

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: RYAN DUNNING
TAKEN BY: Counsel for the Defendant
DATE: March 28, 2024
TIME: 2:37 p.m. - 3:02 p.m.
PLACE: ZOOM videoconference
REPORTED BY: Tamara M. Pacheco, RPR
Notary Public, State of FL

Pages 1 - 21

JTP REPORTING (727) 422-8287

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INDEX

RYAN DUNNING	PAGE:
Examination by Ms. Blaquiere.....	4
Certificate of Oath.....	19
Errata/Signature Page.....	20
Certificate of Reporter.....	21

EXHIBITS

(No exhibits were marked for identification.)

1 WHEREUPON,

2 RYAN DUNNING

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

5 EXAMINATION

6 BY MS. BLAQUIERE:

7 Q Hi, Corporal Dunning. My name is Nichole
8 Blaquiere, and together with Maria DeLiberato, who is not
9 here today, we're representing Juan Molina-Salles. And
10 present is Mr. Nathan Vonderheide.

11 To get started, can you run through your
12 background and experience in law enforcement for us,
13 please.

14 A Yes. I hired in at the Sheriff's office in
15 2013. In 2017, I went upstairs with Crimes Against
16 Children as a detective. Two years ago, I transferred to
17 the Robbery/Homicide Unit, which is where my current
18 assignment is. I've been here eleven years in July. No
19 prior law enforcement experience. Yeah.

20 Q And your current unit is major crimes and
21 homicide?

22 A The Robbery/Homicide Unit we call it.

23 Q And was that the unit you were on
24 September 22nd, 2022?

25 A That's correct.

1 Q Okay. Have you ever had any complaints
2 sustained against you during your time at the Sheriff's
3 office?

4 A No.

5 Q And I reviewed some of your reports. Have you
6 been able to review your reports prior to today?

7 A I pulled -- Supplement 64 and 122 are the ones
8 that I authored. Those are the ones I reviewed. If that
9 correlates what with what you have, I think we're on
10 course.

11 Q Can you tell me your involvement from the
12 beginning in this case?

13 A So I was called out obviously that night. It
14 was obviously a very fluid scene, fluid event. I was
15 first given the assignment to interview some people who
16 Supplement 122 identifies. And then I knew I was going to
17 do the scene documentation of the front-end loader, but
18 there was some time that -- there was going to be a time
19 delay before that could happen, so I did that after I
20 talked to the three individuals identified in Supplement
21 122. It's really -- that's the gist of it. Yeah, it was
22 a little fluid in the beginning and then finally ironed
23 out. That was my two assignments.

24 Q I'll ask you a little bit about both of those.
25 We'll start with the questioning of the Spanish speakers.

1 was that -- that was Lieutenant Paniagua that helped you
2 translate, right?

3 A Correct.

4 Q And was he able to communicate with each of the
5 three Spanish speakers?

6 A He was, yes.

7 Q Did it appear from your perspective that any of
8 them didn't have the cognitive ability to answer the
9 questions?

10 A No, they seemed smart enough.

11 Q Okay. Great.

12 A Yeah.

13 Q And I think part of your questioning was to ask
14 all three of them about any alcohol consumption before the
15 shift that day. Is that correct?

16 A That's accurate.

17 Q And none of them saw -- there were three
18 persons. Their aliases were Nicole, Pedro, and Jose,
19 right?

20 A Correct.

21 Q Later we find out Cinthia is Nicole?

22 A Cinthia Melissa Gomez Hernandez.

23 Q Right. Douglas Hernandez Valladaras --

24 A Sure.

25 Q -- common spelling --

1 A Uh-huh. I'll go with it.

2 Q -- is Jose. And Pedro is Allan Gomez Zelaya?

3 A Correct.

4 Q And all three denied seeing Juan consume any
5 alcohol before his shift that day. Is that correct?

6 A Denied, yes. That's accurate.

7 Q Anything else about the interviews with those
8 three individuals that you remember that stands out?

9 A No.

10 Q Did any -- did they seem -- did any of them seem
11 scared or nervous?

12 A Yes, because they were withholding their names.

13 Q Okay. Other -- were any of them scared or
14 nervous because a deputy had passed away?

15 A I think the whole entire situation was weighing
16 on them, yes. Yeah, I think there was -- that's
17 reasonable.

18 Q Okay. Anything else besides what's in your
19 supplement that sticks out about your interviews with
20 those three individuals?

