Q Okay. In terms of items found or not found,
3 you're aware that Margaret's body was found with no
4 shoes?

5 A Yes.

6 Q Did you ever find any shoes that coordinated
7 to what you saw her wearing on the Wawa surveillance
8 video?

9 A No, sir. We did not.

10 Q Nothing consistent with that?

11 A No, sir.

12 Q You're aware that there were some what
13 appeared to be shoe prints in the east garage that
14 looked like they were in blood. Do you remember seeing
15 those?

16 A Yes, sir. I do.

17 Q Did you find any shoes or flip-flops or
18 footwear in the residence that appeared to match those
19 prints?

20 A No, sir. We did not.

21 Q Now, there's been some discussion -- I want to
22 talk to you about the little boy's room. Let me pull
23 another photograph.

24 In terms of Tristen, you're aware that some people
25 saw him on certain dates. But there are a lot of

1 indications that Tristen is not present when we know
2 where the defendant is?

3 A Yes.

4 Q Is that fair?

5 A Yes, sir.

6 Q Did you notice anything relevant in Tristen's
7 room that might assist in explaining where Tristen could
8 have been?

9 A Yes. We did.

10 Q Okay. And I'm looking for the photographs.
11 There we are.

12 THE COURT: 148? 155?

13 Q (By Mr. Sarabia) There's something in
14 particular I want to show you. I want to show you a
15 photograph, State's 3. It was taken by Deputy
16 Heidgerken. I want to draw your attention to the
17 doorknob. Do you see that?

18 THE WITNESS: Is it okay if I --

19 THE COURT: Yes. Step down.

20 Q (By Mr. Sarabia) Could you step down. Please
21 do.

22 THE COURT: Yes.

23 A Yes, I do.

24 Q (By Mr. Sarabia) And do you recognize that?
25 Is that the door that leads to into Tristen's bedroom?

1 A Yes.

2 Q If that door is closed, is there any other
3 way, unless someone was to jump out a window, to enter
4 or exit that bedroom?

5 A No, sir. That's the only entrance.

6 Q And do you see that doorknob there from early
7 in the day on August 28, 2014?

8 A Yes, sir.

9 Q Now, did it look different when you were
10 walking around on September 4th of 2014?

11 A Yes, sir. It did.

12 Q That is State's 153.

13 Could you describe to the jury how that looks
14 different?

15 A One of the first things that I noticed was
16 there was a cup and part of a slice of pizza. And then
17 I realized that the doorknob had been changed.

18 Q Okay. And the doorknob, that's a door that --
19 is there a door, a lock that can be locked from the
20 outside and people on the other side of the door would
21 be unable to unlock it without keys?

22 A That's correct.

23 Q Now, did you find -- was there anywhere in the
24 residence that was missing a doorknob or a door lock?

25 A Yes, sir. There was.

1 Q And that explains State's 71. Do you
2 recognize that?

3 A Yes.

4 Q And now that unfinished door, did that have
5 any kind of door hardware where a doorknob or door lock
6 would be?

7 A Yes. That's a hole that you can see through
8 the door.

9 Q Okay. And where you would potentially put a
10 lock or a knob or some other hardware in order to
11 utilize the door?

12 A Yes.

13 Q Okay. And you may resume your seat.

14 Detective Cougill, based on your experience and
15 general knowledge, to change a doorknob, does that
16 generally require either screws or screw guns?

17 A Yes. Screwdriver or screw gun, something like
18 that.

19 Q Now, I would like to go through a number of
20 different photographs with you. If you need to step
21 down, you can. Please do.

22 A Okay.

23 Q As part of your investigation, did you receive
24 Craigslist records and have an opportunity to review
25 those?

1 A Yes, I did.

2 Q Now, the photographs here in the Craigslist
3 ad, do you recognize the location that the first one
4 there was taken?

5 A Yes.

6 Q And can you describe how for the jury and
7 where it was taken?

8 A Okay. So this would be upstairs (indicating).
9 When you come up the stairwell, you're looking directly
10 into like a dining room area with no dining room table.
11 To the right is the kitchen. To the left also the
12 living room. So as you're looking straight ahead, there
13 was an area kind of sectioned off with a makeshift
14 border to keep the small dogs inside.

15 And so if you see down in the bottom of this
16 picture, that's the border right here (indicating). It
17 kind of looks like a narrow closet door that had been
18 taken apart and they were laying on the ground, black
19 tape holding them together, including all the newspaper
20 and all of that.

21 Q Now, this photograph right next to it, is that
22 flooring and that wall color consistent with the
23 residence of 7719 Hatteras Drive?

24 A Yes, sir.

25 Q In the upstairs area?

1 A (Nodding head.)

2 Q And these two photographs, do these both
3 appear to be consistent based on the tile and the
4 sliding glass door there with 7719 Hatteras Drive?

5 A Yes.

6 Q Now, this item right here created on August
7 29th of 2014, do you see where I'm reading right here
8 (indicating)? Do you agree with me that it says that?

9 A Yes.

10 Q Created on August 29, 2014?

11 A Yes.

12 Q What is this for?

13 A It's for a Bose, like a small Bose stereo
14 system.

15 Q And did you find a Bose speaker that looks
16 like this in the residence?

17 A Yes, sir. We did.

18 Q Do you recall where it was?

19 A In the living room on a small table.

20 Q I'm going to display State's -- well, I'm
21 going to display State's 489 previously entered. Do you
22 recognize that?

23 A Yes, sir.

24 Q Is that the Bose speaker that was in 7719
25 Hatteras Drive when law enforcement was present?

1 A Yes, sir, it is.

2 Q Now, this ad in particular, we referenced it
3 during previous testimony, but do you agree with me that
4 it says, record created Friday August 29, 2014?

5 A Yes, sir.

6 Q And what is this for?

7 A This is for a wooden entertainment center.

8 Q Okay. And do you recognize the entertainment
9 center pictured in the photograph attached to this ad?

10 A Yes, I do.

11 Q And where have you seen that before?

12 A In the living room area of the residence on
13 the top floor.

14 Q Okay. This ad right here (indicating). And
15 you would agree with me that the record created date
16 again says August 29, 2014?

17 A Yes.

18 Q And what is this ad for?

19 A That's for the same entertainment center.

20 Q Go ahead and read it to yourself for a minute.

21 A Oh, I'm sorry. This ad is for the Samsung
22 flat screen TV.

23 Q And does the picture appear to be the same one
24 in the previous ad?

25 A Yes.

1 Q So does this appear to be the same
2 entertainment center you saw at 7719 Hatteras Drive?

3 A Yes, it does.

4 Q And this ad, would you agree with me that this
5 was created August 29th of 2014?

6 A Yes.

7 Q And those photographs, do you recognize where
8 those appear to have been taken?

9 A Yes. They appear to be taken upstairs as well
10 because of the color of the tile. The same tile work.

11 Q Now, the photograph on the left, is that a
12 photograph that was actually recovered from the phone
13 that was found in Mr. Matos's hotel room?

14 A Yes, it was.

15 Q And we talk about that with Detective Bossone.
16 So the photo on the defendant's phone coordinates to the
17 photo in the Craigslist ad; do you agree?

18 A Yes, sir.

19 Q And there are additional photographs as part
20 of that record of that particular ad. Do you recognize
21 those locations?

22 A Yes, sir. I do.

23 Q And where do those locations appear to be?

24 A These appear to be upstairs in kind of like
25 the dining room, kitchen area. You can see the windows

1 match what I observed that day when I arrived and the
2 color and the tile and some of the furniture. They're
3 all generally in the same area.

4 Q Okay. And particularly I want to talk about
5 this photograph in the upper right. Was that a full
6 photograph that was also recovered from Mr. Matos's
7 phone?

8 A Yes, sir. It was.

9 Q And the last two photographs associated with
10 that same ad; do you recognize those locations?

11 A Yes, sir.

12 Q And where are those locations?

13 A The same kitchen area. You can see some of
14 the furniture that I recognize from the kitchen area.

15 Q In particular, the piece of furniture that
16 appear to have onions on it, do you recall seeing that
17 in the kitchen?

18 A Yes.

19 Q And drawing your attention to that photograph,
20 was that another photograph that was recovered off of
21 Mr. Matos's phone in full?

22 A Yes, sir. It was.

23 Q I'm going to skip a couple of ads for dogs.
24 Actually, no, I am not.

25 Now, this ad, would you agree with me that it has a

1 record created date of September 1, 2014?

2 A Yes.

3 Q And there are photographs associated with this
4 advertisement as well?

5 A Yes.

6 Q I'm going on to the second page. Are some of
7 these photographs the same photographs as in the
8 previous? I'm going to zoom out.

9 A Yes, sir.

10 Q And in particular, this last ad, these last
11 two photographs, do you see the one on the left that
12 appears to be a person holding a dog upside down?

