

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA, IN AND FOR PINELLAS COUNTY
CASE NUMBER CRC21-01513CFANO

STATE OF FLORIDA,

Plaintiff,

vs.

VOLUME I

CORNELIUS TREVON WHITFIELD,

Defendant.

_____ /

PROCEEDINGS: MOTION TO SUPPRESS HEARING

BEFORE: THE HONORABLE PHILIP J. FEDERICO
Circuit Court Judge

DATE: January 14, 2026

PLACE: Courtroom 8
Pinellas County Justice Center
14250 - 49th Street North
Clearwater, Florida 33762

REPORTER: Carla Jessal
Registered Professional Reporter

(Pages 1 to 143)

Administrative Office of the Courts
Court Reporting Department
Pinellas County Justice Center
14250 - 49th Street North
Clearwater, Florida 33762
Telephone: (727) 453-7233
Fax: (727) 453-7488

APPEARANCES

**APPEARING ON BEHALF OF
THE STATE OF FLORIDA:**

THOMAS D. KOSKINAS, ASSISTANT STATE ATTORNEY
ANTHONY S. BRADLOW, ASSISTANT STATE ATTORNEY
Office of Bruce Bartlett, State Attorney
Sixth Judicial Circuit, Pinellas County
14250 - 49th Street North
Clearwater, Florida 33762

**APPEARING ON BEHALF OF
THE DEFENDANT CORNELIUS TREVON WHITFIELD:**

MARGARET S. RUSSELL, ASSISTANT PUBLIC DEFENDER
JULIA B. SEIFER-SMITH, ASSISTANT PUBLIC DEFENDER
LAMARK M. MCGREEN, ASSISTANT PUBLIC DEFENDER
Office of Sara Mollo, Public Defender
Sixth Judicial Circuit, Pinellas County
14250 - 49th Street North
Clearwater, Florida 33762

* * *

INDEX TO PROCEEDINGS

VOLUME I

(JANUARY 14, 2026)

| | <u>PAGE</u> |
|---------------------------------------|-------------|
| <u>STATE'S WITNESSES:</u> | |
| RODNEY GREEN | |
| Direct Examination By Mr. Bradlow | 13 |
| Cross-Examination By Ms. Seifer-Smith | 39 |
| Redirect Examination By Mr. Bradlow | 67 |
| JOSHUA JORDAN | |
| Direct Examination By Mr. Koskinas | 72 |
| Cross-Examination By Ms. Russell | 88 |
| Recross-Examination By Ms. Russell | 113 |
| AMALIA ANAMUAH-MENSAH | |
| Direct Examination By Mr. Koskinas | 116 |
| Cross-Examination By Ms. Russell | 127 |
| CERTIFICATE OF REPORTER | 143 |

* * *

INDEX OF EXHIBITS

| <u>STATE EXHIBITS</u> | <u>DESCRIPTION</u> | <u>PAGE</u> |
|------------------------------------|---------------------------|--------------------|
| 1 | PROTOCOL DOCUMENT | 88 |
| 2 | PHOTOGRAPH | 105 |
| 3 | PHOTOGRAPH | 105 |
| | | |
| <u>DEFENSE EXHIBITS</u> | <u>DESCRIPTION</u> | <u>PAGE</u> |
| 1 | PROTOCOL DOCUMENT | 88 |
| 3 | PHOTOGRAPH | 99 |
| 4 | PHOTOGRAPHS | 99 |

1 clears as far as, I don't know, moving other people
2 or something, right?

3 THE BAILIFF: Yes, your Honor.

4 THE COURT: So I'm just waiting for the word
5 to get him down there, and then we got somebody
6 down there that's sitting on him that will let us
7 know when he's in front of the TV and ready to go.
8 That's gonna be the first witness; is that right?

9 MR. KOSKINAS: Yes.

10 THE COURT: All right. And so then we'll
11 bring him up to finish the rest of the motion.

12 I wanted -- are we still on for the 23rd or
13 did we already talk about resetting that for the
14 first trial?

15 MS. SEIFER-SMITH: I don't think that we've --
16 I don't think we have anything definite. I don't
17 know that it was definitively discussed regarding
18 the trial setting.

19 THE COURT: So we're in the -- we're still
20 working towards it. Not sure whether we're going
21 to be ready or not stage?

22 MS. SEIFER-SMITH: Unfortunately, yes. I did
23 receive the additional documentation from FDLE that
24 was promised to us. I received that last week. I
25 haven't been able to appropriately consult with an

1 expert yet because of some expert availability.
2 And I, obviously, haven't deposed the witness -- or
3 witnesses who would be, like, the pertinent people
4 for that. I think that that might be just about it
5 with regards to the witnesses that are outstanding
6 for our readiness for that trial date.

7 MR. KOSKINAS: There's the other motion,
8 right, we've got set?

9 THE COURT: Yeah, we've got the other motion,
10 too. How lengthy do we expect that motion to be,
11 half day, day?

12 MS. SEIFER-SMITH: Maybe between a half day
13 and a day depending upon how much is played in
14 court pursuant to the video of the interrogation.

15 THE COURT: I'm a little reluctant to not play
16 it in court and just say I viewed it given the
17 nature of the case. If it was a possession of
18 coke, I wouldn't worry about it so much.

19 MS. SEIFER-SMITH: Right. So, I mean,
20 certainly we can -- we were ready to do that motion
21 this week. So we would be ready to do the motion
22 to suppress statements, you know, whenever the
23 State is ready. I -- just in terms of what I was
24 talking about for the FDLE folks, I anticipate
25 filing additional motions regarding that. I just

1 can't do that until I engage in my own due
2 diligence regarding that discovery and the
3 depositions and consultation.

4 THE COURT: So, at best, we have a question
5 mark for 3/23.

6 MS. SEIFER-SMITH: I think that might be
7 right.

8 THE BAILIFF: They're moving him now, so it
9 should just be a couple minutes.

10 THE COURT: Okay. Let me know as soon as he
11 gets there.

12 THE BAILIFF: Yes, your Honor.

13 MS. SEIFER-SMITH: I would love to be
14 cautiously optimistic, but I don't know that I can
15 guarantee readiness by 3/23.

16 THE COURT: I understand. Well, are we gonna
17 try and do the other motion between now and 3/23?

18 MR. KOSKINAS: I don't know. If we can.
19 We've gotta pick a date and then see if the
20 witnesses are available.

21 THE COURT: Do you want me to look at that now
22 while he's being transported?

23 MR. KOSKINAS: I would say that would be a
24 very good idea.

25 THE COURT: I have Fridays when I'm not doing

1 mental health court. So I could do 2/13, but I
2 don't know that you're gonna be ready by 2/13 on a
3 Friday. Every other week --

4 MR. KOSKINAS: We could have a tentative date
5 at this point and then check with the witnesses.
6 That was part of the issue.

7 THE COURT: Well, today is what? January --

8 THE CLERK: Fourteenth.

9 THE COURT: So that's a month.

10 MR. KOSKINAS: Yeah, we can't do the 13th.

11 THE COURT: I'm gone on the 27th. So the next
12 date I would have would be the 20th of March, which
13 I don't know if that's going to keep you realistic
14 for purposes of the trial on the 23rd. Because
15 with the week I'm gone -- the last week in
16 Feb./first week in March I'm gone. And then 13th
17 is mental health court in March. So the 20th -- I
18 guess I could do the 13th and move mental health
19 court out to the 20th, but I don't really want to
20 do that. I like to have mental health court every
21 other week.

22 MR. KOSKINAS: You didn't have February 20th?
23 You're gone the next week, I think.

24 THE COURT: Feb. 20 is mental health court. I
25 don't like to go more than two weeks on those.

1 Yeah, so I'm gone the 27th through the 6th. Is
2 that right? Yeah. And then I'd have the 13th for
3 mental health court and the 20th we could do -- I
4 guess I could switch them. I don't really want to
5 because then I'd have like a month between mental
6 health court. That's not a good idea.

7 MR. KOSKINAS: So the 20th of March is your
8 only available date?

9 THE COURT: Other than the one I gave you in
10 Feb., yeah. Obviously, if we don't do the trial,
11 we can do it the week of the 23rd. You're not sure
12 you're gonna be ready anyway, so I --

13 MR. KOSKINAS: We'll try and confirm the
14 witnesses.

15 MS. SEIFER-SMITH: I mean, it's not a
16 dispositive motion. So we're -- are you available
17 on the 20th?

18 MS. RUSSELL: Yes, I'm available on the 20th.

19 MS. SEIFER-SMITH: I think we're all available
20 on the 20th of March from defense for the motion.

21 THE COURT: If for some reason you win, I
22 don't know that they're not gonna want to retrench
23 after that between that Friday and Monday. I don't
24 know. I don't know what your position's gonna be.

25 MR. KOSKINAS: I stopped trying to predict the

1 future a long time ago.

2 THE COURT: I understand.

3 MR. KOSKINAS: I don't know. But I think that
4 would be a realistic shot if we set it on
5 March 20th, or at least tentatively, and we can try
6 to confirm with all the witnesses that we could get
7 it done on the 20th.

8 THE COURT: They're not sure they're gonna be
9 ready anyway, so I think we should shoot for the
10 20th. If that doesn't work, then I think you
11 should probably look at the 23rd as an alternative
12 motion day. In the interim, you're going to keep
13 working on the stuff that you need to to try and be
14 ready for the 23rd, right, Defense?

15 MS. SEIFER-SMITH: Of course.

16 THE COURT: All right.

17 THE BAILIFF: He's down there.

18 THE COURT: He's down there?

19 THE BAILIFF: Yes, your Honor.

20 THE COURT: So we're here on the motion to
21 suppress the in-court identification on
22 Mr. Whitfield.

23 Because of the request of the defense, and you
24 can confirm that, you didn't want him in the
25 courtroom when this particular witness testified;

1 is that right?

2 MS. SEIFER-SMITH: That is correct.

3 THE COURT: So we've made arrangements. He's
4 downstairs with another deputy. The TV is set up
5 and he has an opportunity to view that witness to
6 testify. Understanding that this is a death
7 penalty case, you're requesting that so he's not in
8 the courtroom to give somebody easy access who
9 could just maybe identify him but not do it from
10 knowledge or memory; is that correct?

11 MS. SEIFER-SMITH: That is correct.

12 THE COURT: All right. So he's, technically,
13 present by viewing if not present in actual person
14 at this point.

15 State, do you want to call that witness?

16 MR. BRADLOW: Yes, your Honor. State calls
17 Rodney Green. He's in the vestibule here.

18 THE COURT: Y or I-E?

19 MR. BRADLOW: I'm sorry?

20 THE COURT: Robby.

21 MR. BRADLOW: Rodney.

22 THE COURT: Rodney?

23 MR. BRADLOW: Yes.

24 THE BAILIFF: Right this way.

25 THE WITNESS: How you doing? Good morning.

1 THE BAILIFF: Stand right here. Face the
2 clerk. Raise your right hand to receive the oath.

3

4 THEREUPON,

5

 RODNEY GREEN,

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

8

9 THE BAILIFF: Over here, please. You can have
10 a seat in this chair. You can adjust the chair and
11 the mic. Just speak in a loud and clear voice for
12 the Court, please.

13 THE WITNESS: Yes, sir.

14 THE COURT: Good morning, sir.

15 THE WITNESS: How you doing, Judge?

16 THE COURT: Good.

17 You may inquire, Counselor.

18

DIRECT EXAMINATION

19 BY MR. BRADLOW:

20 Q Good morning, Mr. Green. Could you please
21 introduce yourself and state your full name for the
22 record.

23 A My name is Rodney Green.

24 Q And how do you spell your last name? Does it
25 have an "E" at the end?

1 A No, sir.

2 Q Okay. So it's just like the color?

3 A Yes, it's like the color.

4 Q And we have a court reporter here, so just make
5 sure you talk nice and slow for her benefit. All right?

6 A Yes, sir.

7 Q Okay. So where are you from, Mr. Green?

8 A St. Petersburg, Florida.

9 Q Okay. Were you born and raised in St. Pete?

10 A Yes, sir.

11 Q So we're here today to talk about a shooting
12 that occurred back in February of 2021. I'm gonna ask you
13 some questions about what you remember from a few months
14 prior to that to start. Okay?

15 A Yes, sir.

16 Q Do you know an individual named Deronrick Green?

17 A Yes, sir.

18 Q And is Deronrick D-E-R-O-N-R-I-C-K?

19 A Yes, sir.

20 Q All right. And who is Deronrick to you?

21 A My big brother.

22 Q Okay. How much older is he than you?

23 A 'Bout four years.

24 Q Safe to say you've known him your whole life,
25 right?

1 A Yes, sir.

2 Q Does Deronrick have a nickname?

3 A Dee.

4 Q Okay. Just the letter D?

5 A D-E-E.

6 Q Okay. Did you know an individual named Darren
7 Barnes?

8 A Yes, sir.

9 Q Okay. And was Darren D-A-R-R-E-N?

10 A Yes, sir.

11 Q Okay. How did you know Darren?

12 A Met him through my brother Dee.

13 Q Okay. And did Darren have a nickname?

14 A Yes, sir.

15 Q What is that?

16 A D. Cash.

17 Q And was that just the letter "D" and then Cash?

18 A Yes, Cash. Yes, sir.

19 Q Okay. Now, was Darren shot and killed?

20 A Yes, sir.

21 Q Okay. And were you present in an apartment
22 where that had occurred?

23 A Yes, sir.

24 Q How long did you know Mr. Barnes prior to him
25 passing away?

1 A 'Bout 10, 15 years.

2 Q Okay.

3 A Yes, sir.

4 Q And at the time of this shooting back in
5 February of 2021, how old were you at the time?

6 A At the time I was 31.

7 Q Okay. So you went back with Mr. Barnes back
8 into high school days?

9 A Yes, sir.

10 Q Okay. Do you know an individual named Cornelius
11 Whitfield?

12 A Yes, sir.

13 Q How were you initially introduced to
14 Mr. Whitfield?

15 A Through my brother and D. Cash.

16 Q Okay. Do you have knowledge about
17 Mr. Whitfield's relationship to your brother Deronrick and
18 Mr. Barnes?

19 A Yes, sir. They was childhood friends.

20 Q Okay.

21 A And worked together.

22 MS. SEIFER-SMITH: Objection. Hearsay.

23 THE COURT: He said what, childhood friends?

24 MR. BRADLOW: He said they were childhood
25 friends.

1 THE COURT: How would that be hearsay? I'll
2 overrule it. Go ahead.

3 BY MR. BRADLOW:

4 Q So you -- I'm going to ask you some follow up
5 just to clarify. Okay? Mr. Barnes and Deronrick and
6 Cornelius Whitfield were friends from back in the day,
7 right?

8 A Yes, sir.

9 MS. SEIFER-SMITH: Objection. Hearsay.

10 THE COURT: You can cross --

11 MS. SEIFER-SMITH: And lack of personal
12 knowledge.

13 THE COURT: He might have seen it. He might
14 have been around it. He's -- you can -- you can
15 cross-examine him about it. It doesn't necessarily
16 have to come from hearsay.

17 All right. Go ahead.

18 BY MR. BRADLOW:

19 Q Did Mr. Whitfield have a nickname?

20 A Yes, sir. Cornbread.

21 Q Okay. Now, did you ever meet Cornbread back --
22 back in the day back when -- in high school days?

23 A No, sir.

24 Q Okay. And you knew of him through your brother
25 and D. Cash, correct?

1 A Yes, sir.

2 Q Okay. When did you first meet Cornelius
3 Whitfield?

4 A In, like, November.

5 Q Would it have been November of -- before the
6 shooting in February of 2021?

7 A Yes, sir.

8 Q So when you say November, you're referring to
9 November of 2020, correct?

10 A (Nods head).

11 Q Was that a "yes"?

12 A Yes, sir.

13 Q Now, where did you meet Cornelius Whitfield back
14 in February of 2020?

15 A The apartment where all this occurred at.

16 Q So it's the same apartment where the shooting
17 happened in February --

18 A Yes, sir.

19 Q -- of 2021?

20 Can you describe that initial interaction for
21 the Court back in November of 2021 with Mr. Whitfield?

22 A He -- he had just got out of jail or prison, one
23 or the two. He came to see my brother and D. Cash, and
24 they gave him some money.

25 Q Okay. And where were you-all in the apartment

1 when Cornelius Whitfield came over?

2 A All of us was in the living room.

3 Q Okay. And can you just describe this living
4 room for the Court.

5 A Two couches, a table, and TV.

6 Q How big is the apartment? How many bedrooms?

7 A It was two-bedroom.

8 Q Okay. So it's not a large --

9 A No, sir.

10 Q -- sprawling place, right?

11 A No, sir.

12 Q Okay. And when you were first meeting with
13 Cornelius Whitfield back in November of 2020, were y'all
14 seated in the living room together?

