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

Case Number: 21-01099CFANO

STATE OF FLORIDA,

Plaintiff,

VS.

CORNELIUS TREVON WHITFIELD,

Defendant.

DEPOSITION OF: GREGORY C. SWAN

TAKEN BY: Counsel for the Defendant

DATE: August 12, 2022

TIME: 3:25 p.m. - 3:55 p.m.

PLACE: Pinellas Co. Justice Center

14250 49th Street - 1100

Clearwater, FL

REPORTED BY: Tamara M. Pacheco, RPR

Notary Public, State of FL

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## **EXHIBITS**

(No exhibits were marked for identification.)

| 1  | WHEREUPON,   |  |  |
|----|--|--|--|
| 2  | GREGORY C. SWAN  |  |  |
| 3  | (the deponent herein, being first duly sworn, was examined |  |  |
| 4  | and testified as follows:)                                 |  |  |
| 5  | EXAMINATION  |  |  |
| 6  | BY MS. MANUELE:  |  |  |
| 7  | Q  | Could you please state your name for the record. |  |
| 8  | Α  | Gregory C. Swan.                                 |  |
| 9  | Q  | And what's your date of birth?                   |  |
| 10 | Α  | 3/19/85.   |  |
| 11 | Q  | My name again is Jessica Manuele, and we're here |  |
| 12 | because you've either been listed as a witness or maybe    |  |  |
| 13 | not officially listed but referenced in the police report  |  |  |
| 14 | regarding the homicide of Darren Barnes that occurred back |  |  |
| 15 | on February 1st or February 2nd of 2021.                   |  |  |
| 16 | Going back to the beginning of February of '21,            |  |  |
| 17 | where were you living at the time?                         |  |  |
| 18 | Α  | Emerald Pointe Apartments.                       |  |
| 19 | Q  | And how long had you been at that apartment      |  |
| 20 | complex?   |  |  |
| 21 | Α  | I've been there for nine years.                  |  |
| 22 | Q  | Okay. Did you know Darren Barnes?                |  |
| 23 | Α  | No.  |  |
| 24 | Q  | What unit were you living in?                    |  |
| 25 | Α  | Two doors down, which is 115. Same building.     |  |

Did you know anybody that either stayed in or 1 Q 2 frequented that apartment? 3 Α No. Do you know if anyone actually lived there? 4 Q 5 I have an assumption, but I don't know 6 anybody that lives there. Okay. And assumptions obviously we take for 7 0 8 what that's worth, but what's your assumption? 9 My assumption was that there was probably a lady that may have been on the lease, a Caucasian lady, but 10 that unit was probably occupied for drug activity based on 11 seeing the number of people coming in and out frequently, 12 especially like in the evening times. They really weren't 13 14 discreet about it, but there was quite a few amount of people coming in daily to the point to where I would have 15 my kids stay inside and not go outside. So, yes, that's 16 my assumption is that unit was probably a front used for 17 18 drug activity. 19 Okay. Did you ever see a white female around? Q 20 I have, uh-huh. Okay. And did you ever, I guess, have any 21 Q 22 conversation with her? 23 Α No. 24 Do you know what kind of car she drove? Q 25 There was so many cars that were in and out Α No.

of there. Yeah.

Q Okay. Was there anybody — I know a lot of people just coming and going. Were there any people that you were like, oh, that's the guy that I see a lot over there, or any people that you would recognize as being over there frequently?

A Yes. There were two gentlemen that was there quite a bit. My assumption is that probably one of the suspects that got shot might have been one of the people that I see quite a bit there. And by the time I came out when I heard all the yelling and stuff, when I opened my door, there were already St. Pete police officers that was there on the scene, you know, basically telling the guy that, you know, we're going to get help for you that had the gunshot wound that was on the ground. There was another guy that was there kind of screaming hysterical. That gentleman I've seen quite a bit. So, again, either relative, brother, maybe a friend or somebody.

- Q The guy that was bleeding, was he somebody that you'd recognize as seeing around also or no?
  - A I don't know a hundred percent.
- Q Okay. Do you remember the guy that was outside that was kind of hysterical and that wasn't there?
- A Right. He was somebody that I've seen a lot. I kind of remember him maybe with a Volkswagen I want to

say. I'm not a hundred percent sure, but I've seen him passing and kind of done the, Hey. You know, just the hi as we're passing. But he's somebody that I always would see in and out of that unit.

