

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: | LT. MICHAEL PANIAGUA |
| TAKEN BY: | Counsel for the Defendant |
| DATE: | March 28, 2024 |
| TIME: | 1:28 p.m. - 1:38 p.m. |
| PLACE: | ZOOM videoconference |
| REPORTED BY: | Tamara M. Pacheco, RPR Notary Public, State of FL |

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JTP REPORTING (727) 422-8287

ZOOM VIDEOCONFERENCE APPEARANCES

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EXHIBITS

(No exhibits were marked for identification.)

1 WHEREUPON,

2 LIEUTENANT MICHAEL PANIAGUA

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

5 EXAMINATION

6 BY MS. BLAQUIERE:

7 Q I apologize, what's your title?

8 A Lieutenant Michael Paniagua.

9 Q Hi, Lieutenant Paniagua. My name is Nichole
10 Blaquiere, and with Maria DeLiberato, who is not present
11 right now, we represent Juan Molina-Salles. And present
12 is Mr. Nathan Vonderheide for the State.

13 A Yes.

14 Q Have you gotten a chance to review any of the
15 reports?

16 A No. I have not reviewed any of the reports.
17 I'm just -- I'm the body-cams system administrator, so my
18 role was minimal in the investigation.

19 Q Okay. Were you present -- can you tell me first
20 about your general law enforcement background and
21 experience.

22 A Law enforcement background, I started in the
23 state of Florida in 1996. I worked with the Belleair
24 Police Department. I moved to the Belleair Beach Police
25 Department about four-and-a-half years later. I started

1 with the Pinellas County Sheriff's Office in 2003, July of
2 2023.

3 I have worked in patrol, in DUI. I was a
4 sergeant of the DUI Unit. I was promoted to lieutenant,
5 and I'm now the body-worn camera systems administrator for
6 the Sheriff's office.

7 Q And what was your job on September 22nd, 2022 to
8 the morning of September 23rd, 2022?

9 A At that time, I was at the rank of captain, but
10 I was still the body-worn camera systems administrator.

11 Q Did you go to the scene of Deputy Hartwick's
12 death on the evening of September 22nd, 2022 or the
13 morning -- the next morning, September 23rd, 2022?

14 A I arrived there early in the morning, probably
15 about 12:30, 1 o'clock. They had a deputy sent to my home
16 to notify me, and they called me out.

17 Q And what did you know at the time when you were
18 called out?

19 A All I'd known at the time was of the death of
20 Deputy Hartwick.

21 Q Okay. What was your involvement once you got to
22 the scene?

23 A At that point, my involvement was to do what's
24 called a video recall of the in-car camera in his cruiser
25 to recover any potential video that might be there that

1 could have captured the moments leading up to his death.

2 Q And were you able to -- and when you say "he,"
3 you mean Deputy Hartwick's cruiser?

4 A Yes, Deputy Hartwick.

5 Q Were you able to retrieve the video from his
6 vehicle?

7 A Yes.

8 Q Did you attempt to retrieve any video from his
9 body-camera?

10 A I did not, no.

11 Q What else did you do?

12 A That was it really. I recovered the video and
13 then just kind of reviewed the video in our command bus
14 showing -- once the video was retrieved, I was able to see
15 kind of the front loader that went driving past, the front
16 loader that eventually killed Deputy Hartwick. So I just
17 notified our homicide, which was in the command bus. It
18 was Captain Tobeck. I know the Sheriff was there. I
19 forget who else was there. But I notified him the video
20 was recovered, and this is the video that showed the
21 moments before his death.

22 Q Okay. Did you assist as well in translations
23 for the employees that were held to the side?

24 A Yes, there was some. Detective Dunning had
25 requested I do some translating for him. I was called in

1 to the sheriff's office to do multiple translations
2 throughout my career, and usually what I do is just kind
3 of a word-for-word translation. I let the detective -- I
4 let the officer or whoever it is kind of ask me the
5 question so I can translate, and basically, they lead the
6 investigation. I just assist with the language barrier.

7 Q Did all of the lay witnesses that you assisted
8 with the translation, did they seem to have the cognitive
9 ability to answer all of Detective Dunning's questions?

10 A Yes.

11 Q Did you translate for anyone else besides
12 Detective Dunning?

13 A I remember asking -- there was another
14 detective. I don't remember his name. I don't remember
15 the details of it, but I think I was present during a
16 previous interview.

17 Q Was it Detective Joshua Zarasvand?

18 A Zarasvand? Yes. It could very well have been
19 him, yes.

20 Q Who do we talk to about the timestamps on
21 Detective Hartwick's vehicle that night?

22 A What do you mean by timestamps?

23 Q If the timestamps are inconsistent with a
24 different vehicle's timestamp but they're showing the same
25 exact scene, who would we talk to about why that is?

1 A That is something that you would have to talk
2 directly with AXON about. I know all of the videos are
3 synced in the cars to -- I guess the best way to say it is
4 internet time. They are -- you know, the systems are
5 constantly syncing their times. So I find it odd that
6 there would be some video that would be out of sync if
7 it's within the AXON environment, meaning in the AXON
8 ecosystem. They should all be able to sync up together.

9 If there's another outside video -- because I
10 know that there was outside video taken from other
11 vehicles, construction vehicles. Those obviously would
12 not be synced up with the AXON because I don't know about
13 their systems, how they sync, how often they sync, et
14 cetera.

15 Q Is there any representative or anything like
16 that that you guys talk to if you ever have any issues
17 with any of the videos syncing?

18 A I mean, any technical issues, we call their
19 1-800 help line. I call them up, open up a ticket, and
20 they kind of resolve the problems that way.

21 Q Okay. Did you have any other involvement in
22 this case, Lieutenant?

23 A No.

24 Q I forgot to ask earlier when I was asking your
25 experience. Have you had complaints sustained in your

1 entire law enforcement history?

2 A Sustained? You mean like complaints from an
3 outside citizen or individual?

4 Q Not just complaints but complaints that were
5 sustained where they said -- you know, where your
6 superiors said yes, you were wrong, and here's what you
7 have to do?

8 A I've never been involved as a subject in an
9 Internal Affairs complaint. Now, I mean, my supervisors
10 throughout my career have always told me, hey, I've done
11 this wrong or hey, you need to do this right. But, I
12 mean, nothing that's resulted in formal discipline, if
13 that's what you mean.

14 Q Great. Were you part of any briefings on this
15 case after September 23rd?

16 A No.

17 Q And have you done any research about the case or
18 our client, Juan Molina-Salles?

19 A No, I have not.

20 Q And have you been involved at all in the civil
21 lawsuit regarding Deputy Hartwick's passing?

22 A No.

23 MS. BLAQUIERE: I appreciate it. Thank you. I
24 don't know if Mr. Vonderheide has any questions.

25 MR. VONDERHEIDE: No questions.

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LIEUTENANT PANIAGUA: All right. Thank you.
Very much.

(Deposition concludes at 1:38 p.m.)

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COUNTY OF PINELLAS)
STATE OF FLORIDA)

CERTIFICATE OF OATH

I, the undersigned authority, certify that
LIEUTENANT MICHAEL PANIAGUA personally appeared before me
by ZOOM videoconference and was duly sworn.

witness my hand and official seal this 13th day
of OCTOBER, 2024.

Tamara M. Pacheco

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: LT. MICHAEL PANIAGUA
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 |
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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 LT. MICHAEL PANIAGUA; 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