

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: GENESIS YEARGIN
TAKEN BY: Counsel for the Defendant
DATE: February 9, 2024
TIME: 11:17 a.m. - 11:26 a.m.
PLACE: ZOOM videoconference
REPORTED BY: Tamara M. Pacheco, RPR
Notary Public, State of FL

Pages 1 - 15

ZOOM VIDEOCONFERENCE APPEARANCES

ELIZABETH CONSTANTINE, ESQUIRE

Assistant State Attorney

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Clearwater, Florida 34620

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MARIA DELIBERATO, ESQUIRE

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INDEX

GENESIS YEARGIN	PAGE:
Examination by Ms. DeLiberato.....	4
Certificate of Oath.....	14
Certificate of Reporter.....	15

EXHIBITS

(No exhibits were marked for identification.)

1 WHEREUPON,

2 GENESIS YEARGIN

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 Can you please state and spell your name.

8 A Deputy Genesis Yeargin, G-E-N-E-S-I-S. Last
9 name Yeargin, Y-E-A-R-G-I-N.

10 Q And my name is Maria DeLiberato. I'm an
11 assistant public defender. I represent Juan
12 Molina-Salles. Ms. Constantine is here from the state
13 attorney's office.

14 we're here on PCSO case number 22-305232. I
15 have that you authored just one supplement, Supplement 61.
16 Is that right?

17 A Yes.

18 Q Any other supplements that I've missed?

19 A No.

20 Q Have you had a chance to review it before our
21 deposition today?

22 A I'm not going to lie to you. I was still in the
23 process because I thought I had ten minutes. It's a short
24 one, so just give me thirty-seconds, if you don't mind.

25 Q Sure. Take your time. Tell us when you're

1 ready.

2 (Pause in deposition.)

3 A I'm good.

4 Q And if you need to refer to it at any point
5 during your deposition, perfectly fine. Just let me know
6 that's what you're doing. Tell me how you're employed.

7 A I've been at the Sheriff's office since May of
8 2018. I'm currently in the DUI unit. I think this night
9 I was assigned to FTO, but I was working overtime, so I
10 didn't have a recruit. I was down in 15 Charlie. I
11 believe it was in Squad 1.

12 Q And any prior law enforcement before joining
13 PCSO in May of 2018?

14 A No. I was in the Marine Corp from 2004 to 2010,
15 so that was about it.

16 Q while you're -- during your time at PCSO since
17 2018, ever had any complaints sustained against you for
18 any reason?

19 A Just recently one.

20 Q What was that for?

21 A Conduct unbecoming. I yelled at a guy
22 inappropriately.

23 Q Anything other than that?

24 A No.

25 Q So you said you were working as an FTO, but you

1 didn't have a recruit with you the night of the incident.
2 You were on duty when the accident happened?

3 A Yeah. It was actually my off-night, but I was
4 working overtime because we were short-staffed at the
5 time.

6 Q You were not in the DUI unit then though. When
7 did you join the DUI unit?

8 A This April.

9 Q So how did the call come out?

10 A We just -- all I remember was Hartwick --
11 because I wasn't on Channel 2 that they were on. I was on
12 Channel 1. I just remember hearing that Hartwick wasn't
13 answering his radio. So that's what I remember.

14 Q Okay. Do you remember hearing about a crash or
15 anything like that or just that he hadn't answered his
16 radio?

17 A I didn't hear any of the crash or anything. I
18 just heard that he wasn't answering his radio.

19 Q Did you know Deputy Hartwick and know that he
20 was on traffic detail or construction detail that night?

21 A I know him, but I didn't know he was working
22 that detail that night.

23 Q You hadn't had any conversation with him that
24 day or anything like that?

25 A No. The last time I talked to him was probably

1 a week or two prior to that.

2 Q And then what happened? You got the call.
3 where did you go?

4 A I was down in Squad 1, so I was near 54th Avenue
5 and 275. So I hopped on 275 and started going north. By
6 the time I got there, I think it was Deputy Hirshman
7 called it out on the radio that they needed -- he
8 basically said that Hartwick was deceased -- or sorry, not
9 deceased. At the time, FD was working with him, but he
10 needed all of northbound or southbound traffic shut down.
11 So I just continued, went underneath the underpass. Just
12 before the bridge, you can go underneath. And then from
13 there, I moved down to Ulmerton and 275 area and shut off
14 traffic from there.

15 Q Okay. So you never actually went to the scene
16 where Deputy Hartwick was?

17 A No, not until after Mr. -- sorry, I don't
18 remember his name. He was arrested. I never actually
19 went to the scene still after that.

20 Q Okay. So you just proceeded -- maintained the
21 position to shut down traffic?

22 A I went from there, and then after, Tampa PD came
23 across to help. From there I went down to the north end
24 of the scene, but I wasn't really near the scene because I
25 was -- yeah, because I was like basically acting as a

1 control point. So, yeah, that's really about as close as
2 I got.

3 Q And were you kind of listening to traffic on the
4 radio and that sort of thing?

5 A Yeah. We were basically letting the detectives
6 as they were coming on scene through and making sure that
7 no one else got on scene.

8 Q And then at some point you learned that the
9 suspect, Mr. Molina-Salles was in custody?

10 A Yes. We had the bloodhound come from Pasco. At
11 the time, I think it was Corporal Aitken. I remember
12 watching because the sun was coming up. They were like
13 going along the fence. They said they got him on the
14 radio. I went down there. We placed him in the back of
15 my cruiser.

