

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA
CASE NO. 2021-01513 CFANO
2021-01099 CFANO

STATE OF FLORIDA

vs.

CORNELIUS TREVON WHITFIELD

Defendant.

TAKEN BY: Defendant
DATE: June 12, 2025
TIME: 11:26 a.m. - 11:40 a.m.
PLACE: Criminal Justice Center
14250 - 49th Street North
Clearwater, Florida
REPORTED BY: Sharon K. Allbritton
Shorthand Reporter
Notary Public
State of Florida at Large

DEPOSITION OF
DETECTIVE MICHAEL J BAUER

PAGES 1-18

ALLBRITTON REPORTING

APPEARANCE:
, ESQ.

THOMAS KOSKINAS

Assistant State Attorney
14250 - 49th Street North
Clearwater, FL 33762

JULIE SEIFER-SMITH, ESQ.
MARGARET RUSSELL, ESQ.
LAMARK MCGREEN, ESQ.
Assistant Public Defender
14250- 49th Street North
Clearwater, FL 33762

P R O C E E D I N G S

WHEREUPON,

DETECTIVE MICHAEL J BAUER

the deponent herein, being first duly sworn, was
examined and testified as follows:

DIRECT EXAMINATION

BY MS. SEIFER-SMITH:

Q Can you please state your name for the
record?

A Michael Bauer. B-a-u-e-r.

Q We're here in the matters of Cornelius
Whitfield. I have two court case numbers. 21-01099
CF and 21-01513 CF.

My name is Julia Seifer-Smith. I'm an
assistant public defender, together with Margaret
Russell and Lamark McGreen we represent Mr. Whitfield
in these matters. But I have one police case number
that I'd like to discuss with you, and I have that as
2-21-006023. Is that what you have in front of you?

A Yes.

Q Did you have an opportunity to review your
reports?

A I have.

Q Was there anything else that you reviewed in

1 connection with this case before being sworn in by a
2 court reporter?

3 A I'm sorry.

4 Q Was there anything else that you reviewed?

5 A No.

6 Q Was there anything else that you thought that
7 you needed to review?

8 A No.

9 Q Having reviewed that document, did that jog
10 your memory as to your involvement in the case?

11 A Yes.

12 Q Okay. Can you give me kind of a brief
13 overview of your professional development in terms of
14 like joining the department, like the various jobs
15 that you've held, including like what your jobs were
16 back in February 2021?

17 A Sure. So I went to the police academy in
18 2008. In 2009 I sworn in as an officer. I spent
19 three years mostly on midnight shift until about 2012,
20 then I transferred to the Career Offender Tracking and
21 Apprehension Unit where I spent four years. And 2016
22 to 2018 I transferred to the Property Crimes Unit,
23 burglaries, auto thefts, that such. And 2018 I
24 transferred to the Major Crimes Unit, spent about
25 three years there until 2021. And I transferred to

1 narcotics as the ATF Task Force officer.

2 Q Was that after this particular case?

3 A So I was still in Major Crimes when this case
4 occurred.

5 Q And my understanding is that you, just from
6 your report, it sounds like you were involved with
7 S.W.A.T., so that was kind of a, not part time, but
8 like another responsibility that you had --

9 A Yeah, we're not full time. We train once a
10 month and then one week a year we'll train. So this
11 happen to be I believe during or S.W.A.T. week, which
12 we get once a year.

13 Q When did you join the S.W.A.T. team?

14 A 2011.

15 Q Are you still in it?

16 A Yes.

17 Q And before February 16, 2021 did you have any
18 kind of involvement in the investigations involving
19 Mr. Whitfield?

20 A No.

21 Q There was already an open homicide
22 investigation, were you aware of that, did you know
23 anything about it?

24 A Loosely familiar with it. I wasn't a part of
25 that investigation directly. But, you know, being in

1 the office you would hear, you know, certain things
2 about an investigation.

3 Q Did you know anything about any of the
4 investigation like from February 2nd up until February
5 16th when you became actively involved?

6 A Not really, just hearing who was involved and
7 the arrest warrant information.

8 Q Did you know anything about any conversations
9 that were had by I think Sergeant Demark and Sergeant
10 Elizondo with Mr. Whitfield's mother?

11 A I don't recall that, no.

12 Q So that's news to you?

13 A That's news to me, yeah.

14 Q And so it sounds like the name Cornelius
15 Whitfield was familiar to you only from having heard
16 that he was involved in another homicide investigation
17 that was open at the time?

18 A Correct.

19 Q Tell me about how you became involved on
20 February 16th?

21 A So we were training down at our, I believe it
22 was the canine compound, which is down south St.
23 Petersburg, and we got a message on our phone and
24 everyone started talking about us getting a S.W.A.T.
25 call out on our phone.