15 A Yes, sir.

16 Q And how far away was Mr. Whitfield from you when
17 you were first meeting with him?

18 A We sat on the same couch.

19 Q Okay. So you were seated right next to him?

20 A Yes, sir.

21 Q Okay. And was it a well-lit apartment? Lights
22 were on?

23 A Yes, sir.

24 Q Okay. And did you have the opportunity to see
25 his face back in November of 2020?

1 A Yes, sir.

2 Q Okay. Now, prior to the shooting in February of
3 2021 but after this first initial meeting with
4 Mr. Whitfield in November of 2020, did you ever see
5 Cornelius Whitfield again?

6 A No, not until February.

7 Q Okay. So the next time you saw him would have
8 been the shooting itself, you believe?

9 A Yes, sir.

10 Q Okay. And to the best of your recollection, you
11 don't remember ever running into him or him coming over to
12 the apartment between November 2020 and February of 2021?

13 A I only stopped -- he stopped by one more time.

14 Q Okay.

15 A Yeah, he came by one more time before February.

16 Q Okay. And was that a quick or long interaction?

17 A It was just a quick -- he came with another
18 individual. Just a quick in and out.

19 Q Okay.

20 A No more than 20 minutes.

21 Q And did you have an opportunity to see his face
22 on that day, too?

23 A Yes, sir.

24 Q And leading up to February of 2021, when was the
25 next time you saw Cornbread after that second interaction

1 with him?

2 A In February.

3 Q Okay. When you saw Mr. Whitfield in February of
4 2021, were you shot that day?

5 A Yes, sir.

6 Q Who shot you, sir?

7 A Cornbread.

8 Q Okay. We're gonna walk through some of the
9 details of that interaction, but I want to start off with
10 how certain are you that Mr. Whitfield is the one who shot
11 you, sir?

12 A I can't be no more certain.

13 Q Understood. And, obviously, someone else was
14 shot in that apartment as well, correct?

15 A Yes, sir.

16 Q And I know it's tough because you're friends
17 with the man, but who was shot and killed in that
18 apartment that day?

19 A D. Cash. Well, Barnes.

20 Q Darren Barnes, correct?

21 A Yes.

22 Q Now I want to talk about -- we'll start back
23 again going to November of 2020, that first interaction
24 with Mr. Whitfield. Were you paying close attention to
25 Mr. Whitfield that day?

1 A Yes, sir.

2 Q And why is that?

3 A 'Cause he was acting weird. He was quiet all
4 the time. No talking. Like, come on, you over here two
5 or three hours, you don't do no talking.

6 Q So because he was acting weird, you were paying
7 especially close attention to him, correct?

8 A Yes, sir.

9 Q Okay. And then leading up to the -- in February
10 of 2021 when the shooting occurred, can you describe how
11 Mr. Whitfield was acting prior to you getting shot in the
12 face?

13 A Well, he -- he kept playing with his gun.

14 Q Okay. Well, let's talk about that. Did you
15 observe Mr. Whitfield pull a gun out?

16 A Yes, sir.

17 Q Where did he pull the gun out?

18 A In the living room.

19 Q Okay. Were you-all seated in the living room?

20 A Yes, sir. I was sitting on the side of him and
21 D. was on the opposite side of the couch like this.

22 Q Okay. And this is that same living room you
23 were describing earlier from the earlier interaction,
24 correct?

25 A Yes, sir.

1 Q And, again, were you paying especially close
2 attention to him because he was acting weird or strange?

3 A Yeah. He was too quiet. He was just too quiet.
4 When you quiet, you thinking. That's what I think.

5 MS. SEIFER-SMITH: Objection. Speculation,
6 lack of personal knowledge.

7 THE COURT: Yeah, I think it is. Let's move
8 on. I'll sustain it.

9 BY MR. BRADLOW:

10 Q And, Mr. Green, how did you know that the
11 Cornelius Whitfield that you were interacting with between
12 November and February -- November 2021 -- or, excuse me,
13 November 2020 and February 2021 was the same Cornbread,
14 Cornelius Whitfield, that your brother knew growing up?

15 A Yes, sir.

16 Q Well, how did you know that?

17 A Because of my big brother.

18 MS. SEIFER-SMITH: Objection. Calls for
19 hearsay.

20 THE COURT: I'll overrule it. Go ahead. He
21 can answer.

22 BY MR. BRADLOW:

23 Q How did you know him? How did you know that
24 that was the same Cornbread from when Deronrick was
25 growing up?

1 A Pictures. And when he came home, they been
2 friends forever.

3 Q So when Mr. Whitfield was getting released from
4 prison, they were like, Cornbread's getting out, right?

5 A Yeah. They was already --

6 MS. SEIFER-SMITH: Objection.

7 THE WITNESS: -- sending him money,
8 everything.

9 MS. SEIFER-SMITH: Hearsay.

10 I'm sorry, Mr. Green. Just a moment.

11 THE COURT: State, response?

12 MR. BRADLOW: It's going towards his knowledge
13 about who Mr. Whitfield is, your Honor.

14 MS. SEIFER-SMITH: That's not an exception to
15 hearsay.

16 MR. BRADLOW: It's not hearsay at all because
17 I'm not offering it for its truth. I'm offering it
18 for why he knows Mr. Whitfield.

19 THE COURT: I'll overrule it. Go ahead.

20 BY MR. BRADLOW:

21 Q Okay. So I'm just going to ask you that again.
22 Going towards your knowledge of who Mr. Whitfield is and
23 why this is the same Cornbread that your brother grew up
24 with, did you know that because he was just getting out of
25 prison --

1 A Yes, sir.

2 Q -- and your brother was welcoming him back?

3 A And they was already talking about him coming
4 home and all that.

5 Q And was Mr. Barnes and your brother Deronrick
6 Green giving him money when he got out to help him out?

7 A Yes. Yes, sir.

8 Q Okay. Now, the shooting itself, I know you may
9 not remember the address itself, but was that the Emerald
10 Pointe Apartments, Mr. Green?

11 A Yes, sir.

12 Q Okay. And that's in Pinellas County, right?

13 A Yes, sir.

14 Q Was that your apartment or was that somebody
15 else's apartment?

16 A It was ours.

17 Q Okay. Who -- who -- who was staying in the
18 apartment?

19 A Me and D. Cash, really.

20 Q Okay. And did Deronrick just come through once
21 in a while?

22 A Yes, sir. He always go home.

23 Q And, you know, what was the apartment being used
24 for?

25 A Honestly, drugs.

1 Q Now let's talk about the day of the shooting
2 again. Do you remember exactly what time or an
3 approximate time Mr. Whitfield showed up on the day of the
4 shooting?

5 A Yes, sir. It was about 8:00, 'bout round 8:00,
6 9:00ish.

7 Q Okay. So was it dark out at that point?

8 A Yes, sir.

9 Q All right. And who invited Cornbread over to
10 the apartment that day?

11 MS. SEIFER-SMITH: Objection. Calls for
12 hearsay.

13 THE WITNESS: Do I answer that, sir?

14 MR. BRADLOW: Just hold on.

15 MS. SEIFER-SMITH: And speculation.

16 MR. BRADLOW: Hold on.

17 THE COURT: Response?

18 MR. BRADLOW: I don't think he's speculating
19 as to why this man is coming over.

20 THE COURT: Why is it not hearsay?

21 MR. BRADLOW: I can rephrase it and just ask
22 him whether he's the one that invited him. I don't
23 think that calls for hearsay.

24 THE COURT: Go ahead.

25

1 BY MR. BRADLOW:

2 Q Did you invite Mr. Whitfield over?

3 A No, sir.

4 Q So somebody else invited him over?

5 MS. SEIFER-SMITH: Objection.

6 THE COURT: It is. Go ahead. Let's move on.

7 MR. BRADLOW: Fair enough.

8 BY MR. BRADLOW:

9 Q When Mr. Whitfield arrived, who else was present
10 in the apartment?

11 A My brother and D. Cash.

12 Q Okay. Was Mr. Whitfield present when Deronrick
13 Green and yourself and Mr. Barnes were all present in the
14 apartment?

15 A Yes, sir.

16 Q And did your brother end up going somewhere
17 else?

18 A Yes, sir. My brother went home.

19 Q How long approximately was Deronrick in the home
20 with you, Mr. Barnes and Mr. Whitfield?

21 A Probably like five, ten minutes.

22 Q And was the apartment well-lit?

23 A Yes, sir.

24 Q So lights were on in the place?

25 A Yes, sir.

1 Q And where -- we may have already touched on
2 this, but just to be clear where were you-all seated in
3 the home after Deronrick left?

4 A I was sitting on the longer couch with Cornbread
5 and D. Cash was sitting on the other couch by himself.

6 Q You mentioned he pulled a gun out, but did
7 anyone else pull a firearm out?

8 A No, sir.

9 Q Okay. Do you remember what the gun looked like?

10 A Black.

11 Q Okay. And was it -- was it a revolver or
12 handgun?

13 A Handgun.

14 Q And at this point, you know, what was the
15 purpose of Mr. Whitfield showing you the gun?

16 MS. SEIFER-SMITH: Objection. Speculation.

17 THE COURT: Yeah. I think you need to
18 rephrase it.

19 MR. BRADLOW: I can rephrase that.

20 BY MR. BRADLOW:

21 Q Was Mr. Whitfield showing you the gun in an
22 attempt to rob you or anything like that?

23 A Not at that point. No, sir.

24 Q Okay. I just wanted to make sure that was clear
25 that at this point it was showing off the gun, right?

1 A Yeah.

2 Q Okay. Did you eventually leave the living room
3 area with Mr. Barnes and Mr. Whitfield?

4 A Yes, sir.

5 Q And where did you ultimately go to?

6 A In my room.

7 Q So same apartment, though, correct?

8 A Yes, sir.

9 Q Did you leave the living room area for a
10 particular reason?

11 A Yes, sir.

12 MS. SEIFER-SMITH: Objection. Relevance.

13 THE COURT: I don't know yet. Go ahead.

14 BY MR. BRADLOW:

15 Q Did you leave the apartment for a reason -- or,
16 excuse me. Did you leave the living room to go to that
17 bedroom for a reason?

18 A Yes, sir.

19 Q What was that reason?

20 A To go lay down.

21 Q Were you using your phone in there?

22 A Yes, sir.

23 Q Okay. And prior to leaving were you getting the
24 same vibe from Mr. Whitfield that you were thinking he was
25 acting strange?

1 A Yes, sir. 'Cause --

2 MS. SEIFER-SMITH: Objection. Relevance.

3 THE COURT: I've overrule it. Go ahead.

4 THE WITNESS: It was right before I went to
5 lay down, I met D. Cash in the hallway and I stated
6 don't leave me --

7 MS. SEIFER-SMITH: Objection. Hearsay.

8 THE COURT: I'm not sure what you're saying is
9 hearsay.

10 MS. SEIFER-SMITH: It's a statement from
11 Mr. Green outside of court for the truth of the
12 matter asserted that he said these things.

13 MR. BRADLOW: I wasn't even trying to elicit
14 that question. I can re-ask it for you.

15 THE COURT: Yeah. Go ahead.

16 BY MR. BRADLOW:

17 Q Were you leaving the living room area where
18 Mr. Whitfield and Mr. Barnes was present because
19 Mr. Whitfield was acting weird and strange?

20 A Yes.

21 MS. SEIFER-SMITH: Objection. Relevance.

22 MR. BRADLOW: I can go into that, your Honor.
23 It's definitely relevant to the charge.

24 THE COURT: Go ahead.

25 MR. BRADLOW: Do you need me to explain that

1 or we're good, your Honor?

2 THE COURT: No. It's fine.

3 BY MR. BRADLOW:

4 Q And, again, just like we were talking about back
5 in November, you were paying especially close attention to
6 Mr. Whitfield during all your interactions with him
7 because he was acting weird?

8 A Yes, sir.

9 MS. SEIFER-SMITH: Objection. Leading.

10 THE COURT: It was. Go ahead.

11 BY MR. BRADLOW:

12 Q So when you're in the bedroom, how long are you
13 in the bedroom before you get shot, if you recall?

14 A 'Bout two hours at the most.

15 Q And did you end up falling asleep when you were
16 in there?

17 A Yes, sir.

18 Q Okay. What were you awoken to?

19 A My head banging and ringing.

20 Q Okay. And after your head's banging and
21 ringing, what do you do to try to compose yourself?

22 A Well, first I shake my head. Then I get up, you
23 know, go to the bathroom.

24 Q Okay. And did you -- do you have a history of
25 having seizures?

1 A Yes, sir.

2 Q Okay. And how long have you had that issue?

3 A Since I was 15.

4 Q Okay. So when you're describing your head
5 banging and ringing, are you concerned about whether
6 that's a seizure or not?

7 A Yeah. I thinking it's just a normal seizure.

8 Q Okay. And have you been taking any drugs that
9 day?

10 A Beside my medication?

11 Q Okay. And is that medication for seizures?

12 A Yes, sir.

13 Q Do you know the name of that?

14 A I can't -- I done been on so many of them, so I
15 don't know if I was on Keppra, Dilantin, Tegretol.

16 Q Would you also take Xanax from time to time as
17 well?

18 A Yes, sir.

19 Q Okay. After trying to compose yourself, where
20 did you walk to?

21 A To the bathroom.

22 Q Okay. And is the bathroom inside or outside of
23 the bedroom you were in?

24 A Outside.

25 Q Okay. After you walked to the bathroom, what

1 did you observe?

2 A I observed Cornbread walk through the living
3 room to the kitchen. I didn't even make it to the
4 bathroom. He saw me.

5 Q Okay. And after Cornbread saw you, what did
6 Mr. Whitfield do?

7 A He walked me from the hallway to the kitchen at
8 gunpoint.

9 Q Okay. You said he still had a gun out?

10 A Yes, sir.

11 Q How was he pointing it at you?

12 A To my face.

13 Q Okay. Was the gun up to your head?

14 A Yes, sir.

15 Q So the proximity of Mr. Whitfield, how close was
16 he to put the gun to your head?

17 A Close enough. He was right here.

18 Q And, again, is this a well-lit apartment at this
19 time?

20 A Yes, sir.

21 Q Okay. And did you observe Mr. Whitfield's face
22 again holding the gun to your head?

23 A Yes, sir.

24 Q Okay. What did Mr. Whitfield do to you next
25 with -- after he had the gun to your head?

1 A Pushing me on the kitchen floor. He said, "Get
2 on the floor." I don't know if I fell from the loss of
3 blood or just from listening.

4 Q At this point are you -- have you had even the
5 time to understand kind of what injury you have?

6 A No, sir.

7 Q Okay. Did you see blood at least coming out of
8 your face?

9 A Yes. When I -- when I start talking to him, I
10 realize when blood was coming out of my mouth.

11 Q Okay. And were you having a hard time speaking
12 as well?

13 A Yes, sir.

14 Q Okay. And just to be very clear, was the
15 individual holding the gun to your head the same
16 individual that you saw on the couch known to you as
17 Mr. Cornelius Whitfield?

18 A Yes, sir.

19 Q You had already mentioned that Mr. Whitfield
20 said get on the ground. Do you recall Mr. Whitfield
21 making any other statements to you?

22 A Yes. He kept saying, "Where it's at? Where
23 it's at?"

24 Q Okay. And what was he referring to?

25 A Money.

1 MS. SEIFER-SMITH: Objection. Speculation.

2 THE COURT: If he knows. Overruled. Go
3 ahead.

4 BY MR. BRADLOW:

5 Q Do you know -- do you know what he was --

6 A Yes, sir. Money.

7 Q -- Referring to? Yep.

8 So at this point it's a robbery, correct?

9 A Yes, sir.

10 MS. SEIFER-SMITH: That was leading.
11 Objection.

12 THE COURT: Okay.

13 BY MR. BRADLOW:

14 Q What was it, Mr. Green?

15 A It's a robbery.

16 Q Yep. And what was Mr. Whitfield having you do?

17 A He had me on the ground. He made me take off my
18 jewelry. And he kept saying, "Where it's at?" And I told
19 him, "There nothing here."

20 Q And what jewelry did Mr. Whitefield make you
21 take off?

22 A My rings.

23 Q Okay. And at this point you're obviously
24 scared, correct?

25 A Yes, sir.

1 MS. SEIFER-SMITH: Objection. Leading.

2 THE COURT: It is. Open-ended.

3 BY MR. BRADLOW:

4 Q Explain -- explain to the Court how you're
5 feeling at this moment with a gun to your head.

6 A Why wouldn't I be scared? There's a gun to my
7 head. Of course, I got kids. Of course, it's the first
8 thing I think about is my kids and the gun to your head.
9 Anybody can answer that question. Still, shaking,
10 nervous, scared, is my life over with.

11 Q Eventually did Cornelius Whitfield leave the
12 apartment?

13 A Yes, sir.

14 Q Okay. Explain to the Court how that -- how that
15 went down. How you learned he left.

16 A Well, at the -- where I was, I closed my eyes,
17 gave a little prayer, and I hear the door shut. So I get
18 up normally. I go lock the door.

