

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

Case Number: 22-09348CFANO

STATE OF FLORIDA,

Plaintiff,

VS.

JUAN ARIEL MOLINA-SALLES,

Defendant.

DEPOSITION OF: MELANIE LEIB
TAKEN BY: Counsel for the Defendant
DATE: February 9, 2024
TIME: 2:01 p.m. - 2:12 p.m.
PLACE: ZOOM videoconference
REPORTED BY: Tamara M. Pacheco, RPR
Notary Public, State of FL

Pages 1 - 17

ZOOM VIDEOCONFERENCE APPEARANCES

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INDEX

MELANIE LEIB	PAGE:
Examination by Ms. DeLiberato.....	4
Certificate of Oath.....	15
Errata/Signature Page.....	16
Certificate of Reporter.....	17

EXHIBITS

(No exhibits were marked for identification.)

1 WHEREUPON,

2 MELANIE LEIB

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

5 EXAMINATION

6 BY MS. DELIBERATO:

7 Q Good afternoon. Could you please state and
8 spell your name for the record.

9 A Melanie Leib, M-E-L-A-N-I-E. Last name is
10 L-E-I-B, as in boy.

11 Q My name is Maria DeLiberato. I'm an assistant
12 public defender. Myself and Nichole Blaquiere represent
13 Juan Molina-Salles. We're here on case number -- PCSO
14 Case No. S022-305232. Liz Constantine is here with the
15 State Attorney's office.

16 I have that you authored just one supplement,
17 Supplement 55. Does that sound right?

18 A Correct.

19 Q Any other supplements that you authored that I
20 missed?

21 A No, ma'am.

22 Q Okay. Have you had a chance to review that
23 supplement?

24 A Yes.

25 Q And if you need to refer to it at all at any

1 point during the deposition, perfectly fine. Just let me
2 know that's what you're doing.

3 A Okay.

4 Q Tell me how you're employed.

5 A I'm employed with the Pinellas County Sheriff's
6 office. At the time of this case I was a detective in
7 Crimes Against Children.

8 Q How long have you been with PCSO?

9 A A little over ten years. About ten-and-a-half
10 now.

11 Q Any prior law enforcement before PCSO?

12 A No, ma'am.

13 Q In your ten years, ten-and-a-half years with
14 PCSO, have you ever had any complaints against you
15 sustained for any reason?

16 A Like Internal Affairs complaints?

17 Q Like a complaint that they found either that you
18 had done wrongdoing or that you were subsequently --

19 A No.

20 Q It's just a question.

21 A I was like people have complained on me but --

22 Q No, complained and that they agreed you did
23 something wrong. People complain about me all the time.
24 Totally understand.

25 So you were working on it sounds like

1 September -- this was the next day, September 23rd, 2022
2 or I guess late, kind of after --

3 A Yeah. It was about 1 a.m.

4 Q were you working, or were you off-duty?

5 A I was sleeping, off-duty.

6 Q They woke you up to come in for assistance,
7 right?

8 A Correct.

9 Q And so where did you go?

10 A So I initially went -- I'm on the phone or I had
11 got in contact with the corporal for homicide, DeLeon, and
12 he asked me to kind of drive to Tampa and figure out or
13 make a list of all the on-ramp entrances to 275. So that
14 is what I did.

15 Q when you got on scene, did you actually get to
16 the area where Deputy Hartwick -- where the accident
17 occurred or no?

18 A Like, did I see him?

19 Q were you like at the actual accident scene or
20 not?

21 A I was definitely -- like, the scene was pretty
22 large just because it was a chunk of 275. I was on scene.
23 I don't think I saw his body. It may have been covered
24 up. I don't really remember.

25 Q So you're actually driving towards -- into

1 Hillsborough County, into Tampa to document all of these
2 exits?

3 A Entrances basically to come toward Pinellas.

4 Q And so then you just kind of marked them down it
5 looks like?

6 A Yeah. I think it was still very chaotic at the
7 time, and we were like just -- they were like, okay, let's
8 cover our bases. Like, what if he came from here, what if
9 he came from here kind of thing.

10 Q And then you go back to sort of 275 and
11 Roosevelt?

12 A Yeah. I go back to the scene.

13 Q And what do you learn when you go back?

14 A I'm just going to refer to my report. So I got
15 some updated information that the suspect we were looking
16 for was a construction worker with Archer Western deMoya I
17 think it's called, and it was thought that he had run over
18 Deputy Hartwick with a front loader, parked the front
19 loader and fled on foot.