21 A No.

22 Q Okay. Let's go to the scene where the front
23 loader was.

24 A Sure.

25 Q It looks like you went to the scene where the

1 front loaders are with Rebeca D'Jimas. Is that correct?

2 A Rebecca D'Jimas, yes, ma'am. She's the
3 supervisor of the Forensic Science Division. And then
4 there was also a forensic science tech that Rebecca would
5 have been the boss over, so to speak, Heather Meade, so
6 the three of us.

7 Q Did you guys go in your own vehicles?

8 A We walked.

9 Q From where?

10 A Oh, I don't think I got in a car. I don't even
11 know if I got in the car. I parked there once I got on
12 scene and pretty much walked everywhere. I might have
13 driven down to where I interviewed the people in the
14 previous supplement we were just talking about. I might
15 have driven there because that was a little bit of a hike,
16 but where the front-end loaders were with relationship to
17 where Deputy Hartwick was at was within walking distance.

18 Q Okay. I think in your report you said it was --
19 you used the word hundred yards, but I can't remember if
20 you used couple or several.

21 A Several hundred yards, yeah. But we walked. I
22 didn't drive it.

23 Q Okay. So you did that after you interviewed the
24 three Spanish-speaking individuals?

25 A I believe so, yes.

1 Q And just because I didn't cover this part when
2 we started, where did you first arrive on scene?

3 A I don't know what exit that is off the top of my
4 head. You'll have to forgive me about that. Right where
5 the accident happened where Hartwick was laying in the
6 road.

7 Q Was that close to Roosevelt and 275?

8 A Yes. Yes.

9 Q Closer to Roosevelt or Gandy?

10 A That's a good question. I'd say it's a ways
11 away from Gandy, right?

12 Q Probably. That's only a couple hundred yards
13 away.

14 A From Gandy? I don't know. I would have to look
15 at a map. I think for some reason Exit 40 is coming off
16 at me, but I can't remember exactly.

17 Q Okay. How far away did you park from the three
18 Spanish-speaking witnesses?

19 A They had been relocated. They were -- that's
20 why I had to drive to them for the sake of time. They
21 were -- they were quite a ways away, if that makes sense.
22 They were all the way down to the exit. So Roosevelt --
23 if I have this right in my head, where you get off 275,
24 you get off Roosevelt, it's south of that, and then they
25 would have been at the next exit to get off.

1 Q And it looks like on your Supplement 122 that
2 maybe you drove down to where Gandy was, and that's where
3 they were, near Gandy and 275?

4 A Exit 30, yes.

5 Q And then my guess is -- and please let me know
6 if this is accurate or not -- you drove back north closer
7 to Roosevelt where Deputy Hartwick's body was?

8 A Correct.

9 Q That's where you started helping with
10 documentation of the scene?

11 A Correct. And the front-end loaders were north
12 of that, if that makes sense.

13 Q All right. So how big was this construction
14 area where the front-end loaders were?

15 A Like, it was a pretty large area. It was off to
16 the west of 275, west of the southbound lanes. I would
17 say roughly the size of a football field, give or take.

18 Q Yeah. I think you described it as a dirt lot.

19 A Yeah. It was a big dirt lot where they would
20 store miscellaneous construction equipment, larger pieces
21 of, like, concrete barricades, and you know those aren't
22 small. There was piles of dirt and barricades and large
23 pieces of PVC pipe and other stuff. A pretty good size
24 area.