19 Q Okay. After you -- or after or while you're
20 locking the door, do you observe anyone else in the
21 apartment?

22 A Not as I'm locking the door, but when I turn
23 around from locking the door, I see -- I see my brother
24 gone.

25 Q And I know your actual brother is Deronrick

1 Green, correct?

2 A Yes, sir.

3 Q When you're referring to this brother --

4 A To D. Cash.

5 Q Okay. And he's not actually your biological
6 brother, correct?

7 A No, sir.

8 Q But he was family, basically, correct?

9 A Yes, sir.

10 Q After you locked the door and learned of
11 Mr. Barnes' condition, what did you do next?

12 A I called my girlfriend.

13 Q Okay.

14 A Then after that I called my brother.

15 Q Okay. And when you say your brother, you're
16 talking about Mr. Deronrick Green?

17 A Yes, sir.

18 Q Okay. While you're making this phone call,
19 describe your demeanor to the Court.

20 A Well, I'm scared. Then I just -- after I'm
21 talking, I go in the bathroom. I realize my face
22 swolled (sic). I can't even see myself. So he was like,
23 "Call the police," and I'm --

24 Q Okay. Well, we'll get to that. So you make the
25 phone call to Mr. Green, correct?

1 A Yes, sir.

2 Q Okay. And on this call, while you're realizing
3 you have a serious injury and you're upset, what did you
4 say to your brother Deronrick?

5 A I told him that D. Cash was gone and Cornbread
6 killed him.

7 Q And as far as the duration of this call, I
8 don't -- I'm not sure if you remember or not, but do you
9 remember how long you talked to him?

10 A No, sir.

11 Q Okay. Do the police eventually show up at the
12 house?

13 A That I don't know because I was -- I was told
14 by --

15 MS. SEIFER-SMITH: Objection. Hearsay.

16 BY MR. BRADLOW:

17 Q Do you know what -- do you remember anything
18 after that phone call with Deronrick?

19 A No, sir.

20 Q And was that based on your condition at that
21 point?

22 A I guess. Yes, sir.

23 Q What is the next thing you remember?

24 A Waking up in the hospital.

25 Q Okay. Would that have been the following day or

1 you're not even sure of that?

2 A No. I think I was sedated for a couple days.

3 Q Okay.

4 MR. BRADLOW: Could I have one moment,
5 your Honor?

6 THE COURT: Sure.

7 BY MR. BRADLOW:

8 Q Approximately how long were you in the hospital?

9 A I think two weeks.

10 Q Okay.

11 MR. BRADLOW: One moment.

12 THE COURT: You may.

13 MR. BRADLOW: No further questions from the
14 State, your Honor.

15 THE COURT: Cross-examination?

16 MS. SEIFER-SMITH: Yes.

17 **CROSS-EXAMINATION**

18 BY MS. SEIFER-SMITH:

19 Q Good morning, Mr. Green.

20 A How you doing?

21 Q How are you?

22 A I'm doing all right.

23 Q Thanks for being here. It'll be quick.

24 Mr. Green, would you agree that you have six prior felony
25 convictions?

1 A Yes, sir -- yes, ma'am. I'm sorry.

2 Q You're fine. And you have not had your rights
3 restored; is that correct?

4 A What you mean by that?

5 Q So what I mean by that is like you still are not
6 legally able to vote; is that correct?

7 A I don't -- I don't know. I guess. Maybe.

8 Q You haven't petitioned to Tallahassee, to the
9 state of Florida, to be able to vote?

10 A Okay.

11 Q Is that right? You haven't done that kind of
12 paperwork?

13 A No, ma'am.

14 Q Okay. And you haven't done similar paperwork
15 for the right to be able to carry a firearm? Is that also
16 correct?

17 A Yes, ma'am.

18 Q And those convictions were stemming from 2012;
19 is that also right?

20 A Yes, ma'am.

21 Q Okay. And I just want to talk briefly about you
22 mentioned on direct that you have a seizure disorder?

23 A Yes, ma'am.

24 Q Okay. And I'm sorry for that. I imagine it
25 must be quite difficult. My understanding based on our

1 prior conversation is that sometimes you experience
2 multiple seizures per month --

3 A Uh-huh.

4 Q -- and then sometimes not for a few months. Is
5 that kind of how it goes, ebbs and flows?

6 A Yes, ma'am.

7 Q Okay. And you've taken different medications
8 for this disorder off and on since you were a teenager?

9 A Yes, ma'am.

10 Q Okay. On occasion you take Keppra; is that
11 right?

12 A Yes, ma'am.

13 Q Are you still taking Keppra?

14 A I think I take Dilantin now.

15 Q Okay. Are you taking that now?

16 A Yes, ma'am.

17 Q Does it affect you in any way?

18 A Sleepiness, headaches now and then.

19 Q Okay. Did you take that medication today?

20 A No, not -- I take it before I go to bed.

21 Q I'm sorry?

22 A I take it before I go to bed.

23 Q Okay. So you took it last night?

24 A Yes, ma'am.

25 Q Okay. So are you feeling the effects of any of

1 that medication right now?

2 A No, ma'am.

3 Q Okay. You were never taking Xanax prescribed to
4 you for the seizures, though; is that right?

5 A No, ma'am.

6 Q You were taking that recreationally?

7 A Yes, ma'am.

8 Q Okay. And the seizures have had the effects of
9 kind of diminishing your memory, impairing your memory
10 over time; is that right?

11 A Yes, ma'am.

12 Q Is that a "yes"?

13 A Yes.

14 Q So your memory is not so great; is that also
15 correct?

16 A Yes. It's like short term.

17 Q Okay. That's what you've experienced?

18 A Yes, ma'am.

19 Q Okay. Now, you told us that you were born and
20 raised in St. Petersburg, Florida; is that right?

21 A Uh-huh. Yes, ma'am.

22 Q Never really lived anywhere else; is that right?

23 A Not really. No, ma'am.

24 Q Okay. And in St. Pete, it's South St. Pete.

25 Like, that's your neighborhood, correct?

1 A Yes, ma'am.

2 Q Okay. You and Deronrick, even though you're a
3 few years apart, you've grown up very close --

4 A Yes.

5 Q -- is that fair?

6 A Yes, ma'am.

7 Q Okay. And you've spoken of Darren Barnes as
8 being your brother because that's how close you felt he
9 was to you?

10 A Yes, ma'am.

11 Q And you mentioned having a girlfriend at the
12 time. Was that Selena Troop (phonetic)?

13 A Uh-huh.

14 Q Is that a "yes"?

15 A Yes, ma'am. I'm sorry.

16 Q Okay. And was she listed in your phone as
17 "Bae," B-A-E?

18 A Yes, ma'am.

19 Q Because that's how close you were at the time?

20 A Yes, ma'am.

21 Q You're no longer together; is that right?

22 A No, ma'am.

23 Q Okay. Now, I just wanted to go over briefly
24 your initial familiarity with Mr. Whitfield. So I think
25 you told us on direct that you had never met Cornelius

1 Whitfield, or Cornbread, prior to November of 2020; is
2 that right?

3 A Yes.

4 Q Okay. And then between November 2020 and
5 February 2nd, 2021, you had only seen him perhaps three
6 times; is that also correct?

7 A Yes, ma'am.

8 Q Okay. So you saw him perhaps three times over
9 the course of four months; is that right?

10 A Yes, ma'am.

11 Q Okay. And he was introduced to you as
12 Cornbread, not anything else, not Cornelius?

13 A Cornbread.

14 Q Okay. Do you mind if I call him Mr. Whitfield
15 throughout?

16 A Call him what you want to.

17 Q Okay. And the first time you saw him was brief,
18 is that right, the time that he was introduced to you?

19 A Yes, ma'am.

20 Q Okay. So just a few minutes?

21 A Yeah. Yes, ma'am.

22 Q Okay. And that was November 2020; is that
23 correct?

24 A Uh-huh, yes.

25 Q So like three to four months before the incident

1 that we're here on today?

2 A Yes, ma'am.

3 Q Okay. And you thought that he was odd or
4 strange that first time; is that right?

5 A Yes, ma'am.

6 Q Okay. And the second time that you saw him was
7 just somewhere between November and February according to
8 your memory?

9 A Yes, ma'am.

10 Q And that also was a very brief occasion; is that
11 right?

12 A Yes, ma'am.

13 Q Okay. Just a quick in and out with somebody
14 else?

15 A Yes, ma'am.

16 Q Okay. And both of those were at the apartment
17 that we just -- that you discussed earlier?

18 A Yes, ma'am.

19 Q Okay. On both occasions did you see
20 Mr. Whitfield with a firearm?

21 A Yes, ma'am.

22 Q Okay. And you saw enough of that firearm to
23 identify it as a .40-caliber firearm; is that right?

24 A Yes, ma'am. It had to be a .45 or a -- as a
25 matter of fact, I think it was a .45. I'm not a gun

1 person so --

2 Q I think you told me specifically that it was a
3 .40 caliber and that you were quite certain it was a
4 .40 caliber. Do you remember that?

5 MR. BRADLOW: Objection. Improper
6 impeachment, your Honor.

7 THE WITNESS: Yeah.

8 THE COURT: Hold on. No, I'll overrule. Go
9 ahead.

10 BY MS. SEIFER-SMITH:

11 Q That means you can answer the question.

12 A What's the question again? I'm sorry.

13 Q Sure. So you -- do you recall previously saying
14 that you identified it as a .40 caliber?

15 A Yes, ma'am.

16 Q Okay. And that was the same gun that you saw
17 again the night that Darren and you were shot?

18 A Whatever gun it was, yes, ma'am.

19 Q Okay. Now I want to talk a little bit about the
20 apartment. The Emerald Pointe apartment was in like an
21 apartment complex; is that right?

22 A Yes, ma'am.

23 Q And that was on the north side of St. Pete?

24 A Yes, ma'am.

25 Q So outside of your regular neighborhood; is that

1 right?

2 A Yes, ma'am.

3 Q Okay. And you started spending time there in
4 early 2020?

5 A Yes, ma'am.

6 Q Okay. And it became a part of your daily
7 routine, meaning that you were there just about every
8 single day; is that right?

9 A Yes, ma'am.

10 Q Okay. And occasionally because of the nature of
11 the work that you were doing there, you would spend the
12 night; is that right?

13 A Yes, ma'am.

14 Q Okay. So it's not like you kept all of your
15 personal property there, but you kept like a change of
16 clothes, shoes, things like that?

17 A Yeah, a little -- little stuff every now and
18 then.

19 Q And in terms of spending the night, that would
20 also be true of Darren sometimes, but not your brother
21 Deronrick; is that right?

22 A Yes, ma'am.

23 Q Okay. Deronrick always went home to his family?

24 A Yes, ma'am.

25 Q Okay. And you told us that the apartment was

1 being used to sell drugs out of?

2 A Yes, ma'am.

3 Q I think you also used the term that, like, you
4 trapped out of it?

5 A Yes, ma'am.

6 Q Okay. And you, Deronrick, and Darren were
7 trapping out of that apartment every single day?

8 A Yes, ma'am.

9 Q Okay. And the drugs that were being sold out of
10 that apartment were crack cocaine, marijuana, and pills;
11 is that right?

12 A Yes, ma'am.

13 Q And you were involved in the repackaging of
14 drugs from larger amounts into smaller saleable amounts to
15 users; is that right?

16 A Yes, ma'am.

17 Q Okay. People would come to the apartment for --
18 to buy the drugs; is that right?

19 MR. BRADLOW: Objection. Relevance at this
20 point, your Honor.

21 THE COURT: No. I gave latitude on your side.
22 She can have a little bit on hers. Go ahead.

23 BY MS. SEIFER-SMITH:

24 Q People would come to the apartment to buy drugs?

25 A Yes, ma'am.

1 Q Okay. Sales were conducted within the
2 apartment?

3 A Yes, ma'am.

4 Q Okay. And both Darren and Deronrick mostly
5 stayed in the apartment, but you would kind of get
6 business to come to the apartment where you would conduct
7 your business outside of the apartment as well?

8 A Yes, ma'am.

9 Q Okay. You had just one phone; is that right?

10 A Yes, ma'am.

11 Q Okay. MetroPCS?

12 A Yes, ma'am.

13 Q Your friend Darren had two phones?

14 A Yes, ma'am.

15 Q I'm sorry. I didn't mean to interrupt you.

16 A Yeah. You say he have two phones? Yes, ma'am.

17 Q Okay. And Deronrick had three phones?

18 A Yes, ma'am.

19 Q Okay. And you'd agree that trapping, or selling
20 drugs, can be a dangerous game?

21 A Yes, ma'am.

22 Q Okay. And a pretty significant danger that you
23 personally have experienced at least two times in your
24 life; is that right?

25 A Yes, ma'am.

1 Q In 2010, you were robbed at gunpoint of drugs,
2 money, and jewelry --

3 A Yes, ma'am.

4 Q -- is that right?

5 Okay. And after that experience you took to
6 carrying a gun yourself; is that right?

7 A Yes, ma'am.

8 Q Okay. And so you carried a gun even after you
9 were released from prison from those 2012 convictions; is
10 that right?

11 A Yes, ma'am.

12 Q Okay. The gun that you carried was also a .40;
13 is that right?

14 A I don't remember. I don't, to be honest.

15 Q Would it refresh your recollection if you had an
16 opportunity to review your deposition where you discussed
17 it? Would it help you to see the deposition that you gave
18 to me where you discussed the caliber of the gun?

19 A Sure.

20 Q Okay.

21 MS. SEIFER-SMITH: If I can approach?

22 THE COURT: Sure. Page?

23 MS. SEIFER-SMITH: Thirty, line 8.

24 THE COURT: Okay.

25

1 BY MS. SEIFER-SMITH:

2 Q Did reading your deposition help you recollect
3 the caliber of the gun that you carried at the time?

4 A Yes, ma'am.

5 Q Okay. And was that a .40?

6 A Yes, ma'am.

7 Q Okay. And it was a handgun, correct?

8 A Yes, ma'am.

9 Q A black handgun?

10 A Mine was black and silver if I recall.

11 Q Okay. You don't remember anything more about
12 it, right, like no brand name, model name, serial number?
13 You don't remember all that, do you?

14 A No.

15 Q Okay. It was a gun that you bought on the
16 streets, right?

17 A Yes, ma'am.

18 Q Okay. And in addition to carrying a gun, you
19 also took some precautions in terms of like how you would
20 engage in your business, correct?

21 A I don't understand the question.

22 Q I can be a little bit more clear. So your
23 safety was a concern to you given that selling drugs can
24 be dangerous, correct?

25 A Yes, ma'am.

1 Q Okay. And so in terms of, like, selling drugs
2 out of the apartment, you wouldn't just invite anybody
3 into the apartment, correct?

4 A No, ma'am.

5 Q Okay. You only invited people in that you did
6 business with that you had already vetted yourself,
7 correct?

8 A Yes, ma'am.

9 Q And in terms of the business that you wanted to
10 do, it was just with people who were definite users,
11 right?

12 A Yes, ma'am.

13 Q Meaning that you didn't -- you didn't want to do
14 business in the apartment with somebody who was a seller
15 who was maybe looking to move drugs rather than just use
16 drugs, right?

17 A Yes, ma'am.

18 Q Okay. And you would agree that that wasn't true
19 of Darren or of Deronrick in terms of who they would
20 invite into the apartment?

21 A Come again?

22 Q Sure. So the safety precautions that you were
23 taking were not the same that Deronrick and Darren were
24 taking?

25 A Yeah. We all had the same, but they would be

1 homeboys. So there's a difference.

2 Q You had no control over who they were
3 inviting --

4 A No.

5 Q -- into the apartment?

6 A No.

7 Q Okay. They decided who they were gonna do
8 business with --

9 A Yes, ma'am.

10 Q -- without consulting you?

11 A Yes, ma'am.

12 Q Okay. And I think you mentioned earlier that
13 you would recreationally use Xanax. It wasn't prescribed
14 to you, correct?

15 A Yes, ma'am.

16 Q You also smoked marijuana?

17 A Yes, ma'am.

18 Q And you would smoke it every single day,
19 correct?

20 A Yes, ma'am.

21 Q Multiple times a day; is that right?

22 A Yes, ma'am.

23 Q Now I want to talk about February 1st of 2021.
24 You went to the apartment in the evening as well; is that
25 right?