20 Q And you learned in your investigation that
21 three -- several of the construction workers had all been
22 going by sort of different names. Is that right?

23 A Yeah. I think everybody had a fake name.

24 Q They were all Spanish speaking?

25 A Yes. From what I understand, yeah.

1 Q Did you actually speak to any of the witnesses
2 yourself or this is just what you learned?

3 A I don't think I directly spoke to any of the
4 witnesses. I don't speak Spanish, so I couldn't imagine I
5 did.

6 Q Okay. And it looks like one of them, Cinthia,
7 who had given a different name but Cinthia Gomez, you note
8 that she showed you and Corporal DeLeon where his personal
9 vehicle had been parked?

10 A Right. I think Corporal DeLeon speaks Spanish.

11 Q That was going to be my next question. Okay.
12 So he had the direct conversation with her?

13 A Probably.

14 Q Did you have body-worn camera on or no?

15 A I don't remember.

16 Q If you did, would you have noted it in your
17 report?

18 A Unless I forgot to note it. I mean, I usually
19 note it, but I would have to go on AXON and look. I don't
20 remember.

21 Q It doesn't say so, and I don't believe that we
22 have one. I just want to make sure. Would you mind just
23 after the deposition doublechecking to make sure there
24 isn't one?

25 A Yeah, I can check.

1 Q And if there is one, if you could have it -- if
2 you could upload it, that would be great.

3 A whatever -- if it's there, it's uploaded.

4 Q Okay. You would have definitely uploaded it
5 whether you wrote it down or not?

6 A Oh, one hundred percent.

7 Q Perfect.

8 A Yeah. If it existed, it's definitely uploaded.

9 Q Perfect. I just wanted to make sure that there
10 was a way to doublecheck that.

11 A Yeah. Yeah.

12 Q So what do you remember -- or you can refer to
13 your report -- about the car itself?

14 A It was a green Honda CRV. It was backed in,
15 parked underneath the overpass. Yeah.

16 Q And you guys kind of make a decision that you
17 believe you have exigent circumstances. You don't wait
18 for a warrant, and you just pop it open and see what's in
19 there?

20 A Correct.

21 Q And anything in there of value to you?

22 A Basically, we're just trying to identify this
23 guy that just killed a deputy. So we're -- anything with
24 a name on it, anything with an address on it, anything
25 that's a possible lead I documented and passed on to the

1 lead detectives. Registration, whatever documents were in
2 the car obviously. Anything I could find, and then we
3 just pass it on as information.

4 Q It looks like you took eight photographs, and
5 you describe eight documents in your report?

6 A Right.

7 Q Fair to say that there was nothing else that you
8 noted from the car of evidentiary value or you would have
9 documented it. Is that right?

10 A Correct.

11 Q Anything else that you remember in the car or
12 any illegal drugs, weapons? Anything like that?

13 A No.

14 Q If so, you would have documented such?

15 A Yes.

16 Q And then your report notes around 8:30 in the
17 morning, the suspect was located in the thick brush in an
18 area near the scene. Were you actually present when he
19 was taken into custody?

20 A Yes.

21 Q Did you actually see him, like see them find him
22 and bring him out, or just that they brought him out?

23 A No, just when they brought him out. I was on
24 the interstate.

25 Q Do you know how far away the wooded area was

1 from the crash?

2 A The wooded area is like I think all along -- I
3 don't know. I don't know the proximity. It was within
4 eyeshot, I believe. Like, you could see it.

5 Q You could see the wooded area from the traffic
6 scene, the traffic accident?

7 A I believe so.

8 Q Okay. And it says that you got the keys from
9 him. There were keys in his pocket, the Honda. Did you
10 get them, or did somebody hand them to you?

11 A Somebody probably handed them to me.

12 Q Okay. Any reason why they would hand them to
13 you? Just because you had already looked at the car?

14 A Not -- no, like, specific reason. I was
15 probably standing there, and they're searching and
16 emptying pockets. So they can't -- they have to, Here,
17 hold this while I continue to search kind of thing. So I
18 just kind of took it and put it in evidence.