13 A Yes, sir.

14 Q Is that a photograph that you also recovered
15 in full, not just the thumbnail, from Mr. Matos's phone?

16 A Yes, it is.

17 Q I want to draw your attention also to that arm
18 and that article of clothing. Skipping ahead a little
19 bit. Did you recover or have you reviewed video
20 surveillance from a Wal-Mart that was collected by
21 another detective in this case?

22 A Yes, I did.

23 Q And in particular, does that clothing item
24 appear to be consistent with the shirt that the
25 defendant is wearing in that surveillance video?

1 A Yes, sir.

2 Q Turning your attention to the next Craigslist.
3 Do you agree with me that the record created date is
4 Tuesday, September 2nd of 2014?

5 A Yes.

6 Q And would you agree with me that there's a
7 picture taken of a tablet where the date and time appear
8 to be on the tablet of September 2nd and 12:16 PM?

9 A Yes, sir.

10 Q Now, I want to show you what has already been
11 entered into evidence as State's 620. Does that appear
12 to be the same tablet or an identical tablet to the one
13 pictured in the photograph on the Craigslist ad?

14 A Yes, sir.

15 Q Turning your attention to the next ad. Do you
16 agree with me that the record created date here is
17 September 2nd of 2014?

18 A Yes.

19 Q Do you recognize the location in the
20 photograph that accompanies this advertisement?

21 A Yes. That appears to be the kitchen area.
22 You can see some of the kitchen top -- the counter top.

23 Q That would be the kitchen counter at 7719
24 Hatteras Drive?

25 A Yes, sir.

1 Q I'm showing you a record -- another page of
2 that same Craigslist record. That is State's 565.

3 Would you agree with me that the record created
4 date is August 29th of 2014?

5 A Yes.

6 Q And what is this advertising?

7 A A Samsung tablet.

8 Q Does it appear to be the same one that we
9 looked at in the earlier photograph, the item of
10 evidence that we just displayed for the jury?

11 A Yes, sir.

12 Q I want to draw your attention to a particular
13 ad made prior to the -- prior to your offense date.
14 This ad in particular (indicating), would you agree with
15 me that the post or e-mail is jakevns0@gmail.com?

16 A Yes, sir.

17 Q And that is poster ID is 68.200.111.86?

18 A Yes.

19 Q Would you agree with me that this record was
20 dated August 1st of 2014?

21 A Yes, sir.

22 Q And would you agree that this is advertising
23 locksmith services?

24 A Yes.

25 Q And can you read the body of the post there?

1 A "Locked out of your house, I only charge \$50.
2 Call Adam." And then it lists his phone number
3 484-951-2687.

4 Q Now, is that a phone number that you've seen
5 multiple places within your investigation?

6 A Yes.

7 Q Now, the \$50, is it written correctly?

8 A No. It's not.

9 Q And what is kind of unique about the way that
10 that is written?

11 A The dollar sign is behind the zero.

12 Q Okay. Now, with regard to finding these
13 Craigslist ads and these items and the indication that
14 things were being sold, did you also check pawn history
15 to see if anyone named Adam Matos had pawned anything in
16 the area?

17 A Yes, I did.

18 Q And were you able to find any records of pawn
19 history?

20 A No.

21 Q Now, I want to walk through with you through
22 some particular credit cards and records referencing
23 those credit cards. I'm showing you State's 301.

24 I don't know if I would touch that if I were you.

25 Can you see that well enough to read the last four

1 digits of the credit card number?

2 A No. Let me see if I can. There it goes.

3 Yes.

4 Q And what are the last four digits on that
5 credit card or debit card?

6 A 9916.

7 Q And who's name is it in?

8 A It's in Margaret Brown.

9 Q And we've already heard testimony, I'm sure
10 you're aware that this credit card was found on Greg
11 Brown's person?

12 A Yes.

13 Q Now, this particular credit card number, did
14 that have relevance within your investigation in other
15 places?

16 A Yes, it did.

17 Q And in particular, I want to draw your
18 attention to State's 14. Have you seen this before?

19 A Yes, sir.

20 Q And you're aware that this is a surveillance
21 still from NAPA --

22 A Yes.

23 Q -- Auto Parts?

24 A That's correct.

25 Q What -- why was this relevant to your

1 investigation?

2 A Okay. Well, first of all, it appears to be
3 Gregory Brown. And he used that particular debit card
4 to make a purchase. He purchased a spark plug and a
5 spark plug gauge, which looks like a coin. Very thin
6 silver item. And so -- and also in particular about
7 this photograph, he's wearing what appears to be the
8 same clothes that we found him that day in the pile of
9 bodies murdered with the white T-shirt and plaid shorts.
10 This photograph was taken on August 28.

11 Q Okay. Give me just a second.

12 A And I forgot one thing, sir. Can I add?

13 Q Sure.

14 A The spark plug gauge was found in his pocket
15 as well, along with the credit card.

16 Q All right. And were you also able to review
17 the NAPA receipt with regard to that transaction so that
18 you would know what was purchased?

19 A Yes.

20 Q Okay. Okay. And I'm showing what's labeled
21 Page 4 of 6. I believe it's one of multiple documents
22 on State's 635.

23 As part of your investigation, did you receive a
24 records from Wells Fargo with reference to Margaret
25 Brown's accounts?

1 A Yes.

2 Q And in particular, did you review a
3 transaction indicating a check card purchase 8/28 NAPA
4 store, Hudson, Florida where the last four digits of the
5 credit card were 9616?

6 A Yes, sir (indicating).

7 Q And in addition to that, just above it, did
8 you also take note of a Walgreens purchase listed on
9 8/28, with the same 9616 number for a debit card there
10 as well?

11 A Yes.

12 Q And are you aware that there was video
13 surveillance recovered from the Walgreens?

14 A Yes, sir.

15 Q And I'm going to try and publish that now
16 because we haven't yet looked at it.

17 This may not go in chronological order, but I'll do
18 my best. I'm going to move this to about six minutes --
19 or try to move this six minutes in.

20 (Thereupon, State's exhibit is published.)

21 Okay. In a couple seconds there will be a vehicle
22 that drives by. I want you to tell me if that vehicle
23 had relevance to your investigation.

24 A Okay. Yep. Yes, it did.

25 Q And was that a vehicle that you were

1 interested in keeping track of throughout the date
2 range, August 28th and September 4th?

3 A Yes, sir.

4 Q In a couple seconds more there's an individual
5 who's going to enter. I want you to tell me if he had
6 relevance to your investigation.

7 A Yes, sir. He did.

8 Q And in particular, the clothes that he was
9 wearing, did that appear to be the same as you saw in
10 the NAPA surveillance still?

11 A Yes, sir.

12 Q And does it appear consistent with the
13 clothing you found on Gregory Brown when his body was
14 recovered?

15 A Yes, sir.

16 Q I'm going to fast forward this.

17 Does that appear to be the same individual leaving?

18 A Yes, sir.

19 Q I'm going to push it ahead a couple of
20 seconds. Maybe not.

21 And again, I want to draw your attention to --
22 there's a vehicle that's going to drive by in a moment
23 whether that vehicle was one that had relevance to your
24 investigation.

25 A Yes, sir. That vehicle there (indicating).

1 Q And again, does that appear to be a silver van
2 that who's whereabouts you were interested in during
3 this time period?

4 A Yes, sir.

5 Q Now, the individual that just walked into the
6 camera frame, does that appear to be the same individual
7 that we observe walk in and appears to be the same
8 person in the NAPA surveillance still?

9 A Yes, sir.

10 Q And does it appear that he's making a
11 transaction at the register in this particular
12 surveillance video?

13 A Yes, sir.

14 Q And would that be consistent with the Wells
15 Fargo records for credit card ending in 9616?

16 A Yes.

17 Q I'm going to have to move this. I'll try.
18 And is this another angle of the parking lot of
19 that same Walgreens that we could see part of through
20 the doorway in the last surveillance --

21 A Yes, sir.

22 Q -- shot?

23 And is that the person you were interested in
24 getting out of the vehicle that you were interested in?

25 A Yes, sir, it is.

1 Q I'm going to fast forward a little bit.

2 I went forward a little too far.

3 And again, is that the person that you were
4 interested in returning to the vehicle that you were
5 interested in and that vehicle exiting the parking lot?

6 A Yes, sir.

7 Q Okay. Now, that vehicle in particular,
8 because Deputy Heidgerken had taken photographs at 7719
9 Hatteras Drive the morning of August 28, 2014, do you
10 know where that vehicle had been parked that morning?

11 A When Deputy Heidgerken was there?

12 Q Yes. And I'll display a photograph for you as
13 soon as I can switch back.

14 A Okay.

15 Q And you did get to review the photographs
16 taken by Deputy Heidgerken?

17 A Yes, sir, I did.

18 Q And was this one of the ones that you
19 reviewed?

20 A Yes.

21 Q And do you see a silver van parked anywhere in
22 this photograph at 7719 Hatteras Drive?

23 A Yes.

24 Q Where would that be?

25 A We're calling that the west garage.

1 Q And to be clear, that is not the same location
2 it was in when law enforcement arrived on September 4,
3 2014?

4 A That's correct. It's not.

5 Q Where was it when law enforcement arrived on
6 September 4, 2014?

7 A It was backed into the east garage.

8 Q Do you still have that item of evidence? Did
9 I leave that up there?

10 A No.

11 Q Okay. Now, I want to talk to you about
12 another credit card and some other surveillance.

13 Do you recognize -- I'm just going to use the
14 stills because we previously published the other
15 surveillance videos.