1 A Yeah. I got there 'bout like 8:00 something --

2 Q Okay.

3 A -- that night.

4 Q So just shortly before you said Mr. Whitfield
5 arrived at the apartment?

6 A Yes, ma'am.

7 Q Okay. And you came to the apartment in order to
8 do some work to make some money?

9 A Yes, ma'am.

10 Q And both Darren and Deronrick were there when
11 you arrived; is that right?

12 A Yes, ma'am. My brother Dee was leaving.

13 Q Okay. And they were both playing a video game;
14 is that right?

15 A Yes, ma'am. Madden.

16 Q And -- Madden, you said?

17 A Yes, ma'am.

18 Q And they were also smoking marijuana?

19 A Yes, ma'am.

20 Q Okay. And just a few minutes later there was a
21 knock at the door; is that right?

22 A Yes, ma'am.

23 Q And then upon opening the door, which you didn't
24 open, you said that Mr. Whitfield was there; is that
25 right?

1 A Yes, ma'am.

2 Q Okay. Mr. Whitfield entered the apartment. And
3 so all four of you were in the apartment for a short
4 period of time; is that right?

5 A Before he -- before he entered the apartment, my
6 brother told me he going home. The reason he stayed was
7 'cause of D. Cash.

8 Q Okay. Your brother Deronrick was only there
9 overlapping with you-all for just a few more minutes; is
10 that right?

11 A Yes, ma'am.

12 Q And then he left and you believe that he went
13 home?

14 A Yes, ma'am.

15 Q Okay. And -- okay. And you said that shortly
16 thereafter you went to lie down; is that right?

17 A Yes, ma'am.

18 Q Okay. And that was because you were sleepy,
19 right?

20 A Not necessarily sleepy. Just I'm on my phone.
21 I go in the room to talk on the phone. I end up falling
22 asleep.

23 MS. SEIFER-SMITH: If I could just have a
24 moment.

25

1 BY MS. SEIFER-SMITH:

2 Q Okay. So prior to going into your bedroom,
3 though, you had already taken at least two Xanax, correct?

4 A Probably. Yes, ma'am.

5 Q Would you sometimes take more than two?

6 A No.

7 Q Okay. So at least two Xanax?

8 A Yes, ma'am.

9 Q And you had already smoked marijuana, correct?

10 A Yes, ma'am.

11 Q Okay. Not drinking that day?

12 A No. I'm not a drinker.

13 Q Okay. And so you went into the bedroom, you
14 said, and you were on your phone?

15 A Yes, ma'am.

16 Q And just ended up falling asleep while you were
17 there?

18 A Yes, ma'am.

19 Q And so while you were asleep you don't -- you
20 didn't hear anything, you didn't see anything, right?
21 Like, you were out?

22 A Yes, ma'am.

23 Q Okay. And then your next memory is waking up
24 with your head ringing; is that right?

25 A Yes, ma'am.

1 Q Okay. And you didn't know at the time why you
2 felt that way, your head ringing; is that right?

3 A No, ma'am.

4 Q Okay. And you said that you got up and the
5 first thing you kind of shook your head to see if that
6 kind of cleared the ringing --

7 A Uh-huh.

8 Q -- is that right?

9 A Yes, ma'am.

10 Q It didn't clear the ringing, though, did it?

11 A No, ma'am.

12 Q Okay. And so you left the bedroom at that point
13 to go to the bathroom?

14 A Yes, ma'am.

15 Q And it was when you were on your way from the
16 bedroom to the bathroom that you said you saw a person?

17 A Cornbread. Yes, ma'am.

18 Q Okay. And you said that person was recognizable
19 to you as Cornbread?

20 A Yes, ma'am.

21 Q Okay. And that person pointed a gun at you and
22 directed you into the kitchen; is that correct?

23 A Yes, ma'am.

24 Q And that person spoke to you; is that right?

25 A Yes, ma'am.

1 Q Okay. That person asked you who you were; is
2 that right?

3 A No. He asked me where it was, where the money
4 at. He already know who I am. There's no need to ask who
5 I am.

6 Q Right. Well --

7 MS. SEIFER-SMITH: I just beg a moment of the
8 Court's indulgence.

9 BY MS. SEIFER-SMITH:

10 Q Okay. In the kitchen this person spoke to you,
11 correct?

12 A Yes, ma'am.

13 Q Okay. And you had trouble conversing with them?

14 A You mean talking to him?

15 Q Yes.

16 A Yes, a little bit.

17 Q You had a pretty extensive injury which you
18 didn't know the extent of at the time, right?

19 A Yes, ma'am.

20 Q Okay. And you also still had, like, the ringing
21 in your head, correct?

22 A Nah, it wasn't no ringing.

23 Q Okay. But --

24 A I'm scared now.

25 Q So physically it was difficult for you to speak

1 rather than mentally?

2 A Yeah.

3 Q Okay. And this person had pointed a gun at you,
4 correct?

5 A Yes, ma'am.

6 Q Okay. And this person asked you who you were,
7 correct?

8 A No.

9 Q Okay.

10 MS. SEIFER-SMITH: If I can direct the Court
11 and counsel to page 57, lines 20 through -- excuse
12 me, 18 through 22.

13 Question: Did you know that you were bleeding
14 at that point?

15 Answer: No. I didn't know I was bleeding
16 until I start talking to him when he asked who I
17 was. Stupid-ass question.

18 THE WITNESS: No. That was -- if you want me
19 to answer that, it was y'all wrote that wrong.

20 BY MS. SEIFER-SMITH:

21 Q No. That was not a question for you, Mr. Green.

22 A Oh.

23 Q Thank you. So you were also asked where is it
24 at?

25 A That's what he kept asking, "Where it's at?"

1 Where the money at?" That's all he kept asking.

2 Q Okay. So -- and you took that to mean, even
3 though this person wasn't specific, you took that to mean
4 drugs and money; is that right?

5 A Yes, ma'am.

6 Q Okay. And even though you had difficulty
7 speaking, you told us on direct that you just said there
8 ain't nothing here?

9 A Yes, ma'am.

10 Q Okay. And at the time this person had things in
11 their arms, right?

12 A Yes, ma'am.

13 Q All the guns?

14 A He already had -- he had guns and whatever the
15 little drugs that was there.

16 Q Okay. And you said that he took jewelry from
17 you, correct?

18 A Yeah. He had me take my rings off.

19 Q He took three rings from you?

20 A Yes, ma'am.

21 Q Okay. No other jewelry, correct?

22 A No, ma'am.

23 Q And he didn't get any money from you; is that
24 right?

25 A No, ma'am.

1 Q Okay. And then you -- you don't remember seeing
2 him leave, but you remember hearing the door close behind
3 him?

4 A Yes, ma'am.

5 Q Okay. So you didn't hear the door get unlocked
6 and then closed. You just heard the door close, correct?

7 A Yeah, open and close.

8 Q Okay. Meaning that the door was unlocked
9 previously, correct?

10 A Yes, ma'am.

11 Q Okay. You were the first person who then locked
12 the door; is that right?

13 A Yes, ma'am.

14 Q Okay. And directly after locking the door, you
15 said you recall going to the bathroom, looking at your
16 face; is that right?

17 A Yes.

18 Q And then you made two telephone calls, correct?

19 A Yes, ma'am.

20 Q You called your girlfriend, Selena Troop, right?

21 A Yes, ma'am. And I called my brother Dee.

22 Q And the second call was to your brother
23 Deronrick?

24 A Yes, ma'am.

25 Q Okay. Do you remember anything of the

1 conversation with Miss Troop?

2 A Oh, she ain't answer the phone.

3 Q Okay. And you told us on direct what you had
4 said to your brother, correct?

5 A Uh-huh. Yes, ma'am.

6 Q Okay. You did not call the police?

7 A No.

8 Q Okay. You actually tried to leave the
9 apartment; is that right?

10 A Yes, ma'am.

11 Q And the reason you tried to leave the apartment
12 was because of what had been going on in the apartment --

13 A Yes, ma'am.

14 Q -- i.e., the drug sales, right?

15 A Yes, ma'am.

16 Q You had gotten out of prison?

17 A Yeah.

18 Q You were a little bit concerned for yourself,
19 right?

20 A Yes, ma'am.

21 Q Okay. But your next memory is waking up in the
22 hospital; is that right?

23 A Yes, ma'am.

24 Q Okay. You don't remember how you got there,
25 correct?

1 A No.

2 Q You don't remember any police or first
3 responders taking you there, correct?

4 A No.

5 Q You don't remember any kind of conversations or
6 contact that you might have had with anybody between, you
7 know, that last call with Deronrick and ending up in the
8 hospital?

9 A No. Only thing I heard --

10 Q I don't -- I'm not asking you what you heard.

11 A Okay.

12 Q You just -- you don't have an independent
13 recollection of any kind of contact with anybody, right?

14 A Yes, ma'am.

15 Q Okay. You told us on direct that you believe
16 that you were sedated, you were medicated, for several
17 days, correct?

18 A Yes, ma'am.

19 Q Ultimately, you were in the hospital for about
20 two weeks; is that right?

21 A Yes, ma'am.

22 Q Okay. Your first recollection was waking up in
23 the hospital and Miss Troop was there with you; is that
24 right?

25 A Yes, ma'am.

1 Q You don't remember any kind of visits from any
2 police officers while you were at the hospital; is that
3 right?

4 A No, ma'am.

5 Q You don't remember either officers like patrol
6 officers in uniform or detectives coming to see you in the
7 hospital?

8 A No, ma'am.

9 Q You don't remember any kind of authority figure,
10 police or otherwise, showing you any photographs, correct?

11 A No, ma'am.

12 Q You don't recall ever going to the police
13 station to speak with any detectives or officers there?

14 A After I got out, yes.

15 Q But not during that. Okay. So now you're
16 saying you do remember going to the police station to
17 speak with officers?

18 A After I was released.

19 Q Okay. You don't recall giving permission to the
20 police to go into your phone, do you?

21 A No.

22 Q Okay. And I want to talk just real briefly
23 about the injuries that you incurred that night. You were
24 shot in the side of the cheek, right, the right side?

25 A Yes, ma'am.

1 Q And the bullet ultimately embedded itself in
2 your left neck, correct?

3 A Yes, ma'am.

4 Q Obviously, it was so serious that you were in
5 the hospital for about two weeks. I think when you and I
6 spoke, you described maybe not having your jaw wired shut
7 but that your face and jaw was very, very swollen?

8 A Yes, ma'am.

9 Q And you had numerous surgeries during that time
10 of the two weeks in the hospital; is that right?

11 A Yes, ma'am.

12 Q It was very difficult for you to communicate
13 verbally, but during the time that you were there you did
14 communicate verbally just with like clenched teeth; is
15 that right?

16 A Yes, ma'am.

17 Q Okay. You weren't, like, writing to communicate
18 with people. You didn't have a notepad where you would
19 write things?

20 A I don't think so.

21 Q Okay. And, ultimately, you received a couple of
22 items of jewelry back; is that right?

23 A Yes, ma'am.

24 Q Okay. A bracelet and a necklace; is that
25 correct?

1 A Yes, ma'am.

2 Q Okay. In receiving those items back, you never
3 provided any kind of proof of ownership to the detectives
4 or the officers; is that right? Like --

5 A That proof that it was mine?

6 Q Right.

7 A No, ma'am.

8 Q Right. So you didn't provide any receipts or
9 any photographs of you wearing it prior to the shooting?

10 A They already ask -- told my brother show 'em the
11 picture of me with it on, so.

12 Q Okay. I'm just asking you, Mr. Green, in terms
13 of what you did.

14 A No.

15 Q Okay.

16 A Yes, ma'am.

17 Q And you never provided them any kind of
18 photographs of you wearing anything, including the rings,
19 or any proof of ownership before this; is that right?

20 A Me personally, no.

21 Q Okay.

22 MS. SEIFER-SMITH: If I could just have a
23 couple moments of indulgence so that I can check in
24 with counsel and my client.

25 THE COURT: Sure.

1 MS. SEIFER-SMITH: Nothing further.

2 THE COURT: Any redirect?

3 MR. BRADLOW: Yes, your Honor.

4 **REDIRECT EXAMINATION**

5 BY MR. BRADLOW:

6 Q Mr. Green, there was some discussion about your
7 seizures and history of seizures at the top of the
8 cross-examination. Did you have a seizure that day when
9 you were shot in the face?

10 A No, sir.

11 Q Okay. And did that history of seizures impair
12 your memory of who shot you in the face that night?

13 A No, sir.

14 Q Okay. You had also mentioned on
15 cross-examination in regards to the November 2020 meeting
16 with Cornelius Whitfield about that it was just a few
17 minutes. Do you remember how long it was back in
18 November 2020?

19 A It couldn't be no longer than 30 minutes.

20 Q Okay. I just want to clarify by how much you
21 meant by just a few minutes. Okay?

22 A Okay.

23 Q Also discussion about the caliber of the gun
24 that you owned -- or, excuse me, the caliber of the gun of
25 Mr. Whitfield and that you thought it was either a .45 or

1 a .40; is that right?

2 A Yes, sir.

3 Q Did you ever handle the firearm on scene?

4 A No, sir.

5 Q Okay. Did you ever examine what rounds were
6 chambered in that firearm or anything like that?

7 A No, sir.

8 Q Okay. So you wouldn't have any knowledge about
9 exactly what caliber it was. You're just --

10 A No, sir.

11 Q -- just kind of estimating that based on the
12 size of the gun?

13 A Yes, sir.

14 Q Okay.

15 A Basically.

16 Q Also, discussion about dangerous game selling
17 guns -- or selling drugs, sir, does any history you may
18 have in being robbed back in the day or selling narcotics
19 impact your testimony today about who shot ya?

20 A No.

21 MS. SEIFER-SMITH: Objection. Relevance.

22 THE COURT: Yeah, I kind of think that's true.

23 MR. BRADLOW: Okay.

24 THE COURT: I agree.

25

1 BY MR. BRADLOW:

2 Q And I'm about to wrap up here, Mr. Green. When
3 referring -- defense counsel was referring to this person
4 who had shot you. Who is the person that shot you, sir?

5 A Cornbread.

6 Q And when you say "Cornbread," you mean Cornelius
7 Whitfield?

8 A Whitfield, Cornelius, whatever his name is, it
9 was Cornbread.

10 Q Okay. Thank you, sir.

11 MR. BRADLOW: No further questions from the
12 State.

13 THE COURT: All right. Thank you, sir. You
14 can step down.

15 THE WITNESS: All right, Judge.

16 THE COURT: Is he excused from today's
17 hearing?

18 MR. BRADLOW: He's excused.

19 THE COURT: Thank you.

20 THE WITNESS: Thank you, sir.

21 THE COURT: All right. Now that he's excused,
22 do you want Mr. Whitfield brought up to the
23 courtroom?

24 MS. SEIFER-SMITH: Yeah, I think so.

25 THE COURT: Is that okay? Should we break or

1 is that only a couple minutes?

2 THE BAILIFF: Five minutes, ten the most.

3 THE COURT: You guys good?

4 MS. SEIFER-SMITH: Yeah.

5 THE COURT: Madam Clerks, if you need to step
6 out or powder your nose, you're welcome to while
7 he's coming up.

8 Madam Court Reporter, whatever you guys need.

9 (PAUSE IN PROCEEDINGS)

10 THE COURT: All right. For the record,
11 Mr. Whitfield has joined us. We're of the belief
12 that he was downstairs on TV watching the prior
13 witness testify. Can we agree that's the case? Do
14 you want me to inquire of Mr. Whitfield of that?

15 MS. SEIFER-SMITH: I don't think so, no. I
16 think, as an officer of the Court, Mr. McGreen was
17 with Mr. Whitfield. They were able to see and hear
18 everything.

19 MR. MCGREEN: That's correct.

20 THE COURT: All right. You were down with
21 him?

22 MR. MCGREEN: Yes, your Honor.

23 THE COURT: For the record, Counselor.

24 MR. MCGREEN: Lamark McGreen for the record.

25 We were able to see and hear everything that

1 happened up here.

2 THE COURT: State, are you okay with that so I
3 don't have to question him independently since the
4 lawyer was with him while we were doing that?

5 MR. KOSKINAS: Yes.

6 THE COURT: All right. So everybody is here.
7 Are we ready for the next witness?

8 MR. KOSKINAS: We are.

9 THE COURT: All right.

10 MR. KOSKINAS: Officer Joshua Jordan.

11 THE BAILIFF: Right up this way. Stand right
12 here for me. Face the clerk. Raise your right
13 hand to receive the oath.

14

15 THEREUPON,

16

JOSHUA JORDAN,

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

19

20 THE BAILIFF: Officer, you can have a seat.
21 Speak in a loud and clear voice for the Court,
22 please.

23 THE COURT: Good morning.

24 THE WITNESS: Good morning, Judge. Good
25 morning, Defense. Good morning, everybody.

1 THE COURT: Whenever you're ready, Counselor.

2 **DIRECT EXAMINATION**

3 BY MR. KOSKINAS:

4 Q Could you introduce yourself for the purposes of
5 the record, please.

6 A Yes. My name is Joshua Jordan.

7 Q And where do you work, sir?

8 A I work at the St. Petersburg Police Department.

9 Q In what capacity?

10 A I am a sergeant in charge of the major crimes
11 homicide unit.

12 Q How long have you been so employed?

13 A Almost 15 years.

14 Q And did you have the occasion to become involved
15 in the investigation of State of Florida versus Cornelius
16 Whitfield?