19 Q And you noted that they were covered in dirt?

20 A Uh-huh.

21 Q Did that mean anything to you, or it's just
22 something you noted?

23 A I mean, keys aren't normally -- to me, it showed
24 he was hiding in the dirt because keys aren't normally
25 coated in dirt.

1 Q Okay. Any other evidence that you collected in
2 this case?

3 A No, I don't believe so.

4 Q Any other witnesses that you spoke to or were
5 present when somebody else spoke to them in Spanish?

6 A No. I don't -- if they did speak to them in
7 Spanish, I wouldn't have understood what they said anyway.

8 Q Your primary role it sounds like was to check
9 the exits on the Tampa side and then to inventory the car,
10 at least searching for addresses, and then collect the
11 keys?

12 A Correct.

13 Q Okay. Did you attend any briefings either in
14 your department or in the State Attorney's office after
15 this related to the arrest and prosecution of this case?

16 A I believe there was a briefing in the homicide
17 office. Sorry, it's been a long time.

18 Q Anything in particular you remember about it or
19 anything significant?

20 A Just that we were or they had figured out that
21 these people had fake names and that they had actually
22 identified the real suspect's names -- or suspect's name.

23 Q Did you --

24 A -- and the people involved.

25 Q Okay. Any prior, like, contact or knowledge

1 with Archer western or anything else? Any other
2 construction accidents or anything that you were ever
3 involved in with them?

4 A I've worked a couple of Archer details in the
5 past before that. That's it.

6 Q Any details on this particular project or no?

7 A I believe so. I think it's all, like, the same,
8 like Roosevelt area.

9 Q How soon prior to the traffic accident here did
10 you work a construction detail?

11 A I have no idea.

12 Q Okay. Like months?

13 A No idea.

14 Q Six months?

15 A I couldn't even tell you. I'll work some
16 details, and then I'll take months off, and then I'll work
17 some details. It's just random.

18 Q How does that come about? Do you get a notice
19 from your department? Like, hey, Archer western needs
20 some deputies, or how does it come about you would get to
21 volunteer for that?

22 A Yeah, it's a whole system. It's an off-duty
23 detail. So anybody -- I don't know about anybody, but
24 people can hire -- hire the sheriff's office deputies to,
25 like, do construction safety. We work the hospitals'

1 off-duty details. You know when you go into a hospital
2 and you see the deputy there, that's an off-duty detail.
3 It's like a whole system. You apply for the jobs, and
4 then based on different factors like seniority, how many
5 jobs you've worked recently, they'll assign the jobs to
6 different deputies.

7 Q But you don't -- you definitely worked an Archer
8 western detail before, but you don't have sort of
9 specifics about recollection or experiences with it?

10 A No. It's easy. You just kind of block traffic
11 and make sure they're safe, and that's it.

12 MS. DELIBERATO: I don't have any further
13 questions. Nichole or Liz, any questions?

14 MS. CONSTANTINE: No questions.

15 MS. DELIBERATO: Thank you so much. Up to you
16 whether you want to read or waive. Just let the
17 court reporter know.

18 THE DEPONENT: I'll read.

19 (Deposition concludes at 2:12 p.m.)
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21
22
23
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1 COUNTY OF PINELLAS)

2 STATE OF FLORIDA)

3 CERTIFICATE OF OATH

4

5 I, the undersigned authority, certify that
6 MELANIE LEIB personally appeared before me on the 9th day
7 of February, 2024, and was duly sworn.

8 witness my hand and official seal this 18th day
9 of March, 2024.

10

11

Tamara M. Pacheco

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Tamara M. Pacheco, RPR
COMMISSION # 474485
EXPIRES: March 30, 2028

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ERRATA SHEET

IN THE CASE OF: STATE OF FL v. JUAN MOLINA-SALLES
NAME OF DEPONENT: MELANIE LEIB
CASE NUMBER: 22-09348CFANO

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

PAGE	LINE	ERROR/AMENDMENT	REASON FOR CHANGE

Signature

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CERTIFICATE OF REPORTER

STATE OF FLORIDA)

COUNTY OF PINELLAS)

I, Tamara M. Pacheco, certify that I was authorized to and did stenographically report the Deposition of MELANIE LEIB; that a review of the transcript was requested; and that the transcript is a true and complete record of my stenographic notes.

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

Tamara M. Pacheco

Tamara M. Pacheco, RPR