25 Q And within that lot, where were the front

1 loaders located? On the west part of the lot, the north,
2 the south, or the east or in the middle?

3 A Kind of like right when you pull in the dirt
4 lot, they were kind of right there in the middle. Because
5 if you push too far into the lot, you run into a
6 fence-line and mangroves. That would be on the west side
7 of the lot. Then obviously the east side of the lot is
8 275 and the shoulder. And then the south side is
9 shrubbery. And the north, I didn't even go all the way up
10 there, but it was kind of encompassed in mangroves to the
11 south, west, and north.

12 Q Okay. The front loaders, you helped photograph
13 and identify everything about the front loaders?

14 A Meade takes the photos. I don't take the
15 photos. But, yeah, I document everything I see, and then
16 Meade takes the photographs and puts out the photo markers
17 and that type of stuff.

18 Q And can you tell me how far away was the
19 construction vest and hat that said Victor Vazquez away
20 from -- how far away was that from the front loaders and
21 that dirt lot?

22 A Twenty yards or so.

23 Q And was it Rebeca D'Jimas that put those items
24 in the bag for the bloodhound officers?

25 A Correct.

1 Q Then who -- did you observe her interacting with
2 the Pasco bloodhound?

3 A No. They weren't on scene yet. How it kind of
4 worked is we collected it, put it in a brown paper bag as
5 we were instructed to do. Then I took it from her. I
6 carried it over to the side of 275, and they asked us to
7 leave it there. Because if the dog is going to sniff it,
8 I guess that's how they sniff it. I've never worked a
9 bloodhound, so I don't know. They didn't want me to be
10 holding it the entire time, if that makes sense, for
11 contamination.

12 Q That makes sense.

13 A Right.

14 Q And you said those items were about 20 feet away
15 from the dirt lot?

16 A Twenty yards. We had to go through a -- we had
17 to go through a fence, climb over a fence, dilapidated
18 chain-link fence and then beyond that. It was just beyond
19 that fence.

20 Q Yeah, I apologize for the wrong --

21 A You're fine.

22 Q So it was outside of the fenced area?

23 A Correct.

24 Q And then where was the Amoxicillin bottle found
25 in relation to the hat and traffic vest?

1 A I think it was all right around each other,
2 right around -- how do I say this? Not on top of each
3 other. This is the desk sitting here. It wasn't all just
4 sitting, but it was all kind of just haphazardly placed in
5 that general area.

6 Q Do you know how far away Juan was located from
7 where the traffic vest and hat were found?

8 A I know roughly where he was but not enough to
9 answer that question. I know he was north, but I don't
10 know a distance.

11 Q Was he on the other side of Roosevelt or on the
12 south side of Roosevelt?

13 A I really don't know. I didn't go there.

14 Q Did you ever -- it looks like you might have
15 gone with Detective Leib to where a Honda CRV, green Honda
16 CRV was located?

17 A Yes.

18 Q And that was allegedly Juan's vehicle, per
19 Nicole?

20 A Allegedly.

21 Q And I think Detective Leib may have searched the
22 vehicle. Do you remember that?

23 A It's somewhere in there. I think that's
24 accurate.

25 Q Did you go in the vehicle with her?

1 A I think I helped her, but I think -- did she
2 document a supplement?

3 Q It's difficult to tell. She had Supplement 55,
4 if you have access to that. Do you want to take a second
5 and look at that?

6 A Yeah, I'm going to pull it up. Fifty-five?

7 Q Yes.

8 A Yeah. Is it showing me? Yeah. I mean, I
9 remember doing that, helping her out kind of haphazardly.
10 I think we were just trying to identify whose vehicle it
11 was, if that makes sense.

