

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:

CHARLES BRINING

TAKEN BY:

Counsel for the Defendant

DATE:

February 13, 2025

TIME:

10:15 a.m. - 10:32 a.m.

PLACE:

ZOOM Videoconference

REPORTED BY:

Tamara M. Pacheco, RPR
Notary Public, State of FL

Pages 1 - 17

JTP REPORTING (727)422-8287

APPEARANCES

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INDEX

CHARLES BRINING	PAGE:
Examination by Ms. Seifer-Smith.....	4
Certificate of Oath.....	15
Certificate of Reporter.....	16
Errata/Signature Page.....	17

EXHIBITS

(No exhibits were marked for identification.)

1 WHEREUPON,

2 CHARLES BRINING

3 (the deponent herein, being first duly sworn, was examined
4 and testified as follows:)

5 EXAMINATION

6 BY MS. SEIFER-SMITH:

7 Q Can you please state your name for the record.

8 A Yeah. Charles Brining.

9 Q Mr. Brining, you can go ahead and turn the video
10 off so that hopefully we have a good audio connection.

11 A Yeah.

12 Q Great. So --

13 A How's that?

14 Q That's perfect. We can hear you really well.
15 So, Mr. Brining, we're here in the matter of Cornelius
16 Whitfield. Our court case number is 21-01099CF. My name
17 is Julia Seifer-Smith. Together with Margaret Russell and
18 Lamark McGreen, we represent Mr. Whitfield in this matter.
19 We're assistant public defenders. Also present on this
20 call is Thomas Koskinas from the State Attorney's office.

21 what I have, which I think involved you, was a
22 medical examiner case number of M21-00354. My
23 understanding is that in February of 2021, you were an
24 investigator with the medical examiner's office. Is that
25 right?

1 A Yes, ma'am.

2 Q Okay. Can you tell me what the role of an
3 investigator with that office is?

4 A Yes, ma'am. Basically, the investigator is
5 essentially the liaison between any reporting agency,
6 whether it be law enforcement, a hospital, a doctor, and
7 the office.

8 Q And do you go out to scenes? Do you do your own
9 investigation? I would assume from the title
10 investigator.

11 A Yes, ma'am. In certain cases we do respond to
12 scenes, and we do take photographs when we respond to a
13 scene. We also document the scene for the forensic
14 pathologist.

15 Q Was there anything that you reviewed in
16 connection with this case before being sworn in by our
17 court reporter?

18 A Yes, ma'am. Just a copy of my death
19 investigative report.

20 Q I have a report in front of me. It looks like
21 it was authored by you, and it's two pages with a
22 signature at the bottom, the date of the report being
23 February 3rd, 2021. Is that the same report that you
24 reviewed?

25 A Yes, ma'am, it is.

1 Q Was there anything else that you think you might
2 need to review before we go further in the deposition?

3 A No, ma'am.

4 Q Okay. Having reviewed that report, did it jog
5 your memory as to your involvement in the case in any way?

6 A It did some, yes.

7 Q Okay. Can you tell me how you became involved
8 in this case?

9 A Yes, ma'am. At about 4:15 p.m. on the 2nd of
10 February, I was contacted by Detective Webster with the
11 St. Petersburg Police Department.

12 Q Okay. Do you know if this is the first time
13 that your office was notified regarding the death in this
14 case?

15 A As far as I know, yes, ma'am.

16 Q Okay. And did you yourself actually speak with
17 Detective Webster, or is that somebody else, if you know?

18 A No, ma'am, I did.

19 Q Okay. What did Detective Webster tell you?

20 A She basically advised that the decedent and
21 another male victim had apparently been shot at what was
22 believed to be the decedent's residence, that one
23 individual was transported to the hospital, and of course
24 the decedent was pronounced at the scene.

25 Q Okay. And it sounds like you were given a

1 location to travel to to begin your investigation?

2 A That is correct.

3 Q Okay. So I'm looking at a report that indicates
4 you arrived at the apartment complex where the homicide
5 had occurred around 5:30 p.m.

6 A Yes.

7 Q Can you tell me just what would have occurred
8 between 4:15 and 5:30, if you know.

9 A Yes, ma'am. I would have contacted the chief
10 investigator just to advise him that our office had been
11 contacted in regards to a homicide, that I was responding,
12 and then, of course, I would have driven either from the
13 office or my residence to the scene.