Q Okay. Did you ever see him after that night?

A No.

Q Prior to coming outside and seeing or looking outside and seeing what was going on out there had you heard any arguing or gunshots? Anything like that?

A I heard a popping sound, which, you know, putting two-and-two together. When I heard the screaming, I opened my door and came outside. Prior to that, when I was in bed laying down, I did hear, you know, multiple pops. I'm assuming maybe -- like, don't quote me on it but maybe possibly two or so gunshots.

What I was taking into consideration was the time of year it was. It was kind of early, like, February, January-ish, and we were hearing, like, popping noises leading up because of the New Year. People had leftover fireworks and stuff like that. And we're on Fourth Street. You hear ricochets from motor vehicles and all types of popping and weird noises. So I didn't really put two-and-two together at first.

Q So at the time when you heard it, you weren't like, Oh, my God, that's a gunshot?

I still hadn't -- like, yeah, because I own a 1 2 weapon for that matter. So, you know, I have a concealed. 3 If it was something alarming, I would have jumped up and, 4 you know, made sure that everything was okay. But I heard it, and it was just like, Okay. But after I saw the guy 5 bleeding and everything, I said, Oh, those were gunshots 6 that I heard. And the thing that made me jump up was, 7 like I said, the guy that was next to the police officer 8 9 that was hysterical, it was him kind of screaming and, you know, whimpering I guess because of his friend or brother 10 or whoever that was that was laying with the gunshot 11 12 wound. About how much time do you think passed from 13 14 when you heard those pops to when you hear the guy 15 outside, the commotion outside? This is probably an estimate, you know, but it 16 17 had to have been less than an hour. Yeah. 18 Okay. And are you able to estimate any further Q 19 as far as whether you think it was closer to, like, a 20 couple of minutes or closer to the hour mark? I just -- I don't know a hundred percent to say 21 whether -- I don't know. 22 Okay. Was there anyone else home with you that 23 0

Yes. My wife was home with me, and I have a

day or that night?

Α

24

25

```
1
     three-year-old that was home with me.
 2
               Did your wife, did you talk to her and ask her
          0
     if she had heard the same thing?
 3
 4
               As far as?
          Α
 5
               Like the pops.
          0
               The pops?
 6
          Α
 7
               Uh-huh.
          0
 8
               I think we both kind of heard it. Because, you
 9
     know, we both -- she indicated -- like, with the police
     and everything, she got up. We both kind of agreed that
10
    we heard the same thing as far as the popping noise.
11
12
               Okay.
          Q
13
               She kind of tapped me to get up. Like, Babe,
14
     you know, do you hear that? When we heard the guy
     hysterical, that's when I jumped out of bed.
15
16
               Okay. And when you -- so you actually come
          Q
17
     outside or at least open your door and look outside?
               So I live -- where I live -- can I ask you a
18
          Α
19
     question real quick? With the recording, is this
     something that you guys will play in the courtroom, like,
20
    where people know where my residence is, like, when I make
21
22
     a statement?
               So we don't play anything in the courtroom.
23
                                                             The
          0
     transcript would get filed but if you --
24
               It's public record basically?
25
          Α
```

```
So if you don't want to -- I mean, I think
 1
               Yes.
          0
 2
    we discussed and we have in the report what number you
    were in. So if you don't feel comfortable, that's fine.
 3
 4
               I mean, just for my protection, when I say stuff
          Α
     to you guys, I just don't want it to get to where people
 5
     can, like, link me back, because there was obviously a
 6
 7
    murder. This is a serious thing. I don't want nobody
     linking anything that I say back to me or my family is
 8
 9
     basically what I'm getting at.
               Yeah. I think the chances of that are probably
10
          Q
     slim.
11
12
               Okay.
          Α
               But if we do get it transcribed, it does go in
13
          0
14
     the court file.
15
          Α
               Okay.
               So if you don't --
16
          Q
17
               With my name and everything.
18
               Yeah, it will have your name. You want to go
          Q
     off record real quick to say something?
19
20
               MS. SEIFER-SMITH: Why don't we go off record.
21
               MS. MANUELE: Yeah, let's go off real quick.
22
               (A discussion was held off the record and the
     following resumed:)
23
24
     BY MS. MANUELE:
               So when you came outside -- when you looked
25
          Q
```