16 We're displaying State's 17. Do you recognize this
17 surveillance still?

18 A Yes.

19 Q And would you agree with me that the -- that
20 the time stamp there and the date stamp appear to be
21 4:52 PM on August 28th of 2014?

22 A Yes.

23 Q And can you tell us, did this particular
24 surveillance still or this surveillance video that
25 accompanies it have any relevance to your investigation?

1 A Yes, it did.

2 Q And did this transaction at the Wawa at Ridge
3 and 19, coordinate to a transaction on the records you
4 received from Wells Fargo?

5 A Yes.

6 Q And using the records that you received from
7 Wells Fargo, were you able to match up the credit card
8 number -- did that accompany that particular purchase?

9 A Yes.

10 Q And we're going to be looking at State's
11 Exhibit 635. Page 8 of 13.

12 I want to draw your attention to the transaction
13 starting with check card purchase 828 Wawa, 5108, Port
14 Richey, Florida. Does it indicate the credit card
15 number for that purchase?

16 A Yes, sir, it does.

17 Q And what are the last four digits of that
18 credit card number?

19 A 7785.

20 Q Now, was there a further purchase with this
21 same credit card number that was of interest to your
22 investigation?

23 A Yes, sir, there was.

24 Q And do you see it there on those records?

25 A Yes, I do.

1 Q And could you please point it out and read it
2 for us?

3 A It's this area right here (indicating). Check
4 card purchase on 8/29. That's at the Wal-Mart in
5 Hudson, Florida. And it's got the same last four 7785.

6 Q Okay. And are you aware or did you recover
7 any surveillance video or surveillance stills
8 coordinating to a Wal-Mart purchase on 8/29?

9 A Yes, we did.

10 Q And I'm showing you State's 21. We've already
11 seen the full surveillance videos for these different
12 screen shots. I'm showing you State's 20.

13 Are those surveillance stills from the surveillance
14 video that was of interest to you with regard to that
15 Wal-Mart purchase?

16 A Yes.

17 Q And I'm also going to display State's 602, the
18 Wal-Mart receipt. And does that also indicate the last
19 four digits of a credit card number?

20 A Yes.

21 Q And can you tell what was purchased?

22 A Up here (indicating) -- well, it's got several
23 items on here. I know that only one was purchased based
24 on our investigation. This item here, the shovel, that
25 was purchased (indicating). And the Play Station -- it

1 looks like PlayStation 4 was attempted and then voided
2 because it wouldn't work. So the only thing purchased
3 at this time was the shovel.

4 Q Okay. And that particular credit card, are
5 you aware that that credit card was discovered in a
6 trash bag in a Camel Crush cigarette pack in the west
7 garage of 7719 Hatteras Drive?

8 A Yes, sir.

9 Q And I'm showing you what's been already
10 entered into evidence as State's 399. Would you agree
11 with me that one of those credit cards is the same
12 credit card number on the Wawa and Wal-Mart transactions
13 we were just looking at?

14 A Yes, sir, it is.

15 Q Now, I want to draw your attention to another
16 credit card number. Are you aware -- and, I'm sorry.
17 This one ending in 7785 that we were just talking about,
18 can you tell me whose name is associated with that card?

19 A Margaret Brown.

20 Q I want to draw your attention to a card ending
21 in 2113.

22 Did you trace some history with regard to that
23 particular debit card?

24 A Yes, sir, we did.

25 Q And did you review these same Wells Fargo

1 records that we've been looking at with regard to that
2 credit card number?

3 A Yes.

4 Q And in particular I want to draw your
5 attention to Page 3 of 5 as part of that record.

6 Do you see those two transactions right there?

7 A Yes.

8 Q Can you read them both for us.

9 A The one on top is check card purchase 9/1 at
10 Winn Dixie in Hudson, Florida with the last four of
11 2113. And the second purchase is a check card purchase
12 on 9/2, at -- it's Papa Johns, which is Papa Johns
13 Pizza. And that also has the same last four debit card
14 number, 2113.

15 Q I'm not going to show up the Papa Johns
16 receipt, but we have a Papa Johns receipt in evidence.
17 But with regards to that Winn Dixie transaction, are you
18 aware whether or not surveillance from Winn Dixie was
19 recovered that would coordinate with that transaction?

20 A Yes, sir.

21 Q And I'm displaying State's 23 and State's 606
22 and State's 607. Have you been able to review these
23 previously?

24 A Yes, sir.

25 Q And would you agree that the items that appear

1 to be purchased, in addition to in the surveillance
2 video, appear to be a cigarette pack, a Yingling beer,
3 and a milk jug?

4 A Yes, sir. Right here (indicating).

5 Q Okay. Now, I want to draw your attention to
6 the clothing that the person is wearing that appears to
7 be making those purchases.

8 Do you recognize the writing on that particular
9 shirt?

10 A Yes, sir.

11 Q And there again, on the shirt the person is
12 wearing there, do you recognize that writing? Does it
13 appear to be familiar to you?

14 A Yes, sir.

15 Q I also want to show you State's 24. Have you
16 seen these before?

17 A Yes, sir.

18 Q And do you recognize the writing on the shirt
19 that the individual is wearing in these photographs?

20 A Yes, sir, I do.

21 Q Does it appear to be the same shirt?

22 A Yes.

23 Q Are you aware whether or not a shirt that has
24 that writing on it was recovered?

25 A Yes, I am aware. We did.

1 Q If you'll look at that, does that shirt have
2 the same writing on it that the shirt on the pictures we
3 were just looking at has?

4 A Yes.

5 Q Now, Detective Cougill, you're aware -- I
6 believe we already had testimony -- that this was found
7 in a garbage bag.

8 You wear shirts, right?

9 A Yes.

10 Q You're wearing a shirt right now, right?

11 A Yes.

12 Q When you take your shirts off, do you throw
13 them in the garbage?

14 A Not normally, no.

15 Q Okay. You can resume your seat.

16 Now, we were just talking about that credit card
17 ending in 2113. Again, I'm going to show you State's
18 399. And you'd agree with me in State's 399 there's
19 actually three different cards in here?

20 A Yes.

21 Q I want to draw your attention to a different
22 one from the one we were looking at a moment ago. Can
23 you read what the last four digits are of that -- of the
24 second Wells Fargo debit card?

25 A Yes, 2113.

1 Q The same four digits that we just observed on
2 the Wells Fargo bank records with the Papa Johns and the
3 Winn Dixie transaction?

4 A Yes, sir.

5 Q And whose name is on this card?

6 A Margaret Brown.

7 Q Now, we mentioned the couple times Camel Crush
8 cigarettes. Are you aware whether there were either
9 what appeared to be Camel Crush cigarettes butts or
10 Camel Crush cigarette packs located within 7719 Hatteras
11 Drive?

12 A Yes. We did find some.

13 Q Can you tell the jury approximately what
14 different locations did you find those in?

15 A There were some outside on the east side of
16 the property. There was a cigarette butt in the east
17 garage kind of behind the silver van. Some upstairs and
18 some near the front door.

19 Q And the east side of the residence, is that
20 the same side of the residence that the loosely -- the
21 loose dirt was --

22 A Yes.

23 Q -- that you had forensic technician Michael
24 Coats dig a hole to see if there was anything to be
25 found in there?

1 A Yes, sir.

2 Q Okay. I want to talk to you a moment about
3 that hole and the shovel.

4 A And you're aware that there was a shovel in the
5 silver van when you guys arrived?

6 A Yes, sir.

7 Q How did the silver van smell?

8 A Very foul. Decomposition smell.

9 Q And was aside from the shovel, were there a
10 whole bunch of magots and stains in that same area?

11 A Yes.

12 Q And are you -- I assume you're aware that
13 there was a shovel sticker label found in the loosely
14 tilled dirt?

15 A Yes.

16 Q Now, if you could, I'm showing you State's
17 262 -- and you may want to use gloves -- and State's
18 503.

19 We talked about this a little bit before, but could
20 you open those up and display for the jury, and if you
21 could step down, whether or not that sticker fits with
22 the remnants of the sticker on the shovel that was found
23 in the van?

24 A Okay.

25 Q And actually walk it.

1 A Let me get another glove on.

2 Q That's okay.

3 A So this was the sticker that we found in the
4 hole that was dug on the east side of the residence
5 (indicating). And as you can see, it's kind of a
6 display sticker when it's hanging at the store. And it
7 matches up here on the face of the shovel (indicating).

8 Q All right. If you could replace that in the
9 bag for me.

10 In particular, I'm going to redisplay State's 21
11 regarding her testimony previously. This was a still
12 shot from the Wal-Mart surveillance video.