14 Q Okay. You're not personally responsible or
15 professionally responsible for the transportation of the
16 body itself. That's somebody else, correct?

17 A Yes, ma'am. We do have transport staff.

18 Q Okay. And then it looks like once you arrived
19 that you -- there's a phrase I was provided the following
20 preliminary information. Do you know who provided that
21 information to you, like who you spoke with?

22 A Yes, ma'am. It would have been whatever
23 detective or detectives were at the scene.

24 Q Okay. Now, in specific, you write, The decedent
25 and another male were apparently in the mentioned

1 residence when a suspect -- and then parenthesis -- barged
2 in. Do you know where or from whom you got that
3 information about a suspect barging in?

4 A It would have been from one of the detectives at
5 the scene. I don't know or remember specifically who
6 provided that information.

7 Q Now, having gone through the police report, my
8 understanding is that Detective Webster, now Marzo, had
9 been designated as the crime scene detective. I
10 understand that the crime scene detective will typically
11 stay on the scene. They'll work with the forensic
12 technicians, including those from your office, like you,
13 and then if the forensic technician has arrived from the
14 medical examiner's office. Do you know if it was
15 Detective Webster or if it was another investigator from
16 the St. Petersburg Police Department?

17 A It could have been either. A lot of times the
18 crime scene detective will stay on the scene, but there's
19 also typically other detectives that are also at the
20 scene. They just have one that is designated as the crime
21 scene detective.

22 Q Okay.

23 A And there's officers also at the scene that
24 provide information occasionally.

25 Q So it sounds like that -- I mean, this isn't

1 information you made up. It came from one of the
2 investigators, either a detective or a patrol officer?

3 A It would have been provided by law enforcement.

4 Q Okay. In terms of like your report writing, I
5 know that it's signed and dated the following day, the 3rd
6 of February. Do you take notes while you're on a scene?
7 Like, what's your report writing technique or procedure?

8 A Yes, I do take notes. There is a death
9 investigation worksheet that I complete, and I do take
10 notes, and I also photograph the scene for reference.

11 Q Okay. The death investigation worksheet, is
12 that something that you would rely on in terms of the
13 information to then write your report?

14 A Yes, ma'am.

15 Q And what happens to that worksheet after you
16 complete the report?

17 A I retain it or I was retaining them for about a
18 year, give or take, after the case, and then I would
19 dispose of that. Obviously, the byproduct of that
20 worksheet, everything that was on that worksheet is the
21 byproduct of my report.

22 Q It's now 2025. This was a 2021 death. Is it a
23 safe assumption that worksheet would have been destroyed
24 somewhere between February 2021 and now?

25 A Yes. I don't have -- I have nothing. I haven't

1 been employed there for, gees, almost three years.

2 Q would it have been just prior to you leaving
3 that office, or did you leave worksheets there?

4 A No. I would have left them there. There were a
5 year's worth of cases in the filing cabinet at my desk.

6 Q And so in terms of just kind of walking more
7 through your report, there's like a scene narrative. Is
8 it safe to assume that the scene narrative is kind of
9 driven by your own observation, your photographs, as well
10 as what you learned from the investigators who were on the
11 scene?

12 A Yes, ma'am. That is correct.

13 Q Okay. And did you do anything in particular
14 with regards to your own investigation while you were
15 there?

16 A Other than document the scene and help the
17 transport staff prepare the decedent for transportation.

18 Q Do you remember if you -- like where you went
19 inside of the apartment?

20 A I don't remember specifically. I believe it was
21 just the living room where the decedent was located.

22 Q So it sounds like you don't have an independent
23 recollection going into any other room, making any other
24 observations throughout the apartment?

25 A No, ma'am. I'm only there for the decedent.

1 Q Okay. And was there anything that you found
2 particularly remarkable with regards to your observations
3 either of the scene or of the decedent?