outside, you weren't necessarily in a position that the 1 2 police would have seen you? 3 Α Correct. 4 Do you have any surveillance cameras Gotcha. 0 5 outside your unit? 6 Α No. Okay. And so when you came outside, did the 7 Q police talk to you then, or they came later when they were 8 9 going around just knocking on everyone's door and made 10 contact? The detective -- actually, he was a uniformed 11 Α 12 He came and knocked on my door afterwards. officer. Okay. Do you remember, the guy that was kind of 13 14 like hysterical outside that was not injured, do you remember when you had seen him last at that apartment 15 16 before that night, before that, like, midnight time? Not an exact day, like if I was to say a day 17 before or two days before. I don't remember exactly, but 18 19 just frequently I would see him all the time and another 20 gentleman too. It would be me assuming that the person that got shot was a brother of his or something like that, 21 22 but I would see two guys always together. So I would see 23 him often, yes. Okay. And the two guys that were always 24

together, were you saying that you don't know if it was

25

1 that other guy that was shot that was outside also or --2 I don't know. 3 You don't know. Okay. So it could have been 0 4 him. It could have not been him. Is that what you're 5 saying? Right. Because, again, I was in my 6 Α screened-porch area. I did see a guy on the ground that 7 appeared to possibly have a gunshot wound. And there was 8 9 an officer there, and he was talking to the guy that was hysterical, probably trying to calm the situation down. 10 And there was a guy that was kind of like bleeding on the 11 sidewalk, kind of crawling, and I think he might have 12 ended up in the grass area eventually. But, you know, I 13 14 just kind of stayed in the porch area and then went back inside, you know, shut the door. 15 16 Gotcha. Do you remember anything that the guy that was kind of hysterical was, like, shouting outside as 17 18 far as any specifics? 19 Not really. Just like -- it was more like he was crying. He was like, you know, kind of like 20 screaming. I just can't really remember exactly what. 21 Just the officer was like -- I think the officer was 22 saying, like, tell me who did this or something to that 23 nature. Or, like, We're going to get help. The help is 24

25

coming for your friend, ambulance, emergency services.

just can't remember exactly what he was saying, but he was, like, crying. He was hysterical over the events that took place.

Q Right. Either maybe when you got your subpoena or you saw somebody was arrested for that, did you ever go and look up Cornelius Whitfield to see if that was somebody that you knew?

A I've looked up -- I've searched and looked up Cornelius Whitfield before, yes.

Q Is that anybody that you recognize?

A He's not somebody that I've seen before, no. I more or less searched it because of, you know, me living at Emerald Pointe, and with it happening and stuff, I was wondering if they finally caught the suspect. Because from my -- from what I read and understood was that they didn't catch him right away and that he was still -- he wasn't apprehended yet. So, you know, I looked his name up when they issued to the public that he had a warrant and that they were looking for him.

Q Okay. And you don't recall seeing him around the apartment specifically?

A I've never seen him before, no.

Q Okay. Were there any other neighbors that you had talked with that kind of were in agreement or acknowledged that, hey, we think there's drugs being sold

out of this apartment?

A Let's see. Was there any other neighbors that I talked to about that? No, not neighbors but I've talked to -- I've gone to the leasing office personally. I spoke with the property manager about that unit before, and she told me that St. Pete Police, they knew about it. I guess they were -- they were, I guess, looking or like -- they knew about it. So they were working on probably trying to put a stop to it.

Q And that was -- that was before this night, right?

A That was before that, yeah.

Q Do you know how many times you talked to the leasing office about it?

A I went -- well, I probably went to them at least twice about it. Like I said, I'd been in contact with the property manager at the time about it and just, you know, was telling her how I didn't really feel too safe because of my kids, you know, playing outside and stuff like that. Because I have a three-year-old. My son, he's in the Air Force now, but when he was home, you know, still with him, I wouldn't have him come outside and be in the mix of people, you know, going in and out of that unit nonstop.