13 Would you agree with me that there appears to be a
14 sticker consistent with the sticker we were just looking
15 at on the shovel in that surveillance still?

16 A Yes, sir. (indicating.)

17 Q You may resume your seat, Detective.

18 In regards to holes, now, have you ever lived up
19 north in the Pennsylvania area?

20 A I lived --

21 Q Or lived up that way?

22 A I've lived in Virginia. I have family in
23 Pennsylvania. Been there many times.

24 Q Okay. And obviously you live in Pasco County
25 or thereabouts now?

1 A Yes.

2 Q And work there.

3 And you were out at the area of Old Dixie Highway
4 in the area of 7719 Hatteras drive back on September 4th
5 and the surrounding days or subsequent days.

6 Are you familiar with what happens when you try and
7 dig a hole in that area of Old Dixie Highway that's more
8 than a foot-and-a-half, two feet deep?

9 A Yes.

10 Q Can you describe for the jury what happens?

11 A You're going to run into lime rock. Very,
12 very difficult to dig through.

13 Q And lime rock, is that something that if you
14 want to really dig through, you generally need like
15 drilling equipment or something?

16 A Typically, yes.

17 Q That shovel that we just looked at, is that
18 going to get you through lime rock in any kind of
19 reasonable amount of time?

20 A No.

21 Q What about Pennsylvania? Can you dig holes in
22 Pennsylvania that are six feet, ten feet deep?

23 A Usually yes.

24 Q Do you have the same problem with lime rock
25 that you're going to be stopped as soon as you get below

1 the top layer of soil?

2 A Not that I'm aware of, sir.

3 Q Now, you when you were at the scene of 7719
4 Hatteras Drive, you had an opportunity to walk around in
5 the west garage?

6 A Yes.

7 Q And in particular I want to draw your
8 attention -- I'm going to display State's 77.

9 Do you see something between that vehicle and the
10 exit that would be through the garage door or the
11 entrance through the garage door?

12 A Yes, sir.

13 Q What is between that vehicle and the entrance
14 or exit from the garage door?

15 A Right in this area, there's a appears to be a
16 white mattress (indicating).

17 Q Was that relevant to your investigation?

18 A Yes, sir.

19 Q Was it relevant that that mattress was placed
20 behind the vehicle?

21 A Yes, sir. It was.

22 Q Did you have indication through your
23 investigation when that vehicle would have gotten to
24 7719 Hatteras Drive, without going into the details of
25 what was said?

1 A Yes, sir.

2 Q And would that mattress have had to have been
3 placed behind that vehicle after it arrived in the
4 garage?

5 A Yes.

6 Q And was that mattress a particular item of
7 interest to you?

8 A Yes, sir. It was.

9 Q And why was that?

10 A First of all, when we discovered it, we
11 noticed what appears to be blood on it. And it also has
12 a section cut out of the top of it.

13 Q And you're aware that there was a pillow top
14 section that appeared to have been cut off of the
15 mattress found in the garbage in that same garage?

16 A Yes.

17 THE COURT: Can we have the lawyers at the
18 bench briefly.

19 Detective, if you can have a seat just for a
20 minute.

21 (BENCH CONFERENCE.)

22 THE COURT: What are you doing?

23 MR. MICHAÏLOS: I'll sit down. I'm sorry.

24 THE COURT: I gave you the first one, but now
25 you've spent at least five minutes while he's

1 questioning the witness standing up here.

2 MR. MICHAÏLOS: I'm sitting down.

3 THE COURT: Well, I'm going to -- we've been
4 up an hour and 30 minutes, so I'm going to send the
5 jury into the rest room. And in the meantime you
6 can find whatever it is you're looking for.

7 MR. MICHAÏLOS: Okay. I apologize.

8 (OPEN COURT.)

9 THE COURT: Ladies and gentlemen, we're going
10 to take a restroom break at this point. I'm going
11 to have you go into the jury room and freeze, I
12 guess. We'll try to work on that tomorrow, I
13 promise.

14 But we're just going to let everyone take a
15 restroom break. And then once you come back, we'll
16 finish up the witness. Okay?

17 So we'll be in recess until the jury returns.

18 Detective, if you need to take a break --
19 Detective, if you need to take a break, you need to
20 step off. Just don't talk about your testimony.
21 Okay?

22 THE WITNESS: Yes, ma'am .

23 THE COURT: All right.

24 (RECESS.)

25 (OPEN COURT.)

1 (Defendant present.)

2 (Jury absent.)

3 THE COURT: Have they knocked?

4 THE BAILIFF: Yes, Judge.

5 THE COURT: All right. Everybody take their
6 seats. We'll bring the jury back in.

7 THE BAILIFF: Jurors entering the courtroom,
8 Your Honor.

9 THE COURT: Thank you.

10 (Jury present.)

11 THE COURT: They're getting good. I heard
12 that secret knock they've got going there.

13 THE BAILIFF: Jurors all present and seated,
14 Your Honor.

15 THE COURT: All right. Ladies and gentlemen,
16 thank you very much. That one was for me.

17 State, you may proceed.

18 MR. SARABIA: Thank you, Judge.

19 Q (By Mr. Sarabia) Detective Cougill, I want to
20 draw your attention to what's been entered into evidence
21 as 593.

22 Have you had an opportunity previously to review
23 phone records for the phone number (484) 951-2687?

24 A Yes, sir.

25 Q And you would agree that that is the same

1 phone number listed on all the Craigslist ads that we
2 reviewed already?

3 A Yes, sir.

4 Q In particular, from August 27, 2014, until
5 approximately 6:00 in the morning of August 28, 2014,
6 did you have an opportunity to review and count the
7 number --

8 MR. MICHAÏLOS: Objection. Cumulative, Judge.

9 THE COURT: Overruled. You may proceed.

10 Q (By Mr. Sarabia) Count the number of attempts
11 that this phone number made to reach (727)207-6640,
12 which I believe we previously heard testimony was Megan
13 Brown's number.

14 A Yes, sir.

15 Q Approximately how many different attempts to
16 contact are there?

17 A Approximately 185.

18 Q Okay. And that would include both the zero
19 duration, which would be text messages and the other
20 durations?

21 A Yes.

22 Q And then subsequent to approximately 6:00 in
23 the morning, do you have an opportunity to count the
24 number of times that this phone number attempts to
25 contact (727)207-6640 again?

1 A Yes.

2 Q And how many times after about 6:00 in the
3 morning?

4 A Approximately 75 times.

5 Q And with the exception of one call, do they
6 largely end at about 8:00 in the morning on August 28,
7 2014?

8 A To that phone number, yes.

9 Q And then I want to draw your attention, is
10 there one more attempt from (484)951-2687 to reach
11 (727)207-6640 at 4:13 in the afternoon of August 28,
12 2014?

13 A Yes. Yes, sir.

14 Q Now, interspersed within that time period of
15 August 27th until 4:13 on August 28th, were there also
16 attempts or contacts with (727)488-8804?

17 A Yes.

18 Q And were there also some attempts at contact
19 of (610)704-6583?

20 A Yes, sir.

21 Q Which I believe we previously heard testimony
22 today from Detective Bossone that that matched one of
23 the phones in the kitchen. After 4:13 on August 28th,
24 have you reviewed the records to determine if
25 (484)951-2687 ever attempts to contact any of those

1 three numbers? And I'll say them again, (727)207-6640,
2 also (727)488-8804, and the (610) number that I
3 mentioned, ever attempt to contact them again?

4 A I did review that and I did not find any
5 attempts.

6 Q I'm going to display State's Exhibit 637,
7 which I think we just heard from a witness recently.
8 This was a screenshot pulled from Mr. Matos's phone.

9 Can you tell us, does this have any relevance to
10 your investigation?

11 A Yes, sir, it does.

12 Q Can you explain, is it a map that we're
13 looking at?

14 A Yes, sir. It's a map.

15 Q Do you recognize the area that the map
16 depicts?

17 A Yes.

18 Q Could you please explain to the jury what area
19 this is.

20 A Okay. So we previously talked about Old Dixie
21 Highway, which is here (indicating), running almost
22 north. It comes up. And this road right here
23 (indicating), it goes all the way through this canal
24 community. That is Yachtsman. And you have Mako. And
25 then Hatteras to the north. When you keep going, you'll

1 pass Almond Drive and then you'll come to Bertram Drive.

2 Q And I also want to turn your attention to
3 State's 638, which I believe was another screenshot.

4 Does that have an address of 5625 (sic) Bertram
5 Drive on it for a dropped pin?

6 A Yes. 15625 Bertram Drive.

7 Q And 15625 Bertram Drive, is that an address on
8 the corner of Yachtsman and Bertram Drive?

9 A Yes, sir.

10 Q And while there's no date on this particular
11 screenshot, is there a time?

12 A Yes, there is.

13 Q And what is the time on it?

14 A If you look up here at the top (indicating),
15 10:13 PM.

16 Q So would that time be consistent with somebody
17 who is dropping a pin to let a taxi know where to pick
18 them up at about 10:30 to 11:00 at night?