4 A Other than what I documented in my report about
5 the presence of the wound to the back of the head.

6 Q And can you just explain a little bit more in
7 terms of that?

8 A Well, that actually would be an interpreted --
9 better interpreted by the forensic pathologist. They're
10 specialty trained in wound identification and such.
11 That's why I used just broad terminology like a wound. I
12 don't say gunshot. That's something that -- the forensic
13 pathologist could decipher that for you.

14 Q It just sounds like it was readily apparent to
15 you just looking at the body. Is that fair? That there
16 was a wound I mean.

17 A Yes. There was a wound. That is correct.

18 Q Okay. And do you know about how long you were
19 on the scene?

20 A Typically I'm at a scene 45 minutes to an hour,
21 give or take.

22 Q You said that you left the medical examiner's
23 office about three years ago. Is that right?

24 A (No audible response.)

25 Q Mr. Brining, I think I might have lost you.

1 A I'm here.

2 Q Mr. Brining, did you leave the medical
3 examiner's office about three years ago?

4 A Yes, ma'am.

5 Q Okay. And why did you leave that office?

6 A Yeah, that's correct.

7 Q Can you tell me why you left?

8 A I resigned.

9 Q And are you currently working?

10 A Yes.

11 Q What's your --

12 A I'm currently working and the reason --

13 Q -- employment now?

14 A I work for a chemical distribution company.

15 Q I think I interrupted you. You were going to
16 say the reason, and then I interrupted. I apologize.
17 What were you going to say?

18 (Technical interruption.)

19 Q Mr. Brining, I'm afraid we can't hear you if
20 you're answering the question right now.

21 A (No audible response.)

22 Q Mr. Brining? I guess we'll give it a minute.
23 (Pause for technical interruption.)

24 Q Mr. Brining, can you say something?

25 A Yes, ma'am.

1 Q So I guess we'll just keep you on the phone for
2 a moment. I think you were telling us why you resigned.

3 A Yes. I was the investigator of an apparent drug
4 overdose case involving two individuals who were visiting
5 from Ireland, and once the decedents got back to the
6 morgue, they were switched and misidentified.

7 Q I am familiar with that case.

8 A Yes. Depending on who you talk to, you know, I
9 resigned from the office, but there was an article in the
10 newspaper a couple of months ago that the Director of
11 operations told the media that I was fired, which is not
12 correct.

13 Q I'm sorry to hear that. So it sounds like they
14 made it an unpalatable environment for you to stay in
15 after that incident?

16 A That is correct. And they have a tendency to do
17 that for everybody sooner or later.

18 Q Interesting. Well, Mr. Brining, I don't have
19 any further questions regarding this case. I don't
20 know --

21 MS. SEIFER-SMITH: Mr. Koskinas, do you have any
22 questions for Mr. Brining?

23 MR. KOSKINAS: No. Thank you, sir.

24 MS. SEIFER-SMITH: Mr. Brining, thank you so
25 much. I apologize about the time miscommunication.

1 That was totally my fault. And I appreciate you
2 making yourself available.

3 THE DEPONENT: I appreciate you allowing me to
4 do the Zoom versus in person.

5 MS. SEIFER-SMITH: I'm going to conclude the
6 deposition. I will reserve your right to read. So
7 we'll make the transcript available to you in the
8 event you're called to testify in court. Thank you
9 so much.

10 (Deposition concludes at 10:32 a.m.)
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1 COUNTY OF PINELLAS)

2 STATE OF FLORIDA)

3 CERTIFICATE OF OATH

4
5 I, the undersigned authority, certify that
6 CHARLES BRINING personally appeared before me by Zoom
7 videoconference and was duly sworn.

8 witness my hand and official seal this 10th day
9 of March, 2025.

10
11 Tamara M. Pacheco

12 Tamara M. Pacheco, RPR
13 COMMISSION # 474485
14 EXPIRES: March 30, 2028
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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 CHARLES BRINING; 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
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ERRATA SHEET

IN THE CASE OF: STATE OF FL v. CORNELIUS WHITFIELD

NAME OF DEPONENT: CHARLES BRINING

CASE NUMBER: 21-01099CFANO

Please read the transcript of your deposition.
If you feel you need to make corrections, please note on
this page. DO NOT mark on the transcript itself.
Sign and date the transcript below.

PAGE	LINE	ERROR/AMENDMENT	REASON FOR CHANGE
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Signature

Date