Q How long do you think that unit was, like, being used for that purpose? Do you have any idea? Are we

talking weeks or months or years? 1 2 It was months. It was probably months. I don't think it was a full year. That's an assumption. I really 3 4 don't know. But it definitely wasn't weeks. 5 My understanding is that the leasing office or 6 maybe some of the employees were kind of instructed to document any cars coming and going or taking pictures. 7 Did she ever suggest that you do anything like that, like 8 9 if you notice a car coming to write down the license plate or anything like that for her? 10 11 Α Yes. Yes. Okay. Did you ever -- did you ever document 12 0 13 anything? 14 MS. MANUELE: We can go off record. 15 (A discussion was held off the record and the 16 following resumed:) (By Ms. Manuele) Okay. So at some point, the 17 18 information that you provided to a detective, that -- do 19 vou remember if it was a man or woman detective? 20 It was a man. My assumption is they're a 21 detective. I don't know if they were a detective or not. 22 It was a uniformed police officer. They were in uniform? 23 0 24 Uh-huh. Α Do you remember if it was the guy who kind of 25 Q

came by late night, maybe around 12:45 or 1 a.m., like that night?

A Yeah. That was the person that I gave the information to that I had.

Q Okay. Did you ever see anybody move out of that apartment or who came and collected belongings after all this happened?

A I never did. That was the strange part. Yeah I didn't see that.

Q That's the strange part?

Other than the popping noises, anything else looking back that, you know, at the time seemed maybe innocuous, but then after the fact you're like, well, that was weird or I did see somebody that didn't belong? Or anything at all that kind of stuck that may or may not --

A No. Like I said, the main thing that triggered me to get out of bed and stuff is my wife attacking me because we heard this, like, you know, screaming and, you know, somebody being hysterical outside.

Q Okay. Had you ever had anybody that was coming and going from the house -- well, I guess let's talk about that. As far as -- we all in this room understand I guess, but as far as, like, when we see everybody kind of acknowledged that it was a drug house, when we say we see a lot of people coming and going, are they staying for

short periods of time?

A Short periods of time. It's like a drive-through. I'm telling you. I mean, it's like -- you know, it didn't really look like they were being all that discreet about it. You know, you would see just -- and I'm no judge of character or anything like that, but somebody that may have appeared to be a drug user based on just whatever. So, anyway, they would come in and be right back out the door.

Q Okay.

A Come in and would be right back out the door, like one after another. Sometimes, like, consecutively just in a row. Just nonstop all these people. In the afternoon, like 4 o'clock in the afternoon. So, you know, my wife is just getting home from work with my son from daycare and, you know, they're just walking and stumbling across the same people that are going to this house to get drugs. So it was definitely a concern of mine, and that's why I went to the leasing office. Because I'm not always home because of the type of work I do. Sometimes I'm on the road for a little bit.

- Q What kind of work?
- A I do -- I drive charter buses for sports teams.
  - Q Oh, that's cool.
  - A So I'm not always home. And my wife would even

tell me, Oh, these people in are in and out, in and out. 1 2 Then it seemed to me that they were also selling drugs out of the cars too and would sit, like, all night 3 4 in the cars in the parking lot. And people would pull up. and they would, you know, do the same thing out of the 5 6 cars as well. Do you remember any specific cars other than the 7 0 8 one that you had talked to the police about? 9 I just remember the Volkswagen. There was a BMW I believe, like a BMW. There was a guy that would come 10 11 all the time on a motorcycle. Like, we would see him often. That was one of the guys I was able to snap a 12 13 picture of. 14 Do you know if he was a white guy or a black Q 15 quy? 16 He was a white guy, Caucasian. 17 And then was there a Lincoln maybe? Q 18 There may have been. A BMW I do remember. Like 19 a gray color Volkswagen that I remember. The BMW was a black vehicle. Yeah. 20 21 were there ever any verbal altercations with either the people that were -- the suppliers or the people 22 that were coming by? 23 24 Not that I would see. Do you remember -- so that night when the guy is 25