19 A Yes.

20 Q All right. Detective, I want to draw your
21 attention back to September -- early morning hours of
22 September 5th of 2014.

23 Did you go with Detective Kennedy down to the
24 Floridan Hotel in Tampa?

25 A Yes, sir. I did.

1 Q And while -- when you went down there, did you
2 pass by a Greyhound Bus Station?

3 A Yes.

4 Q And did you observe a Greyhound Bus Station?

5 A Yes, sir.

6 Q Was the Greyhound Bus Station open at 2:30,
7 3:00 in the morning when you went down there?

8 A No, sir. It appeared to be closed.

9 Q And did you end up going into the Floridan
10 Hotel?

11 A Yes.

12 Q Were you assisted by Tampa Police Department
13 law enforcement officers?

14 A Yes.

15 Q And with the assistance of Tampa Police
16 Department, was Mr. Matos apprehended in one of the
17 hotel rooms there at the Floridan Hotel?

18 A Yes, sir.

19 Q And did you -- were you with Detective Kennedy
20 and go up and see the defendant with the Tampa Police
21 Department officers and go into the room that he had
22 just vacated?

23 A Yes.

24 Q And was there another person in that room?

25 A Yes, sir.

1 Q Who was the other person?

2 A It was his son Tristen. He's now Tristen
3 Brown is now his legal name.

4 Q And approximately how old was he?

5 A Approximately four years old.

6 Q Anyone else in that room other than law
7 enforcement officers?

8 A No, sir.

9 Q Now -- and was that about 6:15 in the morning
10 that that occurred where Mr. Matos was apprehended?

11 A Yes, sir.

12 Q And subsequent to that, did you and Detective
13 Kennedy and Mr. Matos go back to a Tampa Police
14 Department?

15 A Yes, we did.

16 Q And did you have an opportunity with Detective
17 Kennedy to sit down and talk to the defendant?

18 A Yes, I did.

19 Q When you spoke with him, did you inform him of
20 his Miranda rights?

21 A I did, yes.

22 Q And Miranda rights, that's what his rights
23 are, his right to remain silent, have an attorney,
24 things like that?

25 A Yes, sir. That's correct.

1 Q And did he agree to speak with you?

2 A Yes, he did.

3 Q And the conversation that you guys had, was it
4 captured on audio and video?

5 A Yes, it was.

6 Q And you reading him his rights, is that
7 included on the -- captured on the audio and video?

8 A Yes.

9 Q And I'm showing you State's 642.
10 Have you had an opportunity to review that
11 previously?

12 A Yes.

13 Q And do you know what it is?

14 A Yes, I do.

15 Q What is it?

16 A This is a disk with a copy of the audio and
17 video from that interview.

18 Q Okay. And I'm going to publish that in a
19 moment, but I also want to draw your attention to
20 State's 621.

21 In the following days after your conversation with
22 Mr. Matos, did Mr. Matos do an interview with some Tampa
23 Bay Times reporters?

24 A Yes, he did.

25 Q And in terms of making that happen or setting

1 it up or requesting that it be done, did the Sheriff's
2 Office have any involvement in that?

3 A No, sir.

4 Q But did you learn about it, that it was going
5 to happen?

6 A Yes, I did.

7 Q And did you attend that interview?

8 A I did, yes.

9 Q Were you present with Detective Kennedy?

10 A Yes.

11 Q Could you hear everything that the defendant
12 was saying?

13 A Yes, I could.

14 Q And State's Exhibit 621, is that a fair an
15 accurate copy of 12 or so minutes of that interview?

16 A Yes, it is.

17 MR. SARABIA: Just at this time, Judge, we'd
18 ask to publish?

19 THE COURT: All right. You may.

20 Before you publish, do you want me to read the
21 instruction?

22 MR. SARABIA: Yes, Judge.

23 THE COURT: All right. Ladies and gentlemen
24 you are about to view, listen to, and see the video
25 recording. The Court instructs you that the

1 recording has been edited to eliminate irrelevant
2 portions that would not add to your understanding
3 of the case. The fact that the recording has been
4 edited should not concern you in any way and must
5 not impact the way you view or listen to or
6 consider this evidence.

7 This instruction actually applies to both of
8 the videos that you will be watching.

9 I believe you're going to show them
10 back-to-back?

11 MR. SARABIA: Yes, judge.

12 THE COURT: They're going to be back-to-back
13 and that instruction goes for both videos.

14 All right?

15 You may proceed.

16 The court reporter's going to take down to the
17 best of her ability.

18 (Thereupon, State's Exhibit is published and
19 is presented in the following italicized type.)

20 *DETECTIVE COUGILL: All right. Everything*
21 *okay? All right. Listen, Adam. Again, I'm*
22 *Detective Cougill I talked to you briefly when we*
23 *were at the hotel. Just so that you know how your*
24 *son's doing, okay, he's fine. We've got really*
25 *good people with him. They know how to take care*

1 *of kids. He's a good-looking kid. He's bouncing*
2 *around the room having a good time, so he's fine.*
3 *I just want you to let you know that because I told*
4 *you I would.*

5 *THE DEFENDANT: Yes, sir.*

6 *DETECTIVE COUGILL: My name is Detective*
7 *Cougill, like I said. This is Detective Kennedy.*
8 *We work for the Pasco County Sheriff's Office.*
9 *Okay? And I don't know if you're aware or not, but*
10 *there was a warrant put out for your arrest for*
11 *something that happened between you and I guess*
12 *it's your ex-girlfriend Megan, like, last week.*
13 *Okay? I don't know if you're aware that deputies*
14 *were even called out to the house. But we needed*
15 *to come here and talk to you about some of the*
16 *stuff that took place with that and that's*
17 *basically why we're here and why we wanted to come*
18 *talk to you.*

19 *Now, obviously you're in cuffs and you're at a*
20 *police station, so I want to make sure that you*
21 *know what your rights are. Okay? Before I read*
22 *you your rights, I just want to make sure you're*
23 *who we're looking for.*

24 *Your name is Adam, right?*

25 *THE DEFENDANT: Yes.*

1 DETECTIVE COUGILL: What's your last name?

2 THE DEFENDANT: Matos.

3 DETECTIVE COUGILL: Is it Matos?

4 THE DEFENDANT: M-a-t-o-s.

5 DETECTIVE COUGILL: Okay. What's your date of
6 birth, Adam?

7 THE DEFENDANT: 10/28, 1985.

8 DETECTIVE COUGILL: Okay. And you're from the
9 Pennsylvania area, right?

10 THE DEFENDANT: Correct.

11 DETECTIVE COUGILL: All right. And what level
12 of education did you finish? Did you go all the
13 way through high school?

14 THE DEFENDANT: High school, some college.

15 DETECTIVE COUGILL: Okay. So you can read and
16 write English?

17 THE DEFENDANT: Uh-huh.

18 DETECTIVE COUGILL: These are cards that get
19 issued to us from our State Attorney's Office. I'm
20 going to read this to you. Okay?

21 If you have any questions, just stop me and
22 I'll answer any questions about the card and the
23 questions. Okay? These are just your rights that
24 we want to make sure you understand what they are.

25 You have the right to remain silent. Anything

1 you say can and will be used against you in a court
2 of law. You have the right to talk to a lawyer or
3 have him or her present with you while you're being
4 questioned if you wish. If you cannot afford to
5 hire a lawyer, one will be appointed to you to
6 represent you before any questioning. You can
7 decide at any time to exercise these rights and not
8 answer any questions or make any statements.

9 Now, do you understand the rights? Do you
10 have any questions about them?

11 THE DEFENDANT: No.

12 DETECTIVE COUGILL: Okay. Having these rights
13 in mind, will you talk to us now?

14 THE DEFENDANT: Sure.

15 DETECTIVE COUGILL: Okay. Okay. So your son
16 is Ismael, right?

17 THE DEFENDANT: Ismael Tristen Santisteban.

18 DETECTIVE COUGILL: Okay. How did he get the
19 last name?

20 THE DEFENDANT: I'm sorry. When -- when --
21 when I found out that I was going to be a father,
22 she left me and she got with her ex and she named
23 our son after him. And then --

24 DETECTIVE COUGILL: Okay.

25 THE DEFENDANT: -- when she -- when she

1 realized that, you know, it wasn't his, she told
2 him we were supposed to get his name changed but
3 she never went down herself.

4 DETECTIVE COUGILL: I understand.

5 So was there any biological test done that
6 ensured that he was your child?

7 THE DEFENDANT: Yes.

8 DETECTIVE COUGILL: Okay. Was that done in
9 Pennsylvania?

10 THE DEFENDANT: Yes, sir.

11 DETECTIVE COUGILL: Do you know roughly when
12 that took place?

13 THE DEFENDANT: This was about 2009.

14 DETECTIVE COUGILL: 2009? Okay. Good deal.

15 And so at some point you guys -- you're all
16 living in Pennsylvania. What part of Pennsylvania
17 are you guys all from?

