

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA
CIRCUIT CRIMINAL NO. 15-00226CFANO

STATE OF FLORIDA,

vs.

JOHN N. JONCHUCK,

Defendant.

PLACE: PINELLAS COUNTY JUSTICE CENTER
Room 1100
14250 49th Street North
Clearwater, Florida

DATE: October 23, 2017

TIME: 2:34 p.m. - 2:38 p.m.

REPORTED BY: Marcy K. Guincho
Registered Professional Reporter
Notary Public at Large

DEPOSITION OF EDUARDO RIVERA

Pages 1 - 8

MORGAN J. MOREY & ASSOCIATES
333 Third Avenue North, Suite 510
St. Petersburg, Florida 33701
(727) 8984-7407

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APPEARANCES

DOUGLAS ELLIS, ESQUIRE
PAUL BOLAN, ESQUIRE
Assistant State Attorneys
Office of Bernie McCabe, State Attorney
Pinellas County Justice Center, Room 1000
14250 49th Street North
Clearwater, Florida 33762

Attorneys for the State

JANE McNEILL, ESQUIRE
JESSICA MANUELE, ESQUIRE
GREGORY WILLIAMS, ESQUIRE
Assistant Public Defenders
Office of the Public Defender, Bob Dillinger
Pinellas County Justice Center
14250 49th Street North
Clearwater, Florida 33762

Attorneys for the Defendant

1 EDUARDO RIVERA,
2 the deponent herein, being first duly sworn, was examined
3 and testified as follows:

4 DIRECT EXAMINATION

5 BY MS. MANUELE:

6 Q. Could you please state your name and occupation
7 for the record?

8 A. Eduardo Rivera. Law enforcement officer for
9 City of St. Petersburg.

10 Q. And how long have you been with St. Pete PD?

11 A. For approximately nine and a half years.

12 Q. We're here today because you've been listed as a
13 witness in the State of Florida versus John Jonchuck
14 regarding the death of Phoebe Jonchuck back in January
15 of 2015. Did you write a supplemental report detailing
16 your involvement?

17 A. Yes, ma'am.

18 Q. Do you have that report with you today?

19 A. I do.

20 Q. Have you had a chance to review it?

21 A. I did.

22 Q. Anything inaccurate or that you would like to
23 change?

24 A. No.

25 Q. Tell me about your involvement.

1 A. So I was working that night/early morning when
2 the incident occurred as a patrol officer, south side of
3 St. Petersburg with my uniform and a marked police
4 vehicle. What I heard was Officer Vickers come on the
5 radio advising he needed assistance on the Skyway Bridge
6 and I was dispatched over there. On my way over there
7 Officer Vickers advised that he observed a male subject
8 throw a child over the bridge and once I arrived on top
9 of the bridge I parked my vehicle, got out.

10 Before that Officer Vickers had advised he was
11 going down the staircase of the bridge to look for the
12 child and, like I said, when I got out of my vehicle I
13 looked down the bridge, I observed Officer Vickers down
14 in the area with his flashlight looking and moments
15 passed.

16 And I heard Officer Sousa over the radio advising
17 he believed he was behind the vehicle in question that
18 Officer Vickers had pulled over and once I heard that I
19 started going towards his direction, which was south 275
20 towards 75 south. And as I was approaching I guess it
21 was -- I was way back and I guess the male subject in
22 the vehicle had got off of University exit and by the
23 time I arrived there there was numerous police officers
24 and I think he was already placed in custody and I had
25 no involvement. I just turned back around.

1 Q. Were you there to see them bring Mr. Jonchuck out
2 of the car?

3 A. No.

4 Q. Did you recall ever laying eyes on him?

5 A. No. When I said I believe he was in custody they
6 had came over the radio and said they were with him and
7 at that point they didn't need another officer there.
8 There was so many officers there that I had turned
9 around already. I had no involvement. I didn't
10 interview anybody or anything like that.

11 Q. Okay. Anything after that, any involvement?

12 A. No, nothing.

13 MS. MANUELE: I don't have any other questions.

14 MS. BOLAN: Thank you.

15 (Deposition concluded at 2:38 p.m.)
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CERTIFICATE OF OATH

STATE OF FLORIDA)
COUNTY OF PINELLAS)

I, Marcy K. Guincho, RPR, certify that
Eduardo Rivera, personally appeared before me and was
duly sworn.

WITNESS MY HAND AND OFFICIAL SEAL this 9th
day of September, 2018.

Marcy K. Guincho

MARCY K. GUINCHO, RPR
Notary Public, State of Florida at Large

MY COMMISSION # FF 237014
EXPIRES: June 30, 2019

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CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF PINELLAS)

I, Marcy K. Guincho, RPR, certify that I was authorized to and did stenographically report the foregoing deposition; and that the transcript is a true record of the testimony given by the witness.

I FURTHER CERTIFY that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or counsel connected with the action, nor am I financially interested in the action.

DATED this 9th day of September, 2018.

Marcy K. Guincho

MARCY K. GUINCHO, RPR