16 Q Did you -- how far were you from the area where
17 he was apprehended?

18 A From the north end of the scene to wherever the
19 on-ramp from Ulmerton or Roosevelt, whatever that one was.
20 I don't know the exact distance on that. I'm sorry.

21 Q Do you -- if you know, how far -- where he was
22 apprehended, how far was that from the traffic accident?

23 A Not far.

24 Q And he was apprehended by bloodhound I think you
25 said?

1 A Bloodhound from Pasco.

2 Q Did you see the apprehension, or you were far
3 away from that?

4 A I was far away from that.

5 Q And how was it -- did somebody order you to go
6 to transport him, or did you go on your own? How was it
7 that you were the one to go to pick him up?

8 A I just went on my own because I knew that -- I
9 watched them go and kind of go off into the distance, and
10 then basically, as soon as they call out, it's like, all
11 right, someone has to go. It was either me or someone
12 else I think that was close. I think there was another
13 deputy that was somewhat close. Basically, he ended up
14 going in my cruiser.

15 Q Deputy Mattox?

16 A No, that was later.

17 Q Oh, okay. Do you remember who the other deputy
18 was?

19 A Lira-Rangel. I think he was behind me as I was
20 going to go where the K-9 deputies were.

21 Q And so was Mr. Molina-Salles already in
22 handcuffs when you got there?

23 A Yes.

24 Q Okay. And did you place him -- was it in your
25 cruiser that he went?

1 A Yes.

2 Q Okay. Did you place him in or somebody else?

3 A I can't remember on that.

4 Q And did you have like an in-car camera running
5 at the time?

6 A Yeah. Yeah. I activated that.

7 Q And did you have your body-worn camera as well?

8 A Yes.

9 Q Anything you remember about his demeanor?

10 A He was quiet.

11 Q Do you speak English? Or do you speak English.
12 Do you speak Spanish?

13 A No. No, I don't. Sorry. I didn't know that he
14 was only Spanish-speaking until later. And so like, they
15 were like, You're going to transport him to the SAB. And
16 I'm like, Okay. Then someone literally asked me, Do you
17 speak Spanish? I was like, No. They're like, All right.
18 Well, don't learn. Okay.

19 Q They didn't want you to speak to him on the
20 transport?

21 A Correct.

22 Q How far -- it's the Sheriff's Administration
23 Building, so -- I don't know. It's like 15 or so minutes
24 probably from there? Maybe a little bit longer?

25 A Yeah. Yeah.

1 Q Anything notable about the drive or anything
2 like that? Anything he was doing in the car?

3 A No.

4 Q It was you and Deputy Mattox in the car?

5 A Deputy Mattox was in his car, I think. I don't
6 remember if anyone was in my car. I really don't.

7 Q I assume the in-car camera would show.

8 A Yeah. Yeah.

9 Q And then what happens when you get to the SAB
10 building?

11 A We escorted him up to our interview room. At
12 that point, I left him with Deputy Mattox and his
13 recruit -- I don't remember his recruit's name -- and I
14 went home because it was now fifteen hours into my shift.

15 Q Okay. Anything else that you did involved in
16 this case?

17 A No. I'm sorry.

18 Q You didn't interview any witnesses, collect any
19 evidence? Anything like that?

20 A No.

21 Q Did you attend any briefings, any meetings
22 either in your department or in the state attorney's
23 office about the arrest and prosecution of this case?

24 A No. I honestly didn't even know what was going
25 on with this guy until recently. This is where I'm at.

1 Q Did you like -- when you got the subpoena or
2 something, did you like try to look and see what was going
3 on?

4 A Well, I got the first subpoena from last time I
5 think back -- it was back in September. I think it was,
6 and then that one got canceled. Then I got this one.
7 That's really about it.

8 MS. DELIBERATO: Okay. I don't have any further
9 questions. I appreciate it.

10 THE DEPONENT: All right. Sorry I can't be more
11 helpful.

12 MS. DELIBERATO: Liz, any questions?

13 MS. CONSTANTINE: No questions. Sorry, I was
14 trying to get off mute.

15 MS. DELIBERATO: Totally up to you whether you
16 want to read or waive. Completely up to you, deputy.

17 THE DEPONENT: I don't have anything.

18 MS. DELIBERATO: No, the deposition. If you
19 want to read or waive the deposition.

20 THE DEPONENT: I don't know what that means.

21 MS. DELIBERATO: You can read it before it's
22 typed up to make sure it's accurate, or you can just
23 assume that she's typing it down.

24 THE DEPONENT: I would just assume she's typing
25 it down. I'm sure it's all recorded in one way or

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another.

MS. DELIBERATO: Thank you so much for your
time. I appreciate it.

(Deposition concludes at 11:26 a.m.)

1 COUNTY OF PINELLAS)

2 STATE OF FLORIDA)

3 CERTIFICATE OF OATH

4

5 I, the undersigned authority, certify that
6 GENESIS YEARGIN personally appeared before me by ZOOM
7 videoconference and was duly sworn.

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

10

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Tamara M. Pacheco

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Tamara M. Pacheco, RPR
COMMISSION #942612
EXPIRES: March 30, 2024

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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 GENESIS YEARGIN; that a review of the transcript was NOT 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