18 THE DEFENDANT: Allentown.

19 DETECTIVE COUGILL: Allentown? Okay.

20 All right. And your -- and now Ismael's
21 mother, that's Megan?

22 THE DEFENDANT: Uh-huh.

23 DETECTIVE COUGILL: What's her last name?

24 THE DEFENDANT: Brown.

25 DETECTIVE COUGILL: Brown. Okay.

1 And what's her mom's name?

2 *THE DEFENDANT:* Margaret.

3 *DETECTIVE COUGILL:* Margaret. Okay.

4 And is Margaret married?

5 *THE DEFENDANT:* Yes.

6 *DETECTIVE COUGILL:* Who is she married to?

7 *THE DEFENDANT:* Greg Brown.

8 *DETECTIVE COUGILL:* Greg. Okay.

9 Is Greg and Margaret biological parents of
10 Megan?

11 *THE DEFENDANT:* Yes.

12 *DETECTIVE COUGILL:* Both of them?

13 *THE DEFENDANT:* Yes.

14 *DETECTIVE COUGILL:* Okay. And so then they're
15 grandparents of Ismael?

16 *THE DEFENDANT:* Right.

17 *DETECTIVE COUGILL:* Okay. And -- all right.

18 So the house out there on Hatteras, you know what
19 I'm talking about, the one here in Hudson?

20 Who owns that house?

21 *THE DEFENDANT:* I'm not sure.

22 *DETECTIVE COUGILL:* Okay.

23 *THE DEFENDANT:* His name is Bill.

24 *DETECTIVE COUGILL:* Bill? Okay.

25 Is he from Pennsylvania and you guys are

1 friends with him up there or something? Or --

2 THE DEFENDANT: Well, I guess they know him.

3 DETECTIVE COUGILL: Margaret and Greg?

4 THE DEFENDANT: Yes.

5 DETECTIVE COUGILL: Okay. And so at some
6 point -- and that big RV that's parked out front --

7 THE DEFENDANT: Yes.

8 DETECTIVE COUGILL: -- did you guys all drive
9 down together in that or all three of those cars?
10 How did all of those vehicles get down here?

11 THE DEFENDANT: Because, you know, one person
12 drove the RV; one person drove the vehicle --

13 DETECTIVE COUGILL: Oh, okay.

14 THE DEFENDANT: -- and I think they pulled one
15 on a hitch.

16 DETECTIVE COUGILL: Now, Megan is your ex?

17 THE DEFENDANT: Yeah.

18 DETECTIVE COUGILL: You guys weren't at
19 that -- so at this point you guys are not dating
20 each other; you're just living together because you
21 have a son together?

22 THE DEFENDANT: We were together when we moved
23 here. We were together.

24 DETECTIVE COUGILL: Oh, okay.

25 So you guys were boyfriend and girlfriend when

1 you moved down here and at some point you guys
2 broke up?

3 *THE DEFENDANT:* Right.

4 *DETECTIVE COUGILL:* When did you guys break
5 up?

6 *THE DEFENDANT:* About a week ago.

7 *DETECTIVE COUGILL:* A week ago? Okay.

8 Do you remember, what was that about?

9 *THE DEFENDANT:* Just a bunch of drama, Shit.
10 You know?

11 *DETECTIVE COUGILL:* Sure. Trust me. I know
12 what you're talking about. I've been divorced.
13 Okay? And I don't know why I got remarried, but I
14 did and I know what you're talking about.

15 So that was a week ago. Did you -- did you
16 know that she called the police?

17 *THE DEFENDANT:* No, I didn't.

18 *DETECTIVE COUGILL:* Didn't know. Okay.

19 Do you remember that incident where you guys
20 got into an argument about her going out with a
21 friend or something?

22 *THE DEFENDANT:* Possibly. Yeah.

23 *DETECTIVE COUGILL:* Do you know if she was
24 seeing anybody else?

25 *THE DEFENDANT:* No, I don't. I wouldn't know.

1 *DETECTIVE COUGILL: Wouldn't know? Okay.*

2 *What happened with that that night? I guess*
3 *there was an argument or something.*

4 *THE DEFENDANT: We talked about what happened*
5 *and we had an argument and she told me to leave.*

6 *DETECTIVE COUGILL: What --*

7 *DETECTIVE KENNEDY: What do you mean? Tell me*
8 *about what happened. You mean her coming home*
9 *late?*

10 *THE DEFENDANT: Yeah. You know, she came home*
11 *late. We were just talking about it. We had an*
12 *argument and she told me to leave.*

13 *DETECTIVE COUGILL: Okay. And during the*
14 *argument, did either one of you guys get physical*
15 *with each other? I mean, any kind of physical -- I*
16 *mean, did she threaten you in any way? Did anybody*
17 *in the family ever threaten you?*

18 *Does Greg and Margaret ever get involved in*
19 *these arguments?*

20 *THE DEFENDANT: Sometimes.*

21 *DETECTIVE COUGILL: Sometimes?*

22 *Were they involved in that one?*

23 *THE DEFENDANT: Well, her mom came out and she*
24 *told me to leave.*

25 *DETECTIVE COUGILL: Okay.*

1 *THE DEFENDANT: Well, she told me to leave the*
2 *night before. She really didn't want me there.*

3 *DETECTIVE COUGILL: Sure.*

4 *Here's what we know a little bit about that*
5 *argument, okay? She's alleging that you threatened*
6 *her, threatened to even kill her and threatened her*
7 *with a knife.*

8 *THE DEFENDANT: That's not true.*

9 *DETECTIVE COUGILL: That's not true? Okay.*

10 *If Margaret said she was there and witnessed*
11 *it, is there any reason why she would lie for*
12 *Megan?*

13 *THE DEFENDANT: She was actually sleeping when*
14 *we had the argument.*

15 *DETECTIVE COUGILL: Margaret was sleeping?*

16 *THE DEFENDANT: Yeah.*

17 *DETECTIVE KENNEDY: What time of day was this?*

18 *THE DEFENDANT: Probably about 4:00 in the*
19 *morning.*

20 *DETECTIVE COUGILL: Four in the morning?*
21 *Okay.*

22 *You left. Where did you go when you left?*

23 *THE DEFENDANT: I rode my bike to just, you*
24 *know, get some air.*

25 *DETECTIVE COUGILL: Just to get some air?*

1 *Okay.*

2 *So that was on like a Thursday, right?*

3 *THE DEFENDANT: I believe so.*

4 *DETECTIVE COUGILL: Did you go back that day?*

5 *Later that day, do you go back to the house?*

6 *THE DEFENDANT: Un-uh.*

7 *DETECTIVE COUGILL: Did you stay the night*
8 *somewhere else?*

9 *THE DEFENDANT: Yeah.*

10 *DETECTIVE COUGILL: Where did you stay?*

11 *THE DEFENDANT: I stayed with a friend.*

12 *DETECTIVE COUGILL: Do you mind giving me your*
13 *friend's name?*

14 *THE DEFENDANT: His name was Jake.*

15 *DETECTIVE COUGILL: Jake?*

16 *THE DEFENDANT: Yeah.*

17 *DETECTIVE COUGILL: Where does he live?*

18 *THE DEFENDANT: He lives over in New Port*
19 *Richey.*

20 *DETECTIVE COUGILL: New Port Richey?*

21 *Do you know what street?*

22 *THE DEFENDANT: I can't remember.*

23 *DETECTIVE COUGILL: How about his last name?*

24 *THE DEFENDANT: I didn't really know him that*
25 *well.*

1 *DETECTIVE COUGILL: Do you have a phone*
2 *number?*

3 *THE DEFENDANT: No.*

4 *DETECTIVE COUGILL: No? Okay.*

5 *How did you meet Jake.*

6 *THE DEFENDANT: Just, you know, throughout the*
7 *city.*

8 *DETECTIVE COUGILL: Throughout the city?*

9 *THE DEFENDANT: Yeah.*

10 *DETECTIVE COUGILL: Okay.*

11 *THE DEFENDANT: We kind of bumped into each*
12 *other. I stayed there for a bit.*

13 *DETECTIVE COUGILL: So that was Thursday,*
14 *right, that that incident took place where she*
15 *called us?*

16 *THE DEFENDANT: Right.*

17 *DETECTIVE COUGILL: You spent the night with*
18 *Jake in New Port Richey?*

19 *THE DEFENDANT: Right.*

20 *DETECTIVE COUGILL: What time did you get up*
21 *Friday?*

22 *THE DEFENDANT: Friday? I can't remember.*

23 *DETECTIVE COUGILL: Do you remember if you*
24 *went back to the house on Hatteras on Friday?*

