

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

IN THE CIRCUIT COURT  
OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PINELLAS COUNTY, FLORIDA

CRIMINAL DIVISION

CASE NO.: 18-10885-CF

SPECIAL PROSECUTION

STATE OF FLORIDA,                    )  
  )  
                          Plaintiff,        )  
      vs.                                 )  
  )  
CHARISSE STINSON,                    )  
  )  
                          Defendant.     )  
-----/

DEPOSITION

OF

PHILLIP ENRICO DIPAOLO, IV

TAKEN BY:        The Defendant  
DATE:             Tuesday, February 4, 2020  
TIME:             3:03 p.m. - 3:08 p.m.  
PLACE:            County Justice Center  
                    14250 49th Street North  
                    Clearwater, Florida 33762

Reported By:     Gina M. Manning  
                    Court Reporter, Notary Public  
                    State of Florida at Large

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

A P P E A R A N C E S

APPEARING ON BEHALF OF THE PLAINTIFF:

PAUL BOLAN, ESQUIRE  
County Justice Center  
Office of the Public Defender  
14250 49th Street North  
Clearwater, Florida 33762  
Phone: 727-464-6516

APPEARING ON BEHALF OF THE DEFENDANT:

ALLISON MILLER, ESQUIRE  
LORI MAHIN, ESQUIRE  
County Justice Center  
Office of the State Attorney  
14250 49th Street North  
Clearwater, Florida 33762  
Phone: 727-464-6221

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

I N D E X

WITNESS

PHILLIP ENRICO DIPAOLO, IV

<u>DIRECT EXAMINATION</u>	<u>PAGES</u>
---------------------------	--------------

By Ms. Miller	4-9
---------------	-----

<u>CROSS EXAMINATION</u>	<u>PAGES</u>
--------------------------	--------------

No cross examination.

EXHIBITS

No exhibits.

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

1  
2 Thereupon,

3 PHILLIP ENRICO DIPAOLO, IV

4 was called as a witness by the DEFENDANT and having first  
5 been duly sworn by the court reporter was examined and  
6 testified on his oath as follows:

## D I R E C T E X A M I N A T I O N

7  
8 BY MS. MILLER:

9 Q. If you could please tell us your first name and  
10 your last name and spell your last name.

11 A. It's Phillip DiPaolo, D-I capital P-A-O-L-O.

12 Q. Where were you employed in September of 2018?

13 A. For Ice Cold Air at 1198 East Bay Drive.

14 Q. We're here today on the State of Florida versus  
15 Charisse Stinson. Are you familiar with this case?

16 A. Yes.

17 Q. What was your involvement in the case?

18 A. Police officer showed up at my place of employment  
19 and asked if we had video footage available and I said yes.  
20 I showed him where the camera system was, logged into it for  
21 them, and helped get it to the timeframe that they wanted to  
22 search for. They found something they liked, they took  
23 footage off of it, thanked me, and left.

24 Q. What you say "they took footage off of it", what do  
25 you mean?

1 A. They downloaded it onto a flash drive, I assume.

2 Q. Were you helping them operate the camera system, or  
3 did you just log in and were like: Go ahead, Officers?

4 A. I initially helped get to the timeframe that they  
5 wanted to search and at that point, stepped away while they  
6 watch and then helped narrow-down the timeframe that they  
7 were interested in and then they were able to capture the  
8 video and transfer it to the disk.

9 Q. So the officers actually did the downloading  
10 and burning of whatever they --

11 A. Correct.

12 Q. Did you actually watch? Because you described  
13 it like they found what they were looking for, something of  
14 interest.

15 A. I saw -- All I could tell is they saw somebody  
16 walking through the parking lot or across the street or  
17 something to that effect.

18 Q. Could you tell anything about that person from your  
19 vantage point?

20 A. No.

21 Q. What was your position with Ice Cold Air?

22 A. I was the manager.

23 Q. Were you the manager on duty? Is that why they  
24 spoke to you?

25 A. I was the only manager. Yes. If the doors were

1 open, I was there.

2 Q. Did you in any way edit the footage? Speed it up?  
3 Slow it down? Zoom in? Anything like that?

4 A. No.

5 Q. Do you know if the law enforcement officers did?

6 A. No.

7 Q. That was a poorly-worded question. "No", you don't  
8 know or "no", they didn't do that?

9 A. To my knowledge, they did not do that. I don't  
10 know that the technology was capable of doing that.

11 Q. But they appeared to be capable of kind of  
12 isolating --

13 A. There was a way of taking a timeframe and saving  
14 it to a disk, yes.

15 Q. And the law enforcement officers appeared to be  
16 tech savvy enough to do that on their own?

17 A. Yes. I've had officers come there before and that  
18 officer had to call somebody else in. But this was a street  
19 officer versus a detective.

20 Q. So these detectives seemed fully capable?

21 A. Correct.

22 Q. Have you had any contact with law enforcement  
23 otherwise about this case?

24 A. No.

25 Q. And what they were watching on the camera was the

1 person walking. Did you actually witness that firsthand?

2 A. No. It was at night.

3 Q. And I'm assuming the business was closed at  
4 that time?

5 A. Correct.

6 Q. But the cameras would have been capturing --

7 A. 24 hours a day, 7 days a week.

8 Q. Are the cameras motion activated or just  
9 constantly recording?

10 A. Constantly recording.

11 Q. And the footage, is there ever cause for it to be  
12 like recorded over pre-existing footage or does it record  
13 sort of record in perpetuity? Does that make sense?

14 A. Yes. I don't recall what the capabilities of the  
15 system were. I believe it had where you can only go back  
16 in time so far but I honestly don't remember or know.

17 Q. You told us before we were on the record that you  
18 are no longer with Ice Cold Air?

19 A. I opened up my own business, an automotive  
20 repair shop.

21 MS. MILLER: I have nothing further.

22 Thank you.

23 MR. BOLAN: No questions.

24 MS. MAHIN: No questions.

25 (The deposition concluded at 3:08 p.m.)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CERTIFICATE OF OATH

STATE OF FLORIDA )  
COUNTY OF PINELLAS )

I, Gina M. Manning, certify that  
PHILLIP ENRICO DIPAOLO, IV personally appeared before  
me on Tuesday, February 4, 2020 and was duly sworn.

Signed this 22nd day of March 2020.

*Gina M. Manning*  
\_\_\_\_\_  
GINA M. MANNING  
Shorthand Reporter  
Notary Public - State of Florida  
My Commission Number: #GG250426  
Expires: September 5, 2022



CERTIFICATE

STATE OF FLORIDA    )  
COUNTY OF PINELLAS )

I, GINA M. MANNING, Shorthand Reporter  
and Notary Public, certify that I was authorized to and  
did stenographically report the deposition of  
PHILLIP ENRICO DIPAOLO, IV, pages 1 through 12, that  
signatures and formalities were not waived; and that the  
transcript is a true and complete record of my  
stenographic notes.

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

Dated this 22nd day of March 2020.

*Gina M. Manning*  
\_\_\_\_\_  
GINA M. MANNING  
Shorthand Reporter  
Notary Public - State of Florida  
My Commission Number: #GG250426  
Expires: September 5, 2022

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

ERRATA SHEET

PAGE

LINE

CORRECTION

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

\_\_\_\_\_  
PHILLIP ENRICO DIPAOLO, IV