17 A I did. Yes, sir.

18 Q Can you tell us when you became involved in that
19 investigation, sir?

20 A I was a detective in 2021, in February of '21 --

21 Q Okay. So --

22 A -- I was one of the on-call detectives.

23 Q So did you get a call shortly after the homicide
24 had occurred?

25 A Yes.

1 Q Okay. And what did you do as a result of that
2 call?

3 A I responded to the scene.

4 Q Okay. When you were on scene, can you give a
5 description of what you saw for the Court, please.

6 A I can. We responded to 175 73rd Avenue North.
7 It's an apartment complex. I remember the scene was taped
8 off with yellow crime scene tape, and I had met with other
9 detectives from the major crimes unit and we were given a
10 brief by the patrol sergeant.

11 Q And this was, correct me if I'm wrong,
12 February 2nd of 2021?

13 A That is correct.

14 Q Approximately what time was it that you arrived
15 on scene?

16 A It was approximately 0158 in the morning.

17 Q Okay. Were there still witnesses on the scene?

18 A I do not remember if there were witnesses on
19 scene still.

20 Q Was there a -- the victim, was Rodney Green on
21 the scene at that time?

22 A I believe Rodney had been transported to the
23 hospital.

24 Q Okay. All right. And what did you do as a
25 result of arriving at the scene?

1 A Once we got the synopsis from the patrol
2 sergeant, we were notified that there were two witnesses
3 back at the station. That would be Laquanda and
4 Deronrick. So once we -- or once it was determined that
5 we would need a search warrant to process the apartment,
6 Detective Mensah and I returned back to the headquarters
7 where we interviewed Deronrick and Laquanda.

8 Q Okay. Ultimately -- you said search warrant,
9 but ultimately did you seek or did your agency seek an
10 arrest warrant as well?

11 A Yes.

12 Q Okay. And when you heard about witnesses being
13 interviewed at the station, did they give you any
14 information about a suspect?

15 A They did.

16 Q Okay. What did they tell you?

17 A They identified Cornbread, Cornelius Whitfield,
18 as a suspect.

19 Q Did you do your own research or any way
20 independently verify that the name Cornbread was connected
21 to a person identified as Cornelius Whitfield?

22 A Yes.

23 Q Okay. How so? I mean, is there like databases
24 that you guys have?

25 A ILead is our main --

1 Q How does that work?

2 A ILead is our main database, and that's what we
3 pull the majority of our information from. You can look
4 up aliases, names, nicknames. That kind of thing.

5 Q So if law enforcement has prior interaction with
6 an individual and learns of that individual's nickname --
7 in this case being Cornbread -- would that at a previous
8 time be introduced into your database for later research
9 from other officers?

10 A Yes.

11 Q Okay. And did your database confirm for you
12 that the name Cornbread was, in fact, associated with
13 Cornelius Whitfield?

14 A It was, yes.

15 Q All right. The Cornelius Whitfield that later
16 your agency sought a warrant for, same date of birth, same
17 name, same demographics?

18 A That's correct.

19 Q Is that correct?

20 A That's correct.

21 Q All right. Did you yourself respond to the
22 station to speak with any witnesses?

23 A I did.

24 Q Okay. And who did you speak to?

25 A We first spoke with Laquanda, Deronrick's wife,

1 and then we spoke with Deronrick.

2 Q Okay. I want to talk about Deronrick just for a
3 moment.

4 A Okay.

5 Q Did you ascertain the relationship between
6 Deronrick and Rodney Green in this case?

7 A Yes.

8 Q Okay. What's the purpose of your interview of
9 this individual at that time?

10 A To figure out what happened, what his
11 involvement was, and who the suspect was.

12 Q Okay. And were you able to do that?

13 A We were.

14 Q Okay. Were you able to do that through your
15 interview of Deronrick?

16 A Yes.

17 Q Did he tell you whether he was there at the time
18 of the shooting?

19 A He did tell us. He was not there.

20 Q Okay. Did he tell you whether he was there
21 prior to the -- prior in the night?

22 A Yes.

23 Q Okay.

24 MS. RUSSELL: Objection. Hearsay.

25 MR. KOSKINAS: Effect on listener. The

1 indication here is -- well, I can get to it I guess
2 quicker than I need to.

3 BY MR. KOSKINAS:

4 Q I'm going to jump ahead now a little bit. Did
5 ultimately you show a photograph to Rodney Green?

6 (SIMULTANEOUS SPEAKING)

7 A I was present when a photograph was showed to --

8 Q Yeah, it was --

9 A -- showed the photograph.

10 Q You guys went together?

11 A Correct.

12 Q Right. The photograph that was shown, was that
13 a person who was known to you and researched through your
14 department as Cornelius Whitfield?

15 A Yes.

16 Q And that was a single photograph; is that right?

17 A That's correct.

18 Q Now, the defense has placed in their motion that
19 we provided to you -- you got a copy of the motion, right?

20 A Yes, sir.

21 Q They indicated that you violated your agency's
22 protocol by showing only a single photograph. Is that
23 accurate?

24 A That's accurate.

25 Q Is it accurate that you violated your protocol

1 in doing that?

2 A No, sir.

3 Q Okay. Why not?

4 A Because he was known to the victim. Rodney knew
5 him.

6 Q Okay. Were you able to establish a known
7 suspect in this case prior to showing this lone photograph
8 to the victim, Rodney Green?

9 A Yes.

10 Q Okay. How were you able to establish that
11 individual as the suspect?

12 A It was through the interview we had with
13 Deronrick.

14 MS. RUSSELL: Objection. Hearsay.

15 MR. KOSKINAS: Effect on listener. This is
16 why they showed and followed the protocol that
17 they're alleging that they violated. It doesn't go
18 to whether -- it goes to whether he had legitimate
19 reason to show a single- photograph -- well, let's
20 do this in case there is any question.

21 THE COURT: I gotcha. Go ahead.

22 MR. KOSKINAS: I'm sorry. I'll have this
23 marked by the --

24 THE COURT: Go ahead, Defense.

25 MS. RUSSELL: Your Honor, hearsay is an

1 out-of-court statement offered for the truth of the
2 matter asserted. In this case the State is trying
3 to establish that Deronrick Green identified the
4 suspect, Cornelius Whitfield, and the State is,
5 indeed, offering that for the truth. It goes to
6 the heart of the issues in this motion to suppress,
7 and we would ask that the Court ensure that
8 Mr. Whitfield is given his proper confrontation
9 rights. If the State wanted to talk about what
10 Deronrick Green had to say to any of the
11 detectives, they should have called him as a
12 witness today.

13 THE COURT: All right. Brief response?

14 MR. KOSKINAS: Judge, they know what Deronrick
15 Green said. They've done his deposition.
16 Deronrick Green confirmed for this officer that the
17 victim called him and said Cornbread was the
18 shooter prior to any contact with law enforcement.
19 So, anyways, but the purpose is not the truth of
20 the matter asserted. The purpose is and it goes
21 to -- she's right that it goes to the heart of
22 their motion.

23 Their motion says that it's a suggestive ID,
24 that look at all the improper things the officer
25 did, and they want me now to be prevented from

1 getting into the officer why he did the things that
2 he did, why he showed a single photograph. They
3 suggested that he's violated his own internal
4 protocol, which is false. They've suggested that
5 he was -- that he's showing this single photograph
6 to suggest to the victim in this case who committed
7 the offense. And my response is I'm questioning
8 the knowledge that this officer had prior to
9 showing that photograph to the victim in this
10 case --

11 MS. RUSSELL: Objection, your Honor.

12 MR. KOSKINAS: So it shows not only did they
13 not violate their own protocol --

14 MS. RUSSELL: Objection, your Honor. May we
15 approach?

16 THE COURT: Why? There's nobody else here. I
17 mean, it's just us kids, so why do we need to
18 approach?

19 MS. RUSSELL: Well, it's -- the witness is
20 here and he's hearing the entire argument.

21 THE COURT: I'm at a loss.

22 MR. KOSKINAS: That's what I'm trying to
23 question him about.

24 THE COURT: The objection isn't relevance,
25 though. The objection is hearsay, right? And

1 you've made a good argument for why it's relevant.
2 What's the --

3 MR. KOSKINAS: It's not offered for the truth.
4 It's offered for the effect of the listener. He
5 hears these statements from this witness, which
6 gives him the ability to show the photograph to the
7 victim in this case.

8 THE COURT: Go ahead. I'll overrule. Go
9 ahead.

10 MR. KOSKINAS: Okay. May I approach the
11 witness?

12 THE COURT: Sure.

13 MR. KOSKINAS: I'm showing defense counsel
14 what has been marked as State's Exhibit 1 for
15 identification.

16 MS. SEIFER-SMITH: Okay.

17 BY MR. KOSKINAS:

18 Q Sir, I'm gonna show you now what's been marked
19 as State's Exhibit Number 1. Can you tell us what that
20 is, sir?

21 A That's our instructional order for photopacks,
22 lineups, and showups.

23 Q It's your protocol about showing photographs to
24 witnesses and victims, right?

25 A Yes.

1 Q And is that the protocol that was in effect at
2 the time that you showed or that Mensah showed the
3 photograph to Rodney Green in this case?

4 A Yes.

5 Q Okay. It even has a date on it about when it
6 was enacted, right?

7 A Yes, that is accurate.

8 Q 2017? And it wasn't altered or amended until
9 2024; is that fair to say?

10 A I believe that's fair to say.

11 Q All right. So can you just read to the Court
12 whether it's improper for you to show a single photograph
13 to a victim or a witness. I think it's 2-1 or 2-A.

14 A Single photograph display. Number one, a
15 single-photograph display is permissible when the full
16 identity of the suspect is already known by the victim or
17 a witness.

18 Number two states the sole purpose of a
19 single-photo display is for the officer's assurance and
20 confirmation that the known suspect is in fact one and the
21 same known by the police.

22 Q And you knew that the victim knew who the
23 suspect was, right?

24 A Correct.

25 Q And you knew that because you interviewed --

1 MS. RUSSELL: Objection. Leading.

2 THE COURT: It is leading.

3 BY MR. KOSKINAS:

4 Q Did you interview Deronrick Green -- or
5 Deronrick?

6 A Yes.

7 Q And did he tell you whether he had contact with
8 Rodney Green on the evening of the offense?

9 A He did.

10 MS. RUSSELL: Objection. Hearsay and leading.

11 BY MR. KOSKINAS:

12 Q Prior --

13 THE COURT: Go ahead.

14 MR. KOSKINAS: Same issue, Judge. Go ahead?

15 BY MR. KOSKINAS:

16 Q Prior to any contact with law enforcement; is
17 that right? Deronrick Green had contact with Rodney Green
18 prior to Rodney Green or Deronrick Green having any
19 contact at all with law enforcement --

20 A Yes, that is correct.

21 Q -- is that true?

22 A Yes.

23 Q And Deronrick Green told you -- well, this --
24 told you that Rodney Green told him Cornbread was the
25 shooter; is that right?

1 A Yes.

2 MS. RUSSELL: Objection. Hearsay. In fact,
3 double hearsay.

4 THE COURT: Yeah, I'm -- go back over it
5 because I'm not sure where we're going with all of
6 this.

7 MR. KOSKINAS: Okay. So they are suggesting
8 that these law enforcement officers --

9 THE COURT: I understand. So who told the
10 cops that it was -- told to them that it was
11 Cornbread?

12 MR. KOSKINAS: So you just heard from the
13 victim. The victim testified under oath that he
14 called his brother Deronrick and told Deronrick,
15 Cornbread shot me. You just heard that from the
16 victim in this case.

17 THE COURT: Right.

18 MR. KOSKINAS: This officer interviewed
19 Deronrick before Deronrick had any communication
20 with Rodney Green face to face and Deronrick gave a
21 consistent account. Deronrick said Rodney Green
22 called me and Rodney Green told me that Cornbread
23 is the shooter.

24 THE COURT: Okay. So you want -- Okay. I get
25 what you're saying.

1 MR. KOSKINAS: So you've got corroboration
2 both ways, under oath from the victim himself, you
3 have corroboration from this officer --

4 THE COURT: I get it.

5 MR. KOSKINAS: -- and it's why these officers
6 did what they did.

7 THE COURT: I get the point. Go ahead.

8 BY MR. KOSKINAS:

9 Q Okay. So it's not accurate, is it, to say that
10 you violated the protocol in showing a single photograph
11 do the victim in this case, is it?

12 MS. RUSSELL: Your Honor, may we actually have
13 a ruling on that last objection?

14 THE COURT: Yeah. I sustained it -- I mean I
15 overruled it. Go ahead.

16 MR. KOSKINAS: Sorry.

17 BY MR. KOSKINAS:

18 Q Okay. Your protocol internally permits you
19 under certain circumstances to show a single photograph,
20 at least at that time, to a victim in the case, right?

21 A Yes.

22 Q Your agency -- yourself had knowledge that the
23 victim in this case knew the suspect prior to the
24 shooting, correct?

25 A Correct.

1 Q All right. Did you in any way show a single
2 photograph or you and another officer show a single
3 photograph to the victim, Rodney Green, in an attempt to
4 suggest the identity of the suspect?

5 A No.

6 MS. RUSSELL: Objection. Leading.

7 THE COURT: Yeah, it is. Go ahead. Rephrase.

8 BY MR. KOSKINAS:

9 Q Was it your intent to suggest the identity of
10 the suspect to the victim --

11 A No.

12 Q -- by showing that photograph?

13 A No.

14 Q Did you tell the victim we know who shot you and
15 this is him?

16 MS. RUSSELL: Objection. Hearsay. Calls for
17 hearsay.

18 THE COURT: Yeah, I'll sustain it as to the
19 form.

20 MR. KOSKINAS: Okay.

21 BY MR. KOSKINAS:

22 Q How was the communication or interaction between
23 yourself or Officer Mensah and Rodney Green at the time
24 the photograph was displayed?

25 A We first made contact with a nurse. We asked if

1 he could communicate. She had told us, no, he cannot
2 talk, but he can communicate. He can shake his head up
3 and down. Once we got to the hospital, he was asleep.
4 She put her hand on his shoulder, kind of woke him up for
5 us, and that's when we asked -- we could ask him a
6 question about what had happened that night.

7 Q Okay. Did Rodney Green acknowledge to you he
8 had some difficulty speaking?

9 A Yes. He couldn't talk.

10 Q Right.

11 MR. KOSKINAS: Before I forget, Judge, I move
12 to introduce this into evidence as State's Exhibit
13 Number 1. This is the internal protocol that the
14 officer has acknowledged that was in effect at the
15 time that they showed him the photograph, the
16 victim in this case.

17 THE COURT: Defense, any objection?

18 MS. RUSSELL: No objection.

19 THE COURT: All right. We'll receive it as
20 State's 1? Is that how it's marked?

21 MR. KOSKINAS: Yes, sir.

22 MS. RUSSELL: And also, your Honor, we have a
23 similar exhibit, Defense 1. So to avoid confusion,
24 as long as we're admitting it, can we also have
25 Defense 1 admitted at this time?

1 THE COURT: Is it the same protocol?

2 MS. RUSSELL: It is.

3 THE COURT: State?

4 MR. KOSKINAS: I don't know why we need two,
5 but okay.

6 THE COURT: All right. They're both in.
7 They're the same identical protocol for purposes of
8 the record, right?

9 MS. RUSSELL: Yes.

10 THE COURT: Okay. One for you one and for
11 you.

12 (STATE'S EXHIBIT NUMBER 1 WAS RECEIVED IN EVIDENCE)

13 (DEFENSE'S EXHIBIT NUMBER 1 WAS RECEIVED IN EVIDENCE)

14 MR. KOSKINAS: If I could have a moment?

15 THE COURT: Sure.

16 MR. KOSKINAS: Nothing further at this time.
17 Thank you.

18 THE COURT: Cross-exam?

19 MS. RUSSELL: Yes, your Honor.

20 May I have Defense 1? Thank you.

21 **CROSS-EXAMINATION**

22 BY MS. RUSSELL:

23 Q Good morning --

24 A Good morning.

25 Q -- Detective Jordan.

1 A Hi.

2 Q Now, you've worked for the St. Pete Police
3 Department for close to 14 years?

4 A Almost 15.

5 Q And the last few as a detective?

6 A Last few as a sergeant, but before that I was a
7 detective, yes.

8 Q Okay. So tell me when you stopped being a
9 detective and when you started being something else.

10 A Sure. December of 2021 was when I stopped being
11 a detective.

12 Q Okay. So you're, obviously, aware from direct
13 exam and from your vast experience with St. Petersburg
14 Police Department on the standard operating procedures,
15 right, for showups and lineups?

16 A Yes.

17 Q Okay. Are you familiar enough with them that
18 you don't really need it in front of you to talk about
19 what they are?