Q

```
kind of hysterical, do you remember seeing any black
 1
 2
     females immediately in the area?
 3
          Α
               No.
 4
               Okay.
          0
 5
               Not immediately, no.
          Α
 6
               At some point I think a black female arrived on
          Q
     scene, and I'm just trying to figure out if she was by the
 7
     apartment or if she was just out in the parking lot.
 8
 9
               That I don't follow. The only time I seen,
     like, a black female is I seen -- actually, it's kind of
10
11
     coming back to me a little bit. Because I know you
    mentioned -- you asked me about people coming and
12
     collecting items out of there. I didn't see anybody
13
14
     grabbing items out of there, but I did see people out in
     the parking lot maybe a few days later that was, like, a
15
     black female, a couple of them. It looked like it might
16
     have been family members of the victim or something. That
17
18
    was my assumption at least. I saw them kind of hugging
19
     and teary-eyed, crying and stuff like that. They may have
     been there to pick up a vehicle or something that was left
20
     or something like that.
21
22
               Okay.
          Q
               That was, like, days later.
23
          Α
24
               MS. MANUELE: Questions?
25
               MS. SEIFER-SMITH:
                                  Just a couple.
```

### 1 **EXAMINATION** 2 BY MS. SEIFER-SMITH: I know you said that you recalled seeing drug 3 0 4 activity at the apartment every day. Did you see any 5 activity there that same day of the shooting? I know it 6 was around midnight. I don't think so. I don't think so. Not that 7 Α 8 day that I can recall. 9 Do you remember seeing anybody, like, around that particular door when you were getting home or any 10 11 time that you were around? Yeah, not that I can say firmly, no, because, I 12 13 mean, it's so long ago. 14 And I think you described believing that it was 0 a white woman who leased the apartment; is that right? 15 16 Yes. Uh-huh. Α 17 Can you describe her for us? Q 18 I want to say she was approximately probably 19 5'8. I know she had shorter dark-colored hair. I think 20 she had, like, a shorter cut hairstyle. Maybe -- not 21 heavyset but --22 Bigger? Q She wasn't heavyset, but I mean, you know, she 23 wasn't like thin-thin. You know, she was just kind of an 24 average build I guess. My assumption is that she may have 25

been the person leasing the apartment because I probably 1 2 see her the most. So that's what I'm going by is numbers as the person that I've seen there the most, and maybe 3 4 when they first moved in, I think she was probably the 5 first person that I saw. How long had you been in your apartment? 6 Q How long have I been there? 7 Α Yeah. 8 0 9 I lived -- probably I want to say maybe four 10 years or so. I've been there nine years total in that same building but just like across the way. They moved me 11 because they renovated my old unit, but I've been there 12 13 for nine years. 14 And then when did you notice the activity that 0 you described to us? When did you start noticing that 15 16 kind of activity in 113? 17 In 113? I don't have exact dates. I don't know 18 exactly when. I just know that, you know, it happened, like, last year or so. Just -- I noticed at a timeframe 19 20 there was continuous activity. I don't know exactly, like -- I can't give you exact, like, six months or -- I'm 21 22 sorry. No, that's fine. And do you remember who you 23 0 spoke with at the leasing office? 24

She was a property manager at the time.

25

Α

Danielle I spoke with, and then also I spoke with the old property manager, Jessica.

O Okay So are those two different organizations?

Q Okay. So are those two different organizations? Like the leasing office is separate from the property management company?

A So Jessica used to be the property manager. She got a promotion, so she went off to, I guess, maybe work for the corporate or something. So she was no longer at that -- like at the apartments.

Q At the office. Okay.

A But she was still working within the organization. So sometimes I knew I could get answers directly from her a little bit better than the new property manager. So that's how it kind of came about where I was dealing with both of them, you know, because I was like this needs to stop. I was like, What I'm seeing and stuff like that, it's kind of obvious what they're doing. I'm like, you know, Can we see what's going on with this unit and get them out of here? You know.

Q Did you notice any activity like that with any of the other units at the apartment complex?

A No.

Q Okay. And had you noticed activity like that before? Not necessarily at that unit but, like, previously at the apartment complex.

I'm trying to understand your question. 1 2 sounds like you're saying the same question. 3 Sure. It's not necessarily at the same time. Q 4 So, like, not necessarily contemporaneous to, you know, 5 when all this happened, but had you seen what you suspected to be drug activity at the apartment complex 6 7 maybe in a different unit before this all happened? 8 Oh, I see what you're saying. When I lived 9 across the way, which would be apartment 109 upstairs at the top, there might have been. You know, you kind of 10 11 thought that might have been because of the amount of people coming up and stuff like that. We're just talking 12 numbers of people coming up. From there, I suspected 13 14 that. That was years ago, maybe seven or eight years ago. 15 Q Okay. 16 But besides that, more recently, just that unit Because it seemed like -- they've been doing a 17 good job of cleaning up Emerald Pointe and, you know, 18 19 whatever, new management and stuff like that. That's the 20 most recent activity I've seen. 21 And any activity like that since this all Q 22 happened? Everything has been quiet. 23 Α No. MS. SEIFER-SMITH: Something good to come out of 24 25 it. I don't have any further questions.