25 *THE DEFENDANT: I don't think I did, no.*

1 DETECTIVE COUGILL: No? Okay.

2 Not at all, the whole day, didn't go back one
3 time?

4 THE DEFENDANT: No.

5 DETECTIVE COUGILL: Okay. How about -- okay.
6 So where did you stay Friday night?

7 THE DEFENDANT: Friday night, I just really
8 can't remember.

9 DETECTIVE COUGILL: Was it on the street or
10 was it back with Jake? Or --

11 THE DEFENDANT: It could have been on the
12 street.

13 DETECTIVE COUGILL: Okay.

14 Do you think you were drinking or something
15 and that's why you can't remember?

16 THE DEFENDANT: Yeah. I probably was drinking
17 that night.

18 DETECTIVE COUGILL: Okay. And so then we're
19 moving into Saturday, which is the 30th.

20 Do you remember where you were that day?

21 THE DEFENDANT: No.

22 DETECTIVE KENNEDY: Do you have a job?

23 THE DEFENDANT: Well, I had a job.

24 DETECTIVE KENNEDY: What happened?

25 THE DEFENDANT: At Get Hooked.

1 *DETECTIVE KENNEDY: Okay.*

2 *DETECTIVE COUGILL: If you feel like you*
3 *wanted to chat with us some more, just reach us out*
4 *and get with us. Okay? These guys are going to*
5 *have our name and number.*

6 *THE DEFENDANT: Is there anyway you can make*
7 *sure that my son goes with my mom or my brother?*

8 *DETECTIVE KENNEDY: We can't make any promises*
9 *right now. We have to see --*

10 *THE DEFENDANT: Okay.*

11 *DETECTIVE KENNEDY: -- (unintelligible).*

12 *THE DEFENDANT: Okay.*

13 *DETECTIVE COUGILL: They have rules with that.*
14 *You know?*

15 *Obviously, you know, we would like him to go*
16 *back to Megan. Do you know if that's going to be*
17 *possible?*

18 *THE DEFENDANT: I wouldn't know.*

19 *DETECTIVE COUGILL: Okay.*

20 *DETECTIVE KENNEDY: No. Megan's parents, can*
21 *he stay with them?*

22 *THE DEFENDANT: You can check. You can call*
23 *them and ask.*

24 *DETECTIVE KENNEDY: Yeah.*

25 *DETECTIVE COUGILL: Okay. We're just trying*

1 to look out for his wellbeing now. I'm done
2 talking to you about the case. But, obviously, we
3 want to make sure he goes, you know, with the right
4 person.

5 So who are you saying you wanted him to go
6 with?

7 THE DEFENDANT: My brother.

8 DETECTIVE COUGILL: Where is he at?

9 THE DEFENDANT: He lives in California.

10 DETECTIVE COUGILL: What's his name?

11 THE DEFENDANT: Peter DeJesus.

12 DETECTIVE COUGILL: Peter DeJesus?

13 THE DEFENDANT: Peter Holk (phonetic) DeJesus.

14 DETECTIVE KENNEDY: What's your mother's name?

15 THE DEFENDANT: Rose Matos.

16 DETECTIVE KENNEDY: Is she in California also?

17 THE DEFENDANT: Yes.

18 DETECTIVE COUGILL: Okay. Just hang tight for
19 a second. Okay?

20 (Audio stopped.)

21 Q (By Mr. Sarabia) Detective Cougill, before I
22 publish the next video, I want to clear other things up.

23 When Mr. Matos was apprehended, did you arrest him
24 for the murders?

25 A No, sir. I did not.

1 Q Did you ever inform him at any point between
2 the time he was apprehended and the point where this
3 conversation took place that you had found bodies?

4 A No, sir. I did not.

5 Q And again, just to make sure we all heard it,
6 there was a little hard to hear right at the end there,
7 Mr. Matos brings up to you that he wants to make sure
8 his son doesn't go with the mother but goes with his
9 brother and his mother out in California.

10 A That's correct.

11 Q And then you asked him, you said, "It would be
12 nice if he could go with Maggie and -- "

13 MR. MICHAÏLOS: Objection. Counsel is
14 testifying.

15 THE COURT: Overruled. You can rephrase the
16 question.

17 Q (By Mr. Sarabia) When you asked him if he --
18 it would be nice if he could go with his mother Megan,
19 is that going to be possible, what did he respond?

20 A He said -- I believe he said, "I wouldn't know
21 about that."

22 Q And then Detective Kennedy said -- or asked
23 him, "How about with Megan's parents, can he go with
24 them." And what was Mr. Matos's response?

25 A I believe it was, "You'll have to call them."

1 Q Okay. And again, to be clear, even up until
2 this interview did you ever have a conversation with
3 Mr. Matos where you informed him that you had found four
4 bodies and that there were four dead people?

5 A No, sir.

6 (Thereupon, State's exhibit is published and is
7 presented in the following italicized type.)

8 *UNIDENTIFIED SPEAKER: First off, you know,*
9 *like I said, there's a bunch of people following*
10 *this story.*

11 *What's your message then? What do you want*
12 *people to know about you first off?*

13 *THE DEFENDANT: Nothing really. I'm just a*
14 *regular guy. You know?*

15 *UNIDENTIFIED SPEAKER: Can you tell me based*
16 *on, like, some background? Just, you know, kind of*
17 *tell me -- tell me about your life.*

18 *I mean, you said you were born in Philly.*

19 *THE DEFENDANT: Born in Philly.*

20 *UNIDENTIFIED SPEAKER: Right. And then kind*
21 *of like, you know, take it from there.*

22 *THE DEFENDANT: Moved around a lot. You know?*
23 *Went from Pennsylvania to Jersey. To Jersey back*
24 *to Pennsylvania. And ended up here.*

25 *UNIDENTIFIED SPEAKER: Right. Did you -- so*

1 you went through high school?

2 *What high school?*

3 *THE DEFENDANT: Parkland.*

4 *UNIDENTIFIED SPEAKER: Parkland?*

5 *THE DEFENDANT: Yeah.*

6 *UNIDENTIFIED SPEAKER: Okay. Did you do any,*
7 *like, extra curricular, football or anything like*
8 *that?*

9 *THE DEFENDANT: No.*

10 *UNIDENTIFIED SPEAKER: Okay. And, like, you*
11 *know, so as far as, like, the family life, what was*
12 *that like? You said you moved around a lot. Was*
13 *that, you know, would be like a military brat or*
14 *something?*

15 *THE DEFENDANT: No. Just moved around a lot.*
16 *You know?*

17 *UNIDENTIFIED SPEAKER: Okay. And so you*
18 *said -- when did you moved down here?*

19 *THE DEFENDANT: About two months ago.*

20 *UNIDENTIFIED SPEAKER: Two months ago.*

21 *So was that with Megan and her family?*

22 *THE DEFENDANT: Yes.*

23 *UNIDENTIFIED SPEAKER: Okay. And so -- and*
24 *you guys have Tristen?*

25 *THE DEFENDANT: Yeah.*

1 UNIDENTIFIED SPEAKER: And so when did you
2 meet her?

3 THE DEFENDANT: About ten years ago.

4 UNIDENTIFIED SPEAKER: Ten years ago?

5 THE DEFENDANT: Yeah.

6 UNIDENTIFIED SPEAKER: Okay. Is that from the
7 beginning?

8 THE DEFENDANT: Yeah.

9 UNIDENTIFIED SPEAKER: And so when -- I mean,
10 how long ago did you decide to come down to
11 Florida?

12 THE DEFENDANT: Just to start a new life down
13 here with my family.

14 UNIDENTIFIED SPEAKER: Got you.

15 I mean, you wanted to be with your son?

16 THE DEFENDANT: Yeah.

17 UNIDENTIFIED SPEAKER: And so -- and were you
18 guys dating at the time that you moved down -- you
19 decided to move down here?

20 THE DEFENDANT: Yes.

21 UNIDENTIFIED SPEAKER: And so what happened
22 with that?

23 THE DEFENDANT: We were dating up until, you
24 know -- until we got here. You know?

25 UNIDENTIFIED SPEAKER: And then what happened?

1 *THE DEFENDANT:* Just wasn't working out, so we
2 broke it off.

3 *UNIDENTIFIED SPEAKER:* And you got a job at
4 Get Hooked?

5 *THE DEFENDANT:* At Get Hooked.

6 *UNIDENTIFIED SPEAKER:* You're kind of
7 starting -- trying to start your own life?

8 *THE DEFENDANT:* Yeah. Yeah.

9 *UNIDENTIFIED SPEAKER:* And were you planning
10 on, like, moving out of that house? What was kind
11 of the goal?

12 *THE DEFENDANT:* I guess, you know, we were
13 just, you know, seeing where things went. You
14 know? Living together, you know, trying to make
15 our family work.

16 *UNIDENTIFIED SPEAKER:* So -- you know, I mean,
17 like I just have to ask the question like super
18 bluntly I mean because of, you know, the reason
19 that you're a suspect here. Did you kill those
20 four people?

21 *THE DEFENDANT:* No.

22 *UNIDENTIFIED SPEAKER:* Well, what do you think
23 happened?

24 *THE DEFENDANT:* Honestly, I couldn't tell you.
25 You know?