1 Q What was the call-- so you had like a call or
2 information arrived before the call out?

3 A So we get a message on our phone. It comes
4 in the form of a text message saying there's a
5 S.W.A.T. call out.

6 Q Okay.

7 A And they give like a location where the
8 command post is so you know where to respond to.

9 Q And you all were together. How
10 serendipitous.

11 A Yeah. We were all there training.

12 Q Okay. Do you recall what the text message
13 said for the call out?

14 A I don't remember specifically. Typically
15 it's a call out, a brief like what it is maybe, maybe,
16 and then the location of where the command post would
17 be that we would respond to.

18 Q Was the area where you were to respond, was
19 that familiar to you for any reason?

20 A As it relates to...

21 Q Anything like prior call outs, prior
22 involvement, familiar faces?

23 A I mean, I'm familiar with the area. It does
24 tend to be a high crime area, that area of Emerson
25 Avenue and 31st Street South.

1 Q Was the particular address of 3968 Emerson
2 familiar to you for any reason?

3 A No.

4 Q Did you receive any other information that
5 you recall now like in travelling from the canine
6 training center to the command post?

7 A I don't remember specifically. Typically
8 we'll turn our radios on to kind of hear and monitor
9 the radio, and specifically our S.W.A.T. channel so we
10 know what gear, if any. Luckily we had most of it
11 already. But if we needed to respond to pick up gear
12 or anything like that.

13 Q Okay. And then you get to the command post.
14 What happens there?

15 A So I get put on the, I guess you would call
16 it an arrest team, with Sergeant Burton as the team
17 leader. And we utilized the Rook, which is an armored
18 bobcat essentially, to move to the front of the
19 residence.

20 Q Okay. And what did you observe while you
21 were there?

22 A At the residence?

23 Q Yeah, like at the front.

24 A So we used the Rook as cover. Once we got
25 there the Rook went to the front of the residence and

1 then we took cover behind some other vehicles that
2 were parked on the street. And then once the armored
3 BearCat came up we utilized that for cover.

4 Q Were you able to hear anything coming from
5 the home?

6 A The Rook is pretty loud. I don't remember
7 hearing anything specifically from the home.

8 Q So like no shouts, no yells, no words?

9 A Not that I recall, no.

10 Q Okay. And were you able to see the home from
11 where you were?

12 A Yes.

13 Q And what did you observe?

14 A I observed the Rook approach. And it had a
15 lot of glass on the front of the residence, which
16 would have been the north side of the residence. And
17 then I observed the Rook pulling off portions of that
18 glass wall so we could better see inside the
19 residence.

20 Q And were you able to see inside?

21 A A little bit. There was stuff everywhere.
22 We were probably 75 feet away. We were in the street.
23 So we could see stuff kind of everywhere but not
24 anything specifically.

25 Q Okay. What happened next?

1 A One of our S.W.A.T. team members was inside
2 the BearCat and they utilized the loud speaker to call
3 out for Cornelius Whitfield to come out. I don't
4 remember how long it took but he eventually came out
5 of the front of the residence, and then we directed
6 him back to us where we placed him under arrest.

7 Q How did he come out of the residence, like
8 front door or through the hole that was made?

9 A I believe it was through the hole that was
10 made.

11 Q Did you observe him as he was coming out of
12 the home?

13 A Yes.

14 Q Can you describe that for me, please?

15 A I believe he had his hands up. He just kept
16 following our directions. We kept telling him to keep
17 coming back, keep coming back until he was almost in
18 the street where we were.

19 Q Okay.

20 A And then that's when we asked him to lay
21 down. That's where we arrested him.

22 Q Do you recall like what he looked like in
23 terms of his physical appearance, his demeanor?

24 A His demeanor was very calm. I don't recall
25 him speaking or making any noise. He followed our

1 directions. He came out very calmly.

2 Q Do you remember what he was wearing?

3 A I believe he had a mask on. I think it was
4 around Covid time so he would have had a mask on. But
5 I don't remember specifically his clothing, maybe some
6 boots.

7 Q Do you remember anything else about his
8 clothing or not today?

9 A I don't remember.

10 Q Okay. And I didn't see any kind of mention
11 in your report about a body worn camera being used, is
12 that because none was on?

13 A I don't remember when we were issued those.
14 I don't know if we had them at the time, and if we
15 did, it was probably in the chaotic response where we
16 didn't have time to grab it or put it on. We were
17 just worried about getting there and trying to
18 preserve any life.

19 Q And what else do you remember about Mr.
20 Whitfield's like exit from the home and his kind of
21 path towards the street, anything else?

22 A Nothing else. He was given commands and he
23 followed them. He came back to where we wanted him to
24 come to and he laid on the ground.