| 1  | EXAMINATION  |  |  |
|----|--|--|--|
| 2  | BY MS. TAKTIKOS-DANZIG:                                    |  |  |
| 3  | Q Did you see the white lady on the day that this          |  |  |
| 4  | occurred?  |  |  |
| 5  | A No.  |  |  |
| 6  | Q And you said that on the day this occurred that          |  |  |
| 7  | you did not see any of that usual drug activity in front   |  |  |
| 8  | of 113?  |  |  |
| 9  | A Correct.   |  |  |
| 10 | Q Okay. Do you remember about what time you heard          |  |  |
| 11 | those initial gunshots?                                    |  |  |
| 12 | A I want to say it's an estimate. It had to                |  |  |
| 13 | have been maybe 11, 12ish. Some time in that late hour.    |  |  |
| 14 | Q Okay. And what part of your house were you in            |  |  |
| 15 | when you heard those gunshots?                             |  |  |
| 16 | A I was in my bedroom.                                     |  |  |
| 17 | Q Okay. Was your wife also with you in the                 |  |  |
| 18 | bedroom?   |  |  |
| 19 | A Yes. We both were in bed.                                |  |  |
| 20 | Q And the gunshots, was it consecutive, like               |  |  |
| 21 | pow-pow, or was it like a lapse in time between one to the |  |  |
| 22 | second shot?   |  |  |
| 23 | A It wasn't like a pow-pow, but it was probably            |  |  |
| 24 | like a pow (deponent pauses) pow.                          |  |  |
| 25 | Q So there was a   |  |  |

| 1          | A So maybe seconds. Within a minute it probably            |  |
|------------|--|--|
| 2          | was together. But, you know, I heard it, you know, like    |  |
| 3          | within a minute timeframe.                                 |  |
| 4          | Q So you heard one shot, and then about a minute,          |  |
| 5          | maybe more, maybe less                                     |  |
| 6          | A Yeah, then another.                                      |  |
| 7          | Q And then you heard the second shot?                      |  |
| 8          | A Uh-huh.  |  |
| 9          | Q Okay. And then from the second shot, if you can          |  |
| 10         | estimate, do you know about how long it was until you      |  |
| 11         | started hearing the screaming?                             |  |
| 12         | A I don't know. I would be guessing if I was to            |  |
| 13         | say something.   |  |
| <b>L</b> 4 | Q That's fair.   |  |
| 15         | A I don't want to say the wrong thing. I'm really          |  |
| 16         | not a hundred percent. Because, for all I know, I may      |  |
| <b>L7</b>  | have dozed back off and fell back asleep. You do that      |  |
| 18         | sometimes. You think you just blinked. So I don't want     |  |
| 19         | to give you the wrong answer.                              |  |
| 20         | MS. TAKTIKOS-DANZIG: Very fair. I don't have               |  |
| 21         | any other questions.                                       |  |
| 22         | EXAMINATION  |  |
| 23         | BY MS. MANUELE:  |  |
| 24         | Q I forgot. I had another it looks like the                |  |
| 25         | report I showed you is from a male officer. and then there |  |

```
was a female who did another canvass. And I don't know if
 1
 2
     it was the same day or not, but according to her, it says
     she indicated that you heard two shots, initially thought
 3
 4
     it was fireworks.
 5
          Α
               Yes.
               Ten seconds or less between shots. Around
 6
          Q
     10:30 p.m. to 11:30 p.m.
 7
 8
               Okay. So that's about fair.
 9
               Do you believe that --
          0
               That's kind of a fair -- you know, I mean, I
10
          Α
     told you maybe 11, 12ish. So, I mean, yeah, that sounds
11
     like that might have been more accurate because that was
12
13
     the day of, right?
14
               Yeah. Well, that's why I was asking. Do you
          0
     have any reason to think that you didn't tell her that?
15
16
                    I mean, if that's what she's got on there,
17
     then that's probably -- like I said, we're talking time
18
    within that.
19
               Right, right.
          Q
20
               If I would have said early in the morning at
     9 o'clock I heard it, then --
21
22
               MS. TAKTIKOS-DANZIG: We also know you're not
          looking over looking at your clock.
23
24
               Yeah.
          Α
25
               And a year later.
          Q
```