20 A Yes. I do not have them memorized, but I have a
21 good working knowledge of them.

22 Q Okay. It's funny because the top of it calls it
23 an instructional order. That sounds like it must be
24 pretty serious.

25 A I would agree.

1 Q And you've received training on the standard
2 operating procedures pretty regularly, right, because
3 they're important to your work?

4 A They are important, yes.

5 Q And this instructional order generally steers
6 you away from illegal suggestive identification procedures
7 and toward accepted legal procedures that are less likely
8 to produce misidentification. Is that a fair
9 characteristic?

10 A That's fair. Yes, ma'am.

11 Q All right. Because you and law enforcement,
12 you're not just someone who catches criminals like all
13 sworn members of law enforcement, you're also sworn to
14 protect the innocent, too, right?

15 A That is correct.

16 Q All right. I want to get into the details of
17 these standard operating procedures on photopack IDs,
18 right?

19 A Okay.

20 Q First, you're supposed to instruct an eyewitness
21 before you even get into the pictures; isn't that right?

22 A I did not show a photopack.

23 Q I'm sorry?

24 A I did not show a photopack.

25 Q I understand. But before you show a photopack,

1 if you were going to show a photopack, you're supposed to
2 instruct the witness; is that fair?

3 A Yes, that's correct.

4 Q All right. Now, you're supposed to instruct a
5 witness that a perpetrator may not even be in the lineup,
6 right?

7 A That's true.

8 Q And you're supposed to instruct the witness that
9 they shouldn't really feel compelled to make an
10 identification because, you know, we protect the innocent
11 in this country, right?

12 A We do.

13 Q Okay. And you tell them or you're supposed to
14 tell them before you even get started that it is as
15 important to exclude innocent people as it is to mainly
16 identify a guilty person; isn't that right?

17 MR. KOSKINAS: Your Honor, I'm going to object
18 to relevance. She is talking about photo lineups.
19 That did not take place in this case and there is
20 no suggestion he was obligated to do that in this
21 case.

22 THE COURT: Well --

23 MS. RUSSELL: We are going to get to the --

24 THE COURT: No, I'll give some latitude. I
25 understand where she's going. Go ahead.

1 BY MS. RUSSELL:

2 Q You're also supposed to tell a witness before
3 you get started that an investigation is going to continue
4 and be very, very vigorous whether or not that witness is
5 able to make an identification, correct?

6 A That's right.

7 Q All right. Now, then also in these standard
8 operating procedures they have specific protections
9 against misidentification in a photopack, right? There's
10 supposed to be an independent administrator; isn't that
11 right?

12 A Yes.

13 Q The administration is supposed to be neutral so
14 that you're not really putting a finger on one person
15 versus another, right?

16 A Right.

17 Q There's an array of six photos?

18 A There is.

19 Q That's as a minimum, six photos, not just one,
20 right?

21 A (No response).

22 Q And then the filler photos that they put in with
23 the extra six along with the suspect should share
24 characteristics of the accused, right? The same race,
25 same age, same hairstyle, facial hair, consistent in size,

1 consistent in shape and color, right, all those things?

2 A You're right.

3 Q So many protections to get it right, right?

4 A You're right.

5 Q And, finally, after the photopack there's
6 supposed to be a written acknowledgment by the witness of
7 understanding the policies and procedures and all the
8 instructions from that photopack, right?

9 A You are correct.

10 Q It's a lot. And it's a lot to get right, isn't
11 it, Officer?

12 A Sure.

13 Q Uh-huh. Now, the SOPs also have a very limited
14 exception for a single-photograph display, right?

15 A They do.

16 Q That's one photograph instead of six. Did I get
17 that right?

18 A You did.

19 Q And it's only when the full identity is known by
20 the victim, right?

21 A Or witness.

22 Q Or witness.

23 A But, yes.

24 Q It doesn't say full identity known by the victim
25 or witness' brother, or friend, does it?

1 A Victim or witness I believe is what it says.

2 Q Right. Not victim or witness' brother or
3 friends?

4 A Sure. It doesn't say family in there, right.

5 Q Another really small exception for the single
6 photopack, right, is when there's no possibility of
7 prosecution, meaning the person you're trying to identify
8 is probably dead, right?

9 A Right.

10 Q Super limited exception.

11 A Uh-huh.

12 Q In order to protect the rights of the innocent,
13 right?

14 A Right.

15 Q All right. These standard operating procedures,
16 they also warn caution is necessary.

17 A Uh-huh.

18 Q Don't they?

19 A They do.

20 Q Because the officer has to evaluate the
21 reliability of the identification under all the
22 circumstances, right? That's what they ask you to do.

23 A Yes.

24 Q And that's because that's consistent with the
25 laws in our country and the constitution of the United

1 States, right?

2 A I would agree.

3 Q All right. Now, Officer -- it's Officer Jordan
4 now, right?

5 A That's fine. That's fine.

6 Q Should I call -- I don't know whether to call
7 you detective or --

8 A If's fine. It's all good.

9 Q When I practiced it at home it was detective.

10 A It's okay. I'm not offended.

11 Q All right. Let's talk about what you did that
12 day at Bayfront Hospital on February 2nd back in 2021.
13 Now, you exited the crime scene a little bit after
14 1 o'clock and you drove to Bayfront Hospital to meet and
15 interview Rodney Green, the victim of the shooting. And
16 you arrived there -- well, was that a "yes," Officer?

17 A I'm sorry. I didn't hear the question there. I
18 apologize.

19 Q It's okay. We're gonna talk about what you did
20 at Bayfront --

21 A Okay.

22 Q -- Hospital that day, February 2nd, all the way
23 back in 2021. Now, you exited the crime scene a little
24 bit after 1 o'clock and drove to Bayfront Hospital with
25 Detective Mensah to meet and interview Rodney Green, the

1 victim of the shooting, right?

2 A Right.

3 Q All right. And you arrived around 1:30 p.m.
4 Gee, that was like 12 hours after Rodney Green was shot in
5 the face, right?

6 A It was roughly a little bit, yes.

7 Q And just really shortly after he got out of,
8 like, major surgery.

9 A I don't know when he got out -- what time he got
10 out of surgery, but he was out of surgery.

11 Q Right. And you knew that Green was on serious
12 pain medication.

13 A He was on pain medicine.

14 Q And you knew that Rodney Green couldn't talk
15 because he had a trach tube down his throat to help his
16 breathing, right?

17 A He did.

18 Q Oh, my gosh. And he had his entire mouth full
19 of gauze to catch the blood in his mouth and in his neck
20 from the surgery and being shot in the face, right?

21 A Right.

22 Q So you knew Rodney Green had been sleeping.

23 A He was asleep, right.

24 Q And he could only communicate with hand signals.

25 A He could also nod his head, but you're right,

1 hand signals and the nodding of his head.

2 Q He was not capable of saying any words.

3 A No words.

4 Q Now, you stood by and Detective Mensah showed
5 him one picture?

6 A That's right.

7 Q Do you remember what that picture looks like?

8 A It was pulled from our -- I believe it was
9 pulled from our iLeads database.

10 Q Okay.

11 MS. RUSSELL: May I approach the witness?

12 THE COURT: Sure.

13 MR. KOSKINAS: Hey, let me see that first.

14 MS. RUSSELL: Let the record reflect that I'm
15 showing the witness what has been marked as
16 Defense 3 and Defense 4.

17 THE COURT: Defense 3 and 4?

18 MS. RUSSELL: Correct.

19 THE COURT: Record will so reflect.

20 BY MS. RUSSELL:

21 Q Sergeant Jordan, I'm showing you what's been
22 premarked Defense Exhibit 3 and Defense Exhibit 4, which
23 are both signed pictures of Cornelius Whitfield. Do you
24 recall which one of these pictures Detective Mensah showed
25 the victim that day?

1 A They look the same to me.

2 Q And I guess that's Detective Mensah's signature
3 on the bottom, right?

4 A Yes.

5 Q And you're not able to distinguish which
6 photograph it actually was, if any, of these two?

7 A Right. From what I recall, she had a laptop,
8 her work laptop, and that's what it was shown on.

9 Q Okay. So this is an electronic version of the
10 picture?

11 A Right.

12 MS. RUSSELL: I'm just gonna ask for the
13 record that Defense 3 and Defense 4 be admitted
14 into evidence.

15 THE COURT: Any objection?

16 MR. KOSKINAS: Yes, I would object. It's not
17 an exact copy of the original. I am going to
18 introduce the original. It's degraded from the --
19 you can see. I mean, if you want to let it in and
20 look at the difference between the two, that's
21 fine, but it's a copy of a copy and it's not as
22 clear.

23 THE COURT: I'm not sure that's a legal
24 objection. I eventually have to make the factual
25 determination, so I guess I can do my own

1 comparison, right?

2 MR. KOSKINAS: Sure.

3 THE COURT: You're going to put the original
4 in?

5 MR. KOSKINAS: Yes, I am.

6 THE COURT: All right. So I'll receive it as
7 Defense 3 and 4.

8 (DEFENSE'S EXHIBIT NUMBERS 3 AND 4 WERE RECEIVED IN
9 EVIDENCE)

10 MS. RUSSELL: I believe that Sergeant Jordan
11 has just testified that the picture that was
12 actually shown at the hospital was an electronic
13 version, and I'm not sure if the State has the
14 electronic original here before us today.

15 MR. KOSKINAS: These are the ones that they
16 signed.

17 THE COURT: Well, you wanted your exhibits
18 introduced and I admitted them under the old legal
19 version quit while you're ahead if the judge says
20 yes, right? Go ahead.

21 MS. RUSSELL: I'm not sure that exactly --

22 THE COURT: I understand.

23 MS. RUSSELL: -- what --

24 THE COURT: We'll see --

25 MS. RUSSELL: I was surprised to learn from

1 Detective Jordan 30 seconds ago that he was shown
2 an electronic version, which is something that is
3 news to us.

4 THE COURT: I can only make one ruling at a
5 time, right?

6 MS. RUSSELL: That is fair.

7 BY MS. RUSSELL:

8 Q All right. Sergeant Jordan, we're getting close
9 to the end now. Let's talk about what you and
10 Detective Mensah did not do. You didn't give Rodney Green
11 any prior instructions, right?

12 A We did introduce ourselves. I introduced who I
13 was and I did explain to him why I wanted to speak with
14 him and had a question for him.

15 Q Right. But you didn't give any of those prior
16 instructions that this may not be the perpetrator, you
17 shouldn't feel compelled to make an identification --

18 A For a photopack, I did not.

19 Q -- and it's important to -- it's important to
20 exclude innocent persons. You didn't give any of those
21 types of introductory statements to him, did you?

22 A Again, I did not because we were not showing him
23 a photopack.

24 Q Right. And you didn't give an array of six
25 photos. You just showed him one.

1 A Again, same answer.

2 Q And he had no written acknowledgment of
3 receiving or understanding any -- anything from you,
4 right? No written acknowledgment was completed?

5 A There was no written acknowledgment.

6 Q And there was no audio recording of what
7 happened that day?

8 A There was not.

9 Q Did you have your department-issued cell phone
10 on you?

11 A I don't remember.

12 Q There was no video recording done either by you
13 or Detective Mensah?

14 A No, there wasn't.

15 Q And you did not ask Rodney if he told anyone who
16 the person was who shot him prior to your hospital
17 interview, right?

18 A That's correct. I did not ask Rodney that.

19 Q And you did not ask Rodney to wave or give a
20 hand signal if he knew Cornelius Whitfield from elementary
21 school, did you?

22 A No, not at that time.

23 Q And Detective Mensah didn't ask that either,
24 right?

25 A Not that I remember.

1 Q So neither one of you actually asked Rodney
2 Green if he had any prior knowledge of who Cornelius
3 Whitfield was, right?

4 A At that time we did not.

5 Q And you didn't have Rodney sign the photograph
6 that he identified because it was an electronic version.

7 A Right.

8 Q Detective Mensah didn't either.

9 A Right.

10 Q And you didn't preface the identification of the
11 single photograph with known questions, right? That's
12 sort of the typical law enforcement procedure where you
13 say what day is today, right, just to see if the person
14 who is making the identification might potentially be
15 alert, oriented to time and place, and not potentially in
16 shock, in pain medication, or in so much pain that they
17 can't answer?

18 A I'd say that's a case by case basis.

19 Q Uh-huh. But you didn't preface any -- your
20 identification with any questions with any known
21 questions, right? Questions with known answers just to
22 test Rodney Green's ability to answer?

23 A I asked if he could identify the person that
24 shot him.

25 Q I'm sorry?

1 A I asked him if he could identify the person that
2 shot him.

3 Q But you didn't start with any known questions?

4 A No.

5 Q You've kind of forgotten about that, right? So
6 you went back to the hospital a couple hours later to ask
7 him the known questions, right?

8 A That's correct.

9 Q And you did that to kind of shore things up,
10 right, ask him the known questions after?

11 A Well, I wanted to make sure he could say no as
12 well. He had -- he had given a yes.

13 Q And that was so important to you that you went
14 back to the hospital, right, a couple hours later to make
15 sure you got that done?

16 A We did go back.

17 Q When you went back to Bayfront to see if he
18 could do a no question or a known question, right, Rodney
19 Green was still intubated, his mouth was still full of
20 gauze, he was still medicated, right?

21 A He couldn't talk. I don't remember exactly what
22 his medical status was, but he couldn't speak.

23 Q But you went back, in your words, to confirm
24 that Rodney Green knew the difference between yes and no.
25 You wanted to confirm that, unfortunately, after he had

1 already done the photo ID, right? You didn't really do
2 anything to make sure he knew the difference between yes
3 and no before you had him identify Cornelius Whitfield,
4 did ya?

5 A That's correct.

6 MS. RUSSELL: May I have a moment, your Honor?

7 THE COURT: Sure.

8 MS. RUSSELL: That's all I have, your Honor.

9 Thank you.

10 THE COURT: Redirect?

11 MR. KOSKINAS: Briefly.

12 You guys want to just agree that these come
13 in? These are the ones that I don't know if you
14 introduced it or not.

15 MS. RUSSELL: Sure.

16 MR. KOSKINAS: So these are the photographs,
17 Judge, for the difference. I don't think there is
18 any objection to the State introducing both of
19 these from the defense. Is that right?

20 MS. RUSSELL: We have no objection to the fact
21 that those exist and are photographs. We may have
22 an objection to the representation that that is the
23 photograph that Officer Mensah actually showed
24 Rodney Green at the hospital because we've just
25 learned that it's an electronic copy, not a signed

1 copy.

2 MR. KOSKINAS: Do you object to the
3 introduction of these into evidence?

4 MS. RUSSELL: Not for the purposes.

5 THE COURT: Go ahead. And these are numbered
6 as what?

7 MR. KOSKINAS: State 2 and 3.

8 THE COURT: All right. Received, introduced.

9 MR. KOSKINAS: Thank you.

10 (STATE'S EXHIBIT NUMBERS 2 AND 3 WERE RECEIVED IN
11 EVIDENCE)

12 BY MR. KOSKINAS:

13 Q The defense was asking you about instructions
14 regarding a photopack. You didn't show the victim a
15 photopack in this case, did you?

16 A I did not.

17 Q What was the -- so when you're showing somebody
18 a photopack, what's the purpose of doing that?

19 A Because they do not know -- they don't have any
20 previous knowledge of who the suspect is.

21 Q Okay. In this case you had knowledge that the
22 victim did know who the shooter was, right?

23 MS. RUSSELL: Objection. Leading.

24 THE COURT: It is. Rephrase.

25 MR. KOSKINAS: Okay.

1 BY MR. KOSKINAS:

2 Q Did you have knowledge that the victim knew who
3 the shooter was?

4 A We did.

5 Q All right. What was the purpose of showing him
6 a single photograph, the victim in this case?

7 A To confirm the identification that we already
8 had.

9 Q Okay. Were you guys in the process of seeking
10 an arrest warrant?

11 A I believe we were.

12 Q Okay. And your investigation was ongoing?

13 A Yes.

14 Q And you had already confirmed who the suspect
15 was through your other means of investigation; is that
16 right?

17 A Right.

18 MS. RUSSELL: Objection. Leading.

19 THE COURT: It is.

20 BY MR. KOSKINAS:

21 Q Was the purpose of showing the single photograph
22 to the victim to identify from a group of individuals
23 whether the victim could do that?

24 A No.

25 Q All right. Was it confirmation for you of what

1 you already believed?

2 A Yes.

3 Q All right. Let's clear this up, these
4 photographs, real quick.

5 MR. KOSKINAS: You can attach them together if
6 you want. That's fine. Either way.

7 May I approach the witness?

8 THE COURT: Sure.

9 BY MR. KOSKINAS:

10 Q The photographs that she's talking about, these
11 are the originals that were signed, right? And this is,
12 for the purposes of the record, State's Number 2 and
13 State's Number 3.