1 UNIDENTIFIED SPEAKER: So tell me, you were --
2 August 28th, was that the last -- between then and
3 the hotel, just kind of -- I mean, we don't
4 really --

5 THE DEFENDANT: Pretty much, you know, I ended
6 up where I was with my son. You know? And woke up
7 one day and the SWAT team's there. And that's all
8 I remember.

9 UNIDENTIFIED SPEAKER: So on August 28th,
10 there was, you know, this domestic violence. Where
11 were you from there?

12 THE DEFENDANT: Just, you know, I left. You
13 know, they told me to leave, so I left and I was
14 just staying in the street pretty much.

15 UNIDENTIFIED SPEAKER: And so, you know, then
16 the next day -- so, like, it says Friday, right?
17 Then Saturday, what did you do then? And you were
18 with Tristen at this time, right?

19 THE DEFENDANT: No. I was staying in the
20 street, you know, pretty much.

21 UNIDENTIFIED SPEAKER: Just hanging out, you
22 know, kind of doing your own thing?

23 THE DEFENDANT: Yeah.

24 UNIDENTIFIED SPEAKER: Okay. And then, you
25 know, take me through until -- I mean, so

1 eventually you just had to go and get him.

2 THE DEFENDANT: Right.

3 UNIDENTIFIED SPEAKER: What day did you get
4 him?

5 THE DEFENDANT: I can't really get into that.
6 You know, I can't talk about any of that.

7 UNIDENTIFIED SPEAKER: Okay. I mean, what
8 kind of made you decide, you know, that you needed
9 to go get him?

10 THE DEFENDANT: Again, I can't really discuss
11 that.

12 UNIDENTIFIED SPEAKER: Okay. I mean, at some
13 point you would have had to go to the house and,
14 like, stumble upon the scene, right?

15 THE DEFENDANT: Right.

16 UNIDENTIFIED SPEAKER: Right. I mean, can you
17 talk -- can you talk about that, I mean what you
18 saw?

19 THE DEFENDANT: I really can't tell you --
20 tell you much.

21 UNIDENTIFIED SPEAKER: -- 27th, and you
22 remained the 28th, 29th. And in the morning,
23 Saturday the 30th, it was gone before --

24 THE DEFENDANT: Let's see. What was her name?

25 UNIDENTIFIED SPEAKER: Tonya. Before Tonya

1 got into work.

2 Do you know anything about that, the truck
3 being moved?

4 THE DEFENDANT: No.

5 UNIDENTIFIED SPEAKER: Did you have your own
6 vehicle?

7 THE DEFENDANT: Do I?

8 UNIDENTIFIED SPEAKER: Uh-huh.

9 THE DEFENDANT: No.

10 UNIDENTIFIED SPEAKER: You know, when we were
11 at a press conference in front of the house on I
12 guess it was -- yeah -- Friday -- or, no, Thursday
13 night. Like Thursday or until like, I don't know,
14 8:30, the police say that you took a cab from
15 there -- like two blocks away from there and, like,
16 headed for Tampa. I mean, did you see the press
17 conference before you left?

18 THE DEFENDANT: No.

19 UNIDENTIFIED SPEAKER: How close were you?

20 THE DEFENDANT: I don't know.

21 UNIDENTIFIED SPEAKER: Were you trying to go
22 to Key West and was that the ultimate destination?

23 THE DEFENDANT: Not really, no.

24 UNIDENTIFIED SPEAKER: The cab driver said
25 that you were going to Fort Myers first.

1 *THE DEFENDANT: Fort Myers?*

2 *UNIDENTIFIED SPEAKER: Uh-huh.*

3 *THE DEFENDANT: I don't know where that is.*

4 *UNIDENTIFIED SPEAKER: Okay. At some point*
5 *did you ever meet Nick Leonard.*

6 *THE DEFENDANT: No. Never. No.*

7 *UNIDENTIFIED SPEAKER: I'm just trying to go*
8 *through my notes here.*

9 *I mean, can you tell me anything about that*
10 *domestic -- the domestic violence because, you*
11 *know, she said that you put a knife to her, backed*
12 *her into the corner of the room. I mean, what's*
13 *your side of that?*

14 *THE DEFENDANT: That's not what happened.*

15 *UNIDENTIFIED SPEAKER: What happened?*

16 *THE DEFENDANT: We just had a disagreement*
17 *about something and pretty much told me to leave*
18 *and I left.*

19 *UNIDENTIFIED SPEAKER: What were you guys*
20 *disagreeing about?*

21 *THE DEFENDANT: I can't remember. You know,*
22 *something -- something, you know, something dumb*
23 *probably.*

24 *UNIDENTIFIED SPEAKER: And that was the last*
25 *time you saw her?*

1 *THE DEFENDANT: Yeah. That was the last time*
2 *I talked to her.*

3 *UNIDENTIFIED SPEAKER: I mean -- so, I mean,*
4 *she's gone. I mean, what do you -- what do you*
5 *think about that? I mean, is it --*

6 *THE DEFENDANT: It's hard. It's hard to*
7 *believe. You know, I can't believe it. You know?*
8 *I'm hearing what I'm hearing from people. It just*
9 *doesn't make sense.*

10 *UNIDENTIFIED SPEAKER: Did you love her?*

11 *THE DEFENDANT: Yeah.*

12 *UNIDENTIFIED SPEAKER: And her family?*

13 *THE DEFENDANT: Huh?*

14 *UNIDENTIFIED SPEAKER: And her family?*

15 *THE DEFENDANT: Yeah. I loved her very much.*
16 *I still love her.*

17 *UNIDENTIFIED SPEAKER: Tell me, you know, what*
18 *taking care of Tristen has been like. You know, we*
19 *hear -- is it Autism or Asperger's that he had or*
20 *has?*

21 *THE DEFENDANT: He's in the spectrum of*
22 *Autism.*

23 *UNIDENTIFIED SPEAKER: Okay. I mean, so what*
24 *was he like? I mean, what's it like being his*
25 *parent?*

1 *THE DEFENDANT:* He's a great kid. He's a
2 wonderful kid. He has so much -- so much joy and
3 happiness. He's the sweetest kid you'll ever meet
4 and he's just awesome. Everything about him is
5 just awesome.

6 *UNIDENTIFIED SPEAKER:* Tell me about that
7 night at the hotel. So you get there at some point
8 and then -- then what?

9 *THE DEFENDANT:* We got there and we watched a
10 little bit of TV. We ate some snacks. You know.
11 Ate some Doritos. He got tired and fell asleep. I
12 got tired; I fell asleep. And around 6:00 in the
13 morning I get a phone call saying to come down to
14 the front desk to get a room key to move to another
15 room because the power wasn't working. And when I
16 got out to the hallway, the SWAT team was there.

17 *UNIDENTIFIED SPEAKER:* Were you surprised by
18 that?

19 *THE DEFENDANT:* Surprised.

20 *UNIDENTIFIED SPEAKER:* Were you shocked and
21 surprised? I mean, what was your reaction?

22 *THE DEFENDANT:* I was shocked to see the SWAT
23 team there. I couldn't believe a SWAT team was
24 there. I was shocked.

25 *UNIDENTIFIED SPEAKER:* At that point you

1 *didn't know that everybody had been killed up in*
2 *Hudson?*

3 *THE DEFENDANT: No. I didn't know.*

4 *UNIDENTIFIED SPEAKER: Did they tell you?*

5 *THE DEFENDANT: Yeah. They told me. They*
6 *told me later that day.*

7 *UNIDENTIFIED SPEAKER: I mean, what did they*
8 *tell you? How did they tell you?*

9 *THE DEFENDANT: They were just telling me*
10 *that, you know, all this stuff happened and I*
11 *didn't know what to think. I didn't know how to*
12 *react to this. You know? This is all new to me.*

13 *UNIDENTIFIED SPEAKER: What do you feel is*
14 *going to happen at this point? They've got --*
15 *there's a lot of pressure in this investigation and*
16 *if you're the only suspect, you know, typically the*
17 *law finds a way to prosecute. You know?*

18 *I mean, how do you feel all this is going to*
19 *shake out?*

20 *THE DEFENDANT: I guess we'll find out.*

21 *(Video ends.)*

22 *MR. SARABIA: Judge, I don't have any more*
23 *questions for Detective Cougill.*

24 *THE COURT: All right. Detective, you may*
25 *take your seat.*

1 Can we have the lights back up?

2 THE BAILIFF: Yes, Judge.

3 THE COURT: Thank you, gentlemen.

4 Defense, cross?

5 MR. MICHALOS: Yes, Your Honor.

6 * * * * *

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25 (Continued in Volume XIII.)

1 STATE OF FLORIDA)

2 COUNTY OF PASCO)
3
4

5 I, Victoria L. Campbell, Registered
6 Professional Reporter, certify that I was authorized
7 to and did stenographically report the foregoing
8 proceedings and that the transcript is a true
9 record.

10 DATED this 3rd day of July, 2018.

11
12 /S VICTORIA CAMPBELL
13 Victoria Campbell
14 Registered Professional Reporter
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