| 1  | A So, yeah, that's probably more accurate than            |  |  |
|----|---|--|--|
| 2  | what I just said.   |  |  |
| 3  | Q I totally forgot I had that other one. I                |  |  |
| 4  | apologize.  |  |  |
| 5  | A No, that's fine. And I guess there was a woman.         |  |  |
| 6  | Yeah. I got COVID brain I guess.                          |  |  |
| 7  | Q You know, who knows. Or she wrote someone               |  |  |
| 8  | else's report. I don't know.                              |  |  |
| 9  | A No. I mean, I'm trying to remember. There's so          |  |  |
| 10 | much that happened between that day and, you know, with   |  |  |
| 11 | the officers being out there all night, forensics and     |  |  |
| 12 | stuff, like, multiple days. I mean, some of it is a blur. |  |  |
| 13 | It was quite an event.                                    |  |  |
| 14 | MS. MANUELE: All right.                                   |  |  |
| 15 | MS. TAKTIKOS-DANZIG: I don't have anything                |  |  |
| 16 | else.   |  |  |
| 17 | MS. MANUELE: All right. Thank you so much for             |  |  |
| 18 | coming in.  |  |  |
| 19 | (Deposition concludes at 3:55 p.m.)                       |  |  |
| 20 |   |  |  |
| 21 |   |  |  |
| 22 |   |  |  |
| 23 |   |  |  |
| 24 |   |  |  |
| 25 |   |  |  |

```
1
     COUNTY OF PINELLAS
                             )
 2
     STATE OF FLORIDA
 3
                         CERTIFICATE OF OATH
 4
               I, the undersigned authority, certify that
 5
     GREGORY SWAN personally appeared before me on the 12th day
 6
     of August, 2022, and was duly sworn.
 7
               witness my hand and official seal this 28th day
 8
     of October, 2023.
 9
10
                                   Tamara M. Pacheco
11
12
                                 Tamara M. Pacheco, RPR
                                 COMMISSION #942612
                                           March 30, 2024
13
                                 EXPIRES:
14
15
16
17
18
19
20
21
22
23
24
25
```

| I  |                      |  |
|----|----------------------|--|
| 1  |                      | ERRATA SHEET   |
| 2  | IN THE CASE OF:      | STATE OF FL v. CORNELIUS WHITFIELD   |
| 3  | NAME OF DEPONENT:    | GREGORY SWAN   |
| 4  | CASE NUMBER:         | 21-01099CFANO  |
| 5  |                      |  |
| 6  | Please read          | the transcript of your deposition.   |
| 7  | this page. DO NOT ma | the transcript of your deposition. to make corrections, please note on rk on the transcript itself. te the transcript below. |
| 8  | Sign and da          | te the transcript below.   |
| 9  | PAGE LINE ERROR      | /AMENDMENT REASON FOR CHANGE   |
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| 21 |                      |  |
| 22 |                      | Signature  |
| 23 |                      |  |
| 24 |                      | Date   |
| 25 |                      |  |

| 1  | CERTIFICATE OF REPORTER                                  |
|----|--|
| 2  | STATE OF FLORIDA )                                       |
| 3  | COUNTY OF PINELLAS )                                     |
| 4  |  |
| 5  | I, Tamara M. Pacheco, certify that I was                 |
| 6  | authorized to and did stenographically report the        |
| 7  | Deposition of GREGORY SWAN; that a review of the         |
| 8  | transcript was requested; and that the transcript is a   |
| 9  | true and complete record of my stenographic notes.       |
| 10 | I further certify that I am not a relative,              |
| 11 | employee, attorney or counsel of any of the parties, nor |
| 12 | am I a relative or employee of any of the parties'       |
| 13 | attorney or counsel connected with the action, nor am I  |
| 14 | financially interested in the action.                    |
| 15 | Tamara M. Pacheco  |
| 16 | Tamara M. Pacheco, RPR                                   |
| 17 |  |
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