14 A Again, I'm sorry to make this confusing. From
15 what I remember --

16 Q Well, hold on. I think I can get us there. But
17 these are the originals, right?

18 A Yes.

19 Q You can tell that because we've got different
20 colored inks on them, right?

21 A Right.

22 Q So you were there, but you didn't -- did you
23 sign these? No, this is Mensah, right?

24 A That's -- that's me on this. That's me right
25 there.

1 Q That's you right there?

2 A That's me.

3 Q So what you're doing -- or you tell us. Why did
4 you sign these and acknowledge these? If you could
5 clarify it for the Court.

6 A Because that was the individual that was
7 selected by who we showed that photograph to.

8 Q So you showed the photograph or the photograph
9 was shown digitally; is that right?

10 A Yes.

11 Q Okay. The same photograph that was shown
12 digitally was printed out?

13 A That's right.

14 Q And then you signed the printed-out version?

15 A Yes.

16 MS. RUSSELL: Objection.

17 BY MR. KOSKINAS:

18 Q Is that right?

19 A Right.

20 THE COURT: The objection is?

21 MS. RUSSELL: The objection is he doesn't have
22 personal knowledge of these things he's talking
23 about. There is no foundation.

24 MR. KOSKINAS: Has no personal knowledge? He
25 said -- well, I don't --

1 THE COURT: Yeah.

2 MR. KOSKINAS: I don't know how to respond to
3 that.

4 THE COURT: Go ahead.

5 BY MR. KOSKINAS:

6 Q So did you have an opportunity to see the
7 photograph that was digitally presented to Rodney Green?

8 A Yes, I did.

9 Q Okay. And you had an opportunity to see the
10 photograph that was later printed out that you signed?

11 A Right.

12 Q Was the same photograph as the digital
13 presentation, was that the same photograph that was
14 printed out and later signed by you?

15 A Yes.

16 Q And is that the purpose of signing it, to
17 acknowledge this was in fact the photograph that we showed
18 Rodney Green?

19 A Correct.

20 Q Okay.

21 MS. RUSSELL: I think that there's no -- his
22 signature isn't on those documents. It's
23 Detective Mensah's signature.

24 MR. KOSKINAS: Yes, it is. I don't know --
25 I'm not sure what to respond.

1 THE COURT: Let me look at these.

2 MR. KOSKINAS: He just acknowledged that his
3 photo -- that his -- that it's on there. Here,
4 let's show the Court.

5 BY MR. KOSKINAS:

6 Q Just to clarify, your signature is on both of
7 these documents as well; is that right?

8 A Yes.

9 Q Okay. Where is it so that the Court and maybe
10 the defense can see what it is you're talking about?

11 A There and there.

12 Q There and there. Okay. It looks like a little
13 scribble, but then there's a number right after the
14 scribble, right?

15 A Yes. That's me.

16 Q That number is associated with your employment,
17 isn't it?

18 A Correct.

19 Q Okay. That's your employee number?

20 A Yes.

21 THE COURT: Go ahead and show them and then
22 I'll look at it.

23 MR. KOSKINAS: Okay.

24 MS. RUSSELL: That's his signature?

25 MS. SEIFER-SMITH: Apparently.

1 BY MR. KOSKINAS:

2 Q So I think maybe what their issue might be is
3 these were signed as photographs that you showed to
4 Deronrick, as well as Laquanda, right?

5 A Right.

6 MS. RUSSELL: Objection. Leading.

7 THE COURT: Well, I'm not sure quite --

8 MR. KOSKINAS: I'm just trying to clear it up
9 at this point.

10 THE COURT: Yeah. I'm kind of in the fog
11 right now, so maybe you should try and clear it up.

12 BY MR. KOSKINAS:

13 Q So the question becomes is this -- you had the
14 opportunity to see the photograph digitally presented to
15 Rodney Green?

16 A Right.

17 Q You had the opportunity to see the photographs
18 that were presented to Deronrick and Laquanda?

19 A Right.

20 Q It's all the same photograph?

21 A Yes.

22 Q There was no different photograph that was shown
23 to the victim even though it was digital? It was the same
24 one used in all these circumstances, right?

25 A Same photograph.

1 Q Hopefully that clears it up. Thank you.

2 THE COURT: Let me look at the photos,

3 Madam Clerk.

4 BY MR. KOSKINAS:

5 Q So the defense asked whether you truth qualified
6 Rodney Green in this case; is that right?

7 A Right.

8 Q All right. What's that about? When you truth
9 qualify a witness, when do you do that and why?

10 A More so we do that for children.

11 Q Okay. You do that for children in primarily sex
12 cases, right?

13 A Right.

14 Q You never truth qualify adults, do you? That's
15 not a standard practice, is it?

16 MS. RUSSELL: Objection. Leading.

17 THE COURT: It is.

18 BY MR. KOSKINAS:

19 Q Is it a standard practice to truth qualify
20 adults?

21 A No.

22 Q Have you ever seen another officer truth qualify
23 an adult?

24 A No.

25 Q Okay. Thank you.

1 MR. KOSKINAS: Nothing further.

2 THE COURT: All right. Thank you.

3 MS. RUSSELL: Before he is excused, can I ask
4 just ask two questions on these photographs?

5 THE COURT: Under the heading of recross that
6 doesn't exist in the rules of procedure? We're
7 making it up as we go along? Go ahead. There's
8 some issues that came up. Two, right? Two? You
9 asked for two questions.

10 MS. RUSSELL: If it goes well.

11 THE COURT: Even though recross doesn't exist,
12 I'm giving you two questions --

13 MS. RUSSELL: If it goes well.

14 THE COURT: -- given the tenor of all of that.

15 MS. RUSSELL: All right. May I have one
16 moment, though?

17 THE COURT: So you can further amplify --

18 MS. RUSSELL: Edit them down.

19 THE COURT: I gotcha.

20 **REXCROSS-EXAMINATION**

21 BY MS. RUSSELL:

22 Q Sergeant Jordan, these two pictures that the
23 State showed you of Cornelius Whitfield portray him in
24 prison garb, right?

25 A Maybe that's what that looks -- yeah, probably

1 so.

2 Q And neither one of these exhibits is the actual
3 photograph that was shown to Rodney Green at Bayfront
4 Hospital, right?

5 A The photograph -- it was a digital copy of the
6 photograph. It was on a computer. COVID was happening.
7 We weren't allowed to bring things into the hospital. I
8 guess I don't know how best to answer that. I would say
9 that is the same picture.

10 Q Same picture, but not the same copy of the
11 picture. Is that fair?

12 A Right. It was not printed out. We did not
13 bring him a printed copy.

14 Q All right. Thank you very much,
15 Sergeant Jordan.

16 THE COURT: All right. We can excuse the
17 sergeant, right?

18 MR. KOSKINAS: Yes, sir.

19 THE COURT: Sergeant?

20 THE WITNESS: Yes.

21 THE COURT: Yes. Thank you.

22 Additional witnesses?

23 MR. KOSKINAS: At this time the people of the
24 State of Florida would call Officer Mensah.

25 THE COURT: Brief or lengthy?

1 MR. KOSKINAS: Say again?

2 THE COURT: Brief or lengthy?

3 MR. KOSKINAS: Pretty brief, I would think.

4 THE COURT: 12:30ish?

5 MR. KOSKINAS: I would hope so by me.

6 THE COURT: Is he the last one?

7 MR. KOSKINAS: Yes.

8 THE COURT: All right. Let's try and get the
9 testimony done. I may have to break for lunch and
10 then have to do the arguments after. I mean, do
11 you have witnesses?

12 MS. RUSSELL: There are two more. There's
13 Hollister and Shea or Seay.

14 THE COURT: You what? So you have?

15 MS. RUSSELL: Two more.

16 THE COURT: Let's get Mensah out of the way at
17 least if we can.

18 THE BAILIFF: Stand right here. Face the
19 clerk. Raise your right hand to receive the oath.

20

21 THEREUPON,

22 AMALIA ANAMUAH-MENSAH,

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

25

1 THE BAILIFF: Have a seat here, Officer.
2 Speak in a loud and clear voice for the Court.

3 THE COURT: Good morning.

4 THE WITNESS: Good morning, sir.

5 THE COURT: Barely, still.

6 THE WITNESS: Or afternoon maybe.

7 THE COURT: No, not quite. It's still
8 morning.

9 You may inquire, Counselor.

10 **DIRECT EXAMINATION**

11 BY MR. KOSKINAS:

12 Q Good afternoon -- or not quite afternoon yet,
13 but could you introduce yourself to the Court, please.

14 A Yes. I'm Officer Amalia Anamuah-Mensah.

15 Q Okay. And where do you work?

16 A I work for St. Petersburg Police Department.

17 Q How long have you been so employed?

18 A Ten and a half years.

19 Q What do you do for them?

20 A I am currently a patrol officer in District 1.

21 Q Did you have involvement in the investigation of
22 State of Florida versus Cornelius Whitfield?

23 A Yes, sir.

24 Q And when were you first involved in that?

25 A I was first involved with that on February 1st

1 of 2021.

2 Q Okay. How did you get involved? What did you
3 do?

4 A I was notified by my sergeant at the time,
5 Elizondo, that there was a shooting, and I was to respond
6 out to the scene and I would be the lead detective.

7 Q Okay. When you got to the scene, what did you
8 see?

9 A When I got to the scene, there were other
10 officers that were out there, many patrol cars that were
11 there.

12 Q Were there any victims on scene?

13 A There was a deceased victim inside the
14 apartment.

15 Q Okay. And the other victim had been transported
16 already?

17 A Yes, sir.

18 Q All right. Did you determine who the other
19 victim was?

20 A The one inside the apartment?

21 Q No. The one that had been transported.

22 A To the hospital? Yes, sir.

23 Q You ascertained that how?

24 A I ascertained that from -- I don't remember who
25 specifically told me, but --

1 Q Briefing at the scene?

2 A Yes.

3 Q From other officers?

4 A Yes, but I don't know exactly which officer.

5 Q Fair enough. Did you ultimately attempt to
6 interview that individual at the hospital?

7 A Later, yes.

8 Q Okay. And you showed -- and who are we talking
9 about?

10 A Rodney Green.

11 Q Right. And you showed Rodney Green a digital
12 photograph?

13 A That's correct.

14 Q And who is that digital photograph of?

15 A It was Cornelius Whitfield.

16 Q Where was it ascertained?

17 A It was from -- I believe it was the Department
18 of Corrections' photo.

19 Q Okay. And how did you get it?

20 A From our law enforcement databases. You type in
21 the name, find the match with the date of birth.

22 Q And did you present that photo to Rodney Green?

23 A Yes, sir.

24 Q Why?

25 A I already had him identified as a suspect from

1 my interview with Deronrick Green and Laquanda Green. And
2 to confirm what they said, I showed him the photo as well.

3 Q Were you -- were you in the pursuit of an arrest
4 for a person by the name of Cornelius Whitfield?

5 A Yes, sir.

6 Q Had you previously developed probable cause on
7 a -- the -- Cornelius Whitfield as the suspect in the
8 shooting?

9 A Yes, sir.

10 Q And you did that how you just told us, through
11 the interviews with Deronrick and Laquanda?

12 A Yes.

13 Q And did you interview those personally or was
14 that passed on to you by another officer?

15 A I interviewed --

16 MS. RUSSELL: Objection. Leading.

17 THE COURT: It is. Go ahead.

18 MR. KOSKINAS: Was that passed on to you by
19 another officer is leading? I -- I -- is that the
20 question?

21 BY MR. KOSKINAS:

22 Q Was that information passed on to you by another
23 officer?

24 A No. I was told that the witnesses were --

25 MS. RUSSELL: Objection. Hearsay.

1 THE COURT: It is. Go ahead. I got it.

2 BY MR. KOSKINAS:

3 Q Did you interview them yourself?

4 A Yes, I did.

5 Q Okay. All right. So did you have my concerns
6 about your standing -- about your operating procedure
7 within the agency in showing this photograph to
8 Rodney Green?

9 A Do you mean Deronrick?

10 Q No. You showed a digital photograph --

11 A Oh, the digital photograph.

12 Q Right.

13 A Yes, the digital to Rodney.

14 Q Did you have any concerns about showing only
15 that photograph pursuant to your operating procedure of
16 your agency?

17 A No, I did not have any concerns.

18 Q Why not?

19 A Because it was a single-source photo for a
20 subject that was already known to him.

21 Q Okay.

22 A So they had a history.

23 Q How did you know he was known to him?

24 A From my previous interview with Deronrick and
25 Laquanda.

1 Q All right.

2 MS. RUSSELL: Objection. Hearsay. Move to
3 strike.

4 THE COURT: What part are you saying is
5 hearsay, the interview from Deronrick and Laquanda?

6 MS. RUSSELL: And Laquanda, yes. The State
7 has access to all the witnesses on the witness
8 list, and if they wanted to have those witnesses
9 come testify in order to permit Mr. Whitfield to
10 have his confrontation rights, they could have done
11 that. But in order to get these out-of-court
12 statements in front of us through a law enforcement
13 witness and through hearsay denies Mr. Whitfield of
14 his appropriate confrontation rights in this
15 hearing.

16 MR. KOSKINAS: No, sir. The defense has
17 challenged the officers' presenting of a
18 photograph. The State has shown why, in accordance
19 with their own procedure, the officers showed one
20 digital photograph. It's not about what other
21 witnesses have said. It's about the knowledge or
22 information that these officers had at the time
23 that they showed. So it has to be portrayed to
24 these officers the information that they have.

25 THE COURT: So you're saying the ID from

1 Deronrick and Laquanda, they're not using it for
2 the truth of the matter asserted?

3 MR. KOSKINAS: It doesn't matter. It's the
4 effect on the listener. So these officers
5 responded and showed the victim in this case a
6 single photograph pursuant to their standard
7 operating procedure. They did so. Why? They did
8 so because of the information they learned pursuant
9 to their investigation.

10 THE COURT: Which was that Deronrick --

11 MR. KOSKINAS: That's right.

12 THE COURT: -- and Laquanda said that he knew
13 them.

14 MR. KOSKINAS: Absolutely correct. That's
15 absolutely correct.

16 THE COURT: How is that not hearsay?

17 MR. KOSKINAS: Because it's not offered for
18 the truth. It's offered for why they did what they
19 did to show a single photograph to the victim in
20 this case. They're not -- they already developed a
21 suspect. So their knowledge is we're pursuing an
22 arrest warrant. Their concern -- they're just
23 getting confirmation. But the defense's allegation
24 is that they showed him a single photograph to
25 suggest to him the ID.

1 THE COURT: I get that.

2 MR. KOSKINAS: This is contrary to that, and
3 it has to show why they did what they did. And
4 this is why they did what they did.

5 THE COURT: I'm not sure I agree, but I'll
6 allow you to -- you can make a record of it.

7 MR. KOSKINAS: Okay. Thank you.

8 THE COURT: I'll overrule the objection.

9 MR. KOSKINAS: Thank you.

10 MS. RUSSELL: Your Honor, may I be heard on
11 one additional?

12 THE COURT: No. I'm getting a headache. It's
13 the judge is getting a headache, you may not be
14 heard further.

15 Go ahead.

16 MR. KOSKINAS: Okay. Thank you. I think
17 that's it.

18 BY MR. KOSKINAS:

19 Q You showed the photograph to Rodney Green?

20 A That's correct.

21 Q And the photograph, let's just have further
22 confirmation through you.

23 MR. KOSKINAS: May I approach the witness?

24 THE COURT: Sure.

25

1 BY MR. KOSKINAS:

2 Q The photograph was digital?

3 A Yes.

4 Q Was it later printed out?

5 A It was printed out beforehand.

6 Q Okay. And it was COVID and you had trouble
7 bringing stuff --

8 A Yes.

9 Q -- into the hospital, right?

10 A That's correct.

11 Q That's why he wasn't given an actual --

12 MS. RUSSELL: Objection. Leading.

13 THE COURT: It is.

14 BY MR. KOSKINAS:

15 Q Why wasn't he given a hard copy of the
16 photograph?

17 A Because at that time it was COVID. We were at
18 the height of it. We weren't allowed to bring paper, take
19 it in, take it out. So it was there.

20 Q Okay. So what you printed out, where did that
21 come from?

22 A What I printed out came from the Department of
23 Corrections' photo.

24 Q Okay. Did it come from the laptop that was
25 used --

1 A Yes.

2 Q -- the information --

3 A Yes.

4 Q -- the laptop that was used to show the
5 photograph to Rodney Green?

6 A Yes.

7 MS. RUSSELL: Objection. Leading.

8 THE COURT: It is. Go ahead.

9 BY MR. KOSKINAS:

10 Q I'm going to show you what's been marked as
11 State's 1 and 2. Do you recognize this photograph?

12 A Yes, I do.

13 Q Is this a hard copy of the exact photograph that
14 was shown to -- that was shown to Rodney Green?

15 A Yes, it is.

16 Q Okay. And these have other names on them,
17 right?

18 A That's correct.

19 Q Explain to the Court what that's about.

20 A So the first one here, it says Laquanda Green.
21 This was her identifying this individual as Cornelius
22 Whitfield. It has the date, my signature, my employee
23 number, as well as Detective Jordan's.