12 Q Okay. Now, Detective Leib didn't have a search
13 warrant prior to entering the vehicle?

14 A Correct.

15 Q Did she hand you any items that she pulled out
16 of the vehicle?

17 A Hand me any of them? I think we looked them
18 over together just trying to substantiate whose it was.

19 Q It looks like one of the items was a Francisca
20 Diaz Law Office for immigration attorneys. It says the
21 following documents were located in that --

22 A I'm thumbing through it. What paragraph are you
23 in? I see where she lists out some things.

24 Q Yeah. It's one of the last things.

25 A Oh, yeah, yeah. I see it. Yes.

1 Q Did anyone that you know of or did you yourself
2 follow up with the Francisca Diaz Law Office?

3 A Not that I know of.

4 Q Did anyone attempt to see if the keys that were
5 found on Juan matched that Honda CRV?

6 A I have no idea.

7 Q You also helped document the scene where Deputy
8 Hartwick passed?

9 A I did not. Just the front loader.

10 Q Do you know -- did the Amoxicillin bottle that
11 was found, did it have any names?

12 A From what I remember -- without pulling up the
13 photo, I think it was a handwritten label from what I
14 remember, and it wasn't clearly legible. It was -- I
15 don't think a handwritten label cuts the mustard as far as
16 a prescription, but that's what I recall. I think it was
17 a little dilapidated.

18 Q I'm going to take one more stab at trying to see
19 if your memory has been jogged because I'm still not
20 certain of the answer. Was Juan found just to the east or
21 to the west of the dirt lot where the front loaders were?

22 A I know he was north of it, and we'll go with
23 west of 275.

24 Q Okay. And that dirt lot where the front loaders
25 were, that was all part of the scene for the overall

1 investigation?

2 A Yeah. I mean, Hartwick was south of the scene.
3 He was definitely south of the lot, the dirt lot where the
4 front loaders were parked. So I would say the whole
5 scene, yeah, I guess that's accurate.

6 Q Pretty big scene.

7 A Yeah. I don't think the dirt lot is there
8 anymore from what I know.

9 Q Do you know what is there now?

10 A I drove through there the other day, and I was
11 trying to remember, if you will. It's not quite as it
12 was.

13 Q Okay. I'm sure that was helpful to jog your
14 memory. Were you part of any briefings on this case after
15 September 23rd, 2022?

16 A We did have a debrief. I don't really remember
17 the debrief. I know there was follow-up stuff that needed
18 to be done that I did not help with. From my
19 recollection, this was -- it was all hands on deck. The
20 other squad -- our unit is broken into two squads, A squad
21 and B squad, and I think the B squad was on call when this
22 happened. So most of the follow-up, things that came from
23 the debrief were given to members of the B squad -- the A
24 squad, I'm sorry, if I remember right.

25 Q Were there any briefings at the State Attorney's

1 office?

2 A I don't know anything about that. I'm talking
3 about in our unit, debrief amongst detectives and our
4 supervision. I know we had one. I can't tell you what
5 came from that though if I'm honest.

6 Q Okay. That's fine. Did you do any research
7 about this case or my client, aside from what your duties
8 were?

9 A No. I hadn't looked him up or anything like
10 that.

11 Q Any involvement in the civil lawsuit by Deputy
12 Hartwick's family?

13 A No.

14 Q Anything -- were you on duty that evening?

15 A I was at home sleeping in bed.

16 Q So they had to call you in?

17 A Correct, yeah. Corporal Syers called me.

18 Q What else did you do after you helped document
19 the construction lot?

20 A Typed up my reports, submitted them, and that
21 was it.

22 Q Anything else you can remember that we haven't
23 already discussed so far?

24 A No.

25 MS. BLAQUIERE: All right. Thank you so much

1 for coming in today, Corporal Dunning.

2 THE DEPONENT: You bet.

3 MS. BLAQUIERE: I don't know if Mr. Vonderheide
4 has any questions.

5 MR. VONDERHEIDE: No questions.

6 (Deposition concludes at 3:02 p.m.)

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COUNTY OF PINELLAS)
STATE OF FLORIDA)

CERTIFICATE OF OATH

I, the undersigned authority, certify that RYAN
DUNNING 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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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 RYAN DUNNING; 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