25 Q At the point that he got to like the space

1 that you wanted him in, like close to the road it
2 sound like.

3 A Uh-huh.

4 Q What did you have him do or what did he do?

5 A He laid on the ground and then I utilized
6 some flex cuffs, which we typically carry on our kit
7 to handcuff him, and then somebody brought over some
8 metal handcuffs so we put those on him.

9 Q During that time like asking him to lay down,
10 putting the cuffs on him, did he continue to be
11 compliant with the requests that were made of him?

12 A Yes.

13 Q Okay. Was there any kind of change in his
14 demeanor or his affect?

15 A Not that I recall, no.

16 Q Were you ever able to see his entire face?

17 A Yes.

18 Q And anything more about his expression or
19 expressions?

20 A Not that I noticed, no.

21 Q Did you ever hear him say anything?

22 A No.

23 Q Was there a search that was made of Mr.
24 Whitfield at any point?

25 A Yes.

1 Q Can you tell me about that?

2 A So we stood him up and we utilized one of the
3 other parked cars that was there and we searched him
4 to make sure he didn't have any weapons on him. We
5 put the contents of what we found on the vehicle, and
6 then a responding officer came and took those items
7 with her, and then she took custody of Mr. Whitfield.

8 Q Do you recall finding anything on Mr.
9 Whitfield?

10 A I don't recall.

11 Q And do you recall seeing anybody else find
12 anything on him?

13 A I don't recall.

14 Q When I say like on his person, I mean like in
15 pockets or like strapped to him or anything like that?

16 A If they did they would have been given to
17 officer, I think it's Lemakos, who would have put them
18 in a bag and taken them with her.

19 Q So you didn't take custody of anything?

20 A Correct.

21 Q So you weren't impounding anything. If
22 anything was discovered it wasn't your responsibility
23 to make sure it got to property and evidence?

24 A Correct. It went with the transporting
25 officer.

1 Q Okay. During the search do you recall Mr.
2 Whitfield saying anything or doing anything, drawing
3 attention or bringing attention to any item?

4 A Not that I recall, no.

5 Q Was he handed over to some other officer for
6 like further transport or further custody?

7 A To Officer Lemakos. L-e-m-a-k-o-s.

8 Q So Lemakos takes custody of both Mr.
9 Whitfield as well as whatever his belongings were?

10 A Correct.

11 Q Okay. I see. Was there anything notable
12 about that transfer, like the transfer of him or the
13 property to that officer?

14 A No.

15 Q Anything about Mr. Whitfield that was
16 concerning, like in terms of like your engagement with
17 him during that time?

18 A Not as far as our safety or anything, no.

19 Q And nothing that you felt like you had to
20 pass on to other officers or supervisors about him?

21 A No, not that I recall.

22 Q Did you ever go into the home?

23 A No.

24 Q Anything further in terms of your involvement
25 in the case?

1 A That was it.

2 Q And I know because you're also like part of
3 the Major Crimes Unit, were you part of any kind of
4 debrief that Major Crimes did regarding the
5 investigations involving Mr. Whitfield?

6 A I don't recall if I was. Typically that's
7 usually the people that are helping assist with the
8 investigation. But I don't remember if I sat in on
9 any briefing or debrief.

10 Q And you didn't assist with other parts of the
11 investigation?

12 A Correct.

13 Q And it sounds like you hadn't been involved
14 in a previous investigation regarding the homicide of
15 Darren Barnes?

16 A I was not.

17 Q I don't think I have any further questions.

18 MS. SEIFER:SMITH: Anybody else?

19 MR. KOSKINAS: That's it. Thank you for your
20 time. Appreciate it.

21 MS. SEIFER-SMITH: We will reserve your right
22 to read, if you'd like.

23 DETECTIVE BAUER: Sure. Yes.

24 (DEPOSITION CONCLUDED AT 11:40 A.M.)

25

CERTIFICATE OF OATH

STATE OF FLORIDA)

COUNTY OF PINELLAS)

I, the undersigned authority, certify that DET.
MICHAEL BAUER; personally appeared before me and was
duly sworn.

WITNESS my hand and official seal this 16
day of JUNE, 2025.

Sharon Allbritton

Sharon K. Allbritton

Notary Public
State of Florida
Commission# HH307873
Expires: January 1, 2027

1 STATE OF FLORIDA)

2 COUNTY OF PINELLAS)

3 I, SHARON K. ALLBRITTON certify that I was
4 authorized to and did stenographically report the
5 deposition of DET. MICHAEL BAUER; and that the
6 transcript is a true record of the testimony given by
7 the deponent.

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

13 Dated this 16 day of JUNE, 2025.

14
15
16 Sharon Allbritton
17 SHARON K. ALLBRITTON