24 The other one here, it's Deronrick Green. Same
25 thing. It's the date, my signature, employee number, as

1 well as Detective Jordan's.

2 Q Okay. And you showed these photographs to those
3 individuals as well?

4 A Yes.

5 Q All right. And was the same photograph used in
6 all circumstances?

7 A That's correct, yes.

8 Q Only a digital copy presented to Rodney Green?

9 A Yes.

10 Q Okay.

11 MR. KOSKINAS: If I could have a moment?

12 THE COURT: You may.

13 BY MR. KOSKINAS:

14 Q So you got called out originally to the crime
15 scene, right?

16 A That's correct.

17 Q Approximately what time was that?

18 A It was shortly after midnight on the 2nd.

19 Q And then by the time the investigation
20 progresses and you meet with Rodney and show him the
21 photograph, when is that?

22 A That is later that day. I believe it was 1:30
23 in the afternoon. There was two different times. There
24 was 1:30 and then we went back again and he was shown the
25 photo again -- or we asked him another question.

1 Q So 12 hours later, hours later, something like
2 that?

3 A Yes.

4 Q Okay. Did in your presence Rodney Green
5 acknowledge that he knew who the suspect was?

6 A Yes.

7 Q Okay.

8 MR. KOSKINAS: Nothing further. Thank you.

9 THE COURT: Cross?

10 **CROSS-EXAMINATION**

11 BY MS. RUSSELL:

12 Q Good afternoon.

13 A Good afternoon.

14 Q Detective Anamuah-Mensah?

15 A Uh-huh, yes.

16 Q You have worked for the St. Petersburg Police
17 Department for close to ten years?

18 A Yes. Ten and a half.

19 Q And you're now on patrol?

20 A That's correct.

21 Q Formerly a detective?

22 A Yes.

23 Q In the time frame of 2021 you were a detective
24 in major crimes and you were assigned as lead in the
25 Barnes murder?

1 A That's correct.

2 Q All right. And, of course, you are aware of the
3 St. Petersburg Police Department standard operating
4 procedures for showups and lineups?

5 A That's correct.

6 Q Did you receive training?

7 A Yes.

8 Q How much training on these showup and lineup
9 things?

10 A We read it. That's pretty much it. There's no
11 classroom for it.

12 Q Okay. Are you familiar enough with it that I
13 can ask you questions about it?

14 A Sure. Is that the 2017 version? Do you have a
15 copy for me so I can see it while you're doing it?

16 Q Sure. Absolutely.

17 MS. RUSSELL: Let me approach the witness?

18 THE COURT: Sure.

19 BY MS. RUSSELL:

20 Q I'll show what's been premarked as Defense 1.

21 A Okay. Thank you.

22 Q It's been admitted into evidence. So the top of
23 that says "Instructional Order"?

24 A Correct.

25 Q Sounds pretty serious, right?

1 A It's part of the job. Yes.

2 Q And you received training on just one occasion
3 or numerous occasions?

4 A When you're going through the FTO program, you
5 have to sign off on all your SOPs and general orders. So,
6 yes. Any time they're renewed, you sign off.

7 Q Okay. And that instruction order generally
8 steers you away from illegal suggestive identification
9 procedures and towards accepted legal procedures that are
10 less likely to produce an irreparable misidentification;
11 is that right?

12 A Correct.

13 Q And this instructional order, it's sort of part
14 of your job to be thorough and careful, right?

15 A Yes.

16 Q Because in addition to apprehending criminals,
17 you're actually supposed to keep an eye out to protect the
18 innocent, right?

19 A Yes.

20 Q Now, let's talk about those standard operating
21 procedures on the photopack ID, right?

22 A Okay.

23 Q When you give somebody a photopack, you're
24 supposed to give an instruction to the eyewitness or the
25 victim before you even get started, right?

1 A Well, this was not a photopack. This is a
2 single-source photo. Those are two different things.

3 Q Understood. And we'll get to that in a minute.
4 But let's say you are giving a photo array, right? You're
5 supposed to --

6 A Which I did got do in this case.

7 Q Understood. But if you were, right, you would
8 first give an instruction to the eyewitness?

9 MR. KOSKINAS: Relevance, Judge, as to what
10 she does in a different case on a photopack.

11 THE COURT: No. It all goes to the idea of
12 how photo identifications are made. There's some
13 relevance. Go ahead. I'll -- I've heard it all
14 before, though. So you don't have to go through it
15 all again. Go ahead.

16 BY MS. RUSSELL:

17 Q You have to give instructions to the witness,
18 right --

19 A Yes.

20 Q -- beforehand, and you're supposed to tell them
21 beforehand that the perpetrator might not even be in that
22 lineup, right?

23 A Yes.

24 Q And they shouldn't feel compelled to make an
25 identification?

1 A Yes.

2 Q You are supposed to advise them that it's very
3 important to avoid and exclude innocent persons, right?

4 A Yes.

5 Q And you tell them that you're gonna still
6 investigate and try your hardest to find the person who
7 actually committed the crime with or without their
8 identification?

9 A Correct.

10 Q So you try to make sure their identification is
11 accurate, right?

12 A Yes.

13 Q Okay. There are all kind of specific
14 protections in a photopack, right? There's supposed to be
15 an independent administrator, neutral administration, an
16 array of six photos, the photos should share
17 characteristics of the accused, race, sex, age, hairstyle,
18 facial hair, consistent in size --

19 THE COURT REPORTER: Excuse me. Could you
20 slow down, please.

21 MS. RUSSELL: Sure.

22 BY MS. RUSSELL:

23 Q Consistent in size, consistent in shape, color
24 and photograph quality. All of those things, all of those
25 protections in a photo array, right?

1 A Yes.

2 Q Pretty specific requirements?

3 A Yes.

4 Q And, finally, when you're done, right, with that
5 photo array, you're supposed to get a written
6 acknowledgment from the witness, right?

7 A Correct.

8 Q Now, all of those procedures are put in place,
9 again, to protect the innocent, right?

10 A Yes.

11 Q Now, those standard operating procedures also
12 have a portion about a single-photograph display, right?

13 A Yes.

14 Q And that's one picture instead of six, right?

15 A Yes.

16 Q And that is only supposed to be used, according
17 to those standard operating procedures, only when the full
18 identity of the person is known to the victim or the
19 witness, right?

20 A That's correct.

21 Q And that's not the full identity known to the
22 victim or witness' brother or their friend, only to that
23 victim or witness who is doing the identification himself,
24 right?

25 A Yes.

1 Q The other very slim exclusion to allow a
2 single-photo showing is that there's no possibility of
3 prosecution, right? So in other words, if someone is
4 dead, you can go ahead and show one picture as opposed to
5 a lineup, right?

6 A Yes.

7 Q Because in that case there would be no risk of
8 prosecuting an innocent person.

9 A Correct.

10 Q All right. Now, those standard operating
11 procedures also say in very clear language that caution is
12 necessary, right, Detective Mensah?

13 A That's correct.

14 Q I'm sorry. Officer Mensah.

15 A That's fine.

16 Q And it also really states clearly that the
17 officer must evaluate the reliability of the
18 identification under all the circumstances, right?

19 A That's correct.

20 Q Okay. Now let's talk about what happened at
21 Bayfront Hospital that day back on February 2nd of 2021.
22 You exited the crime scene a little after 1 o'clock and
23 rode to Bayfront Hospital to meet and interview
24 Rodney Green, right?

25 A No, I did not leave the crime scene to go meet

1 with Rodney Green at 1 o'clock in the morning. I went to
2 the police department and interviewed Laquanda Green and
3 Deronrick Green.

4 Q Okay. What time --

5 A Later in the afternoon was when we went to go
6 see Rodney.

7 Q Okay. I was actually saying at 1 o'clock in the
8 afternoon --

9 A Okay.

10 Q -- you left the station?

11 A We left the station, correct.

12 Q Okay. To go to Bayfront Hospital --

13 A Yes.

14 Q -- and interview Rodney Green?

15 A Yes.

16 Q Around 1 o'clock in the afternoon?

17 A Correct.

18 Q All right. And you had reviewed some body-cam
19 footage from Officer Seay prior to your hospital visit?

20 A Several body-cam footage, yes.

21 Q All right. And you thought that the
22 body-worn-camera footage showed Rodney Green at the crime
23 scene saying Cornbread, or Cornelius Whitfield, shot him,
24 right? That's what you thought?

25 A Correct.

1 Q And you arrived at Bayfront at 1:30, about
2 12 hours after Rodney Green was shot in the face, right?

3 A Yes.

4 Q And he had just gotten out of surgery?

5 A Yes.

6 Q And when you arrived he was conked out,
7 unconscious, fast asleep, right?

8 A And easily woken by the nurse.

9 Q And you took pictures of him?

10 A Correct.

11 Q When he was fast asleep?

12 A That's correct.

13 Q You didn't ask his permission?

14 A I did not ask his permission.

15 Q And then the nurse woke him up, right?

16 A Yes.

17 Q And she told you that he was on pain medication?

18 A Yes.

19 Q And you knew Rodney Green couldn't talk to you
20 because he had a trach tube down his throat and his mouth
21 was full of gauze from the surgery, right?

22 A Yep. Yes.

23 Q When you were there, there were lots of tubes
24 and lots of machines, your words from your deposition,
25 right?

1 A Yes.

2 Q He actually still had a projectile lodged in his
3 neck that they couldn't take out in the first surgery; is
4 that right?

5 A I'm aware it was after the second surgery.

6 Q He was in really bad shape. Those are your
7 words, too, right?

8 A Yes.

9 Q Now, you knew that Rodney Green could really
10 only communicate with hand signals because his mouth was
11 full of a trach tube and gauze, right?

12 A Correct.

13 Q And you showed Mr. Green one picture?

14 A Not before asking him if he was able to identify
15 who shot him, if he knew where he was and if he knew what
16 happened.

17 Q Hmm.

18 A So he was shown the photo, yes, but we were able
19 to communicate with him with his head nods up and down,
20 left and right.

21 Q You know, according to you, the single photo was
22 appropriate not because of anything you asked him before
23 you spoke with him there in the hospital, but because at
24 the scene Rodney Green was telling officers that
25 Cornelius Whitfield shot him. That's why you said it was

1 appropriate, right?

2 A That I said what was appropriate?

3 Q Showing a single photo.

4 A I had gotten the identification from Deronrick
5 and Laquanda, confirmed it with them, hence showing
6 Rodney Green the photo.

7 Q Is that what made it appropriate for you to show
8 a single photo as opposed to doing a photo array? Is your
9 testimony today, Detective -- or, sorry, Officer Mensah,
10 that the reason you thought it was appropriate to use a
11 single photo as opposed to a photo array was because
12 Deronrick had identified Cornelius Whitfield?

13 A It was single sourced because they were known to
14 each other. He was already identified by Deronrick and
15 Laquanda. Hence, Rodney was shown the single photo.

16 Q But Rodney Green had never identified
17 Cornelius Whitfield prior; is that what you're saying
18 today?

19 A Prior he was saying it on body camera, on other
20 people's body cameras.

21 Q So you're telling --

22 A But my -- from what I told you, what I'm saying
23 is after speaking with Deronrick, speaking with Laquanda,
24 knowing that they are known to each other, he was
25 henceforth shown for confirmation by the victim that it

1 was in fact Cornelius Whitfield.

2 Q You were confident that Rodney Green had
3 previously identified Cornelius Whitfield or else showing
4 that single photo would have been against the law, right?

5 A I had it confirmed from Deronrick's statements
6 and Laquanda's statements.

7 Q But you did not have it confirmed from
8 Rodney Green's statements; are we clear?

9 A Until I went to speak with him to confirm what I
10 already knew from Deronrick and Laquanda.

11 Q Now, you said the name Cornbread kept coming up
12 on the scene, right?

13 A Yes.

14 Q But that name kept coming up on the scene from
15 other officers and from Deronrick, right, not from Rodney?

16 A Rodney was already at the hospital, so I had no
17 statements from Rodney at the scene. Because as we -- on
18 the intro when I arrived, Rodney was already at the
19 hospital.

20 Q All right. Let's talk about what you and
21 Detective Jordan didn't do that day at Bayfront Hospital.
22 You didn't give Rodney Green any prior instructions,
23 right?

24 A No.

25 Q And you had your department-issued cell phone

1 for taking pictures of Rodney Green when he was asleep and
2 without his permission, but you didn't use that cell phone
3 to take an audio recording of anything he said, right?

4 A No.

5 Q And --

6 A Again, for him saying, his nodding is up and
7 down, left and right. A few hours later we were given the
8 thumbs up sign, thumbs down. There was nothing audio to
9 be able to record from him by your own statements of
10 having tubes and gauze in his mouth.

11 Q But you could have done an audio of your
12 questions, right?

13 A Quite possible, yep.

14 Q And you didn't take a video recording of those
15 hand signals up and down, right?

16 A We didn't have that yet.

17 Q And you didn't actually ask Rodney Green if he
18 told anyone who the shooters were prior to the
19 single-photograph ID there at Bayfront Hospital?

20 A I don't believe so.

21 Q And you didn't ask Rodney to wave or give a hand
22 signal if he had known Cornelius Whitfield from elementary
23 school or from high school or from prior occasions, right?

24 A That's correct.

25 Q Detective Jordan didn't do that either, right?

1 A Not until we were able to have a live state
2 attorney invest when he was able to speak.

3 Q And you didn't have Rodney sign a photograph
4 that he identified, right?

5 A It was digital, so no.

6 Q And you didn't preface that identification by a
7 single photograph with any prior known questions to sort
8 of test whether Rodney Green's state of consciousness was
9 appropriate?

10 A We came back afterwards to do that just to
11 clarify.

12 Q Oh, so a few hours later you went to ask him
13 questions to make sure he could say yes and no?

14 A Right.

15 Q But that was after you showed him a picture of
16 Cornelius Whitfield in his Department of Corrections
17 uniform?

18 A Correct.

19 MS. RUSSELL: May I have a moment?

20 THE COURT: Sure.

21 MS. RUSSELL: That's all I have.

22 Thank you, Officer.

23 THE COURT: Any redirect?

24 MR. KOSKINAS: No, sir.

25 THE COURT: Thank you.

1 THE WITNESS: Thank you, your Honor.

2 THE COURT: Do you want her to hang around or
3 she can be excused?

4 THE WITNESS: Do you need your evidence?
5 Sorry.

6 THE COURT: I'll grab it.

7 THE WITNESS: Thank you, sir.

8 THE COURT: Hang around or --

9 MR. KOSKINAS: No.

10 THE COURT: Be excused?

11 MR. KOSKINAS: She can be excused.

12 THE COURT: All right. Is that it for your
13 witnesses, State?

14 MR. KOSKINAS: Yes.

15 THE COURT: You rest?

16 MR. KOSKINAS: We rest.

17 THE COURT: You got a couple?

18 MS. RUSSELL: We need State's 2 and 3.

19 THE COURT: Do we want to take a little break?
20 We've been going for 2 hours and 20 minutes.

21 MR. MCGREEN: The court reporter is asking for
22 a break.

23 THE COURT: Well, the court reporter is in
24 charge.

25 How long do you need, 45, or are you going to

1 need an hour? Madam Court Reporter, you call it.

2 THE COURT REPORTER: You can do 45.

3 THE COURT: Forty-five? 1:10, is that good?

4 Does that work?

5 MS. RUSSELL: Sure.

6 THE COURT: All right. Let's come back at

7 1:10. You've got two. Are they lengthy?

8 MS. RUSSELL: Short. I'll tell you, in
9 candor, we have a disk of some body-worn camera. I
10 think that the State has agreed to admit it into
11 evidence and we'd just like you to watch about 15
12 minutes of one and about 17 minutes of the other.

13 THE COURT: Looking forward to it. All right.
14 Are you doing that after the witnesses?

15 MS. RUSSELL: I think we'll probably do it
16 after the witnesses and before closings.

17 THE COURT: Okay. All right.

18 MS. RUSSELL: Assuming we can make the
19 technology work appropriately.

20 THE COURT: Well, you're not gonna get any
21 help from me. Not because I don't want to, but
22 because I'm not capable of it. All right. We'll
23 see you at ten after 1:00. Thank you.

24 (RECESS)

25 (END OF VOLUME I)

CERTIFICATE OF REPORTER

STATE OF FLORIDA)

COUNTY OF PINELLAS)

I, Carla Jessal, Registered Professional Reporter,
certify that I was authorized to and did stenographically
report the foregoing proceedings and that the transcript
is a true record.

DATED this 24th day of February, 2026.

/s Carla Jessal

Carla Jessal

Registered Professional Reporter