

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA
CRIMINAL DIVISION
CASE NO.: 22-09348-CF-T

STATE OF FLORIDA,)
)
 Plaintiff,)
)
vs.)
)
)
JUAN ARIEL MOLINA-SALLES,)
)
 Defendant.)
)
-----/

DEPOSITION

OF

KIMBERLY PRIEST

(Appearing via Zoom.)

TAKEN BY: Defendant

DATE: Wednesday, November 20, 2024

TIME: 3:49 p.m. - 4:06 p.m.

PLACE: Videoconference (Zoom)

Reported By: Gina M. Manning
Court Reporter, Notary Public
State of Florida at Large

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APPEARING VIA ZOOM ON BEHALF OF THE PLAINTIFF:

ELIZABETH CONSTANTINE, ESQUIRE
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14250 49th Street North
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APPEARING VIA ZOOM BEHALF OF THE DEFENDANT:

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(No exhibits.)

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Thereupon,

KIMBERLY PRIEST

was called as a witness by the DEFENDANT and having first been duly sworn by the court reporter was examined and testified on her oath as follows:

BY MS. DELIBERATO:

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

A. Kimberly Priest, K-I-M-B-E-R-L-Y P-R-I-E-S-T.

Q. And how are you employed?

A. With the Pinellas County Sheriff's Office.

BY Speaker C:

Q. What's your role there?

A. A law enforcement investigative analyst.

Q. Are you a sworn law enforcement officer as well?

Is that the same as the --

A. No.

Q. So it's a civilian role?

A. Yes.

Q. Okay.

My name is Maria DeLiberato. I'm an assistant public defender. Myself and Nichole Blaquiere represent Juan Molina-Salles, and we're here for your deposition today. Present for the State is Elizabeth Constantine.

1 It's PCSO Case Number 22-305232.

2 I don't have that you authored any particular
3 report, is that correct?

4 A. That's correct.

5 Q. Okay.

6 So can you just give me a little bit of background
7 on you: When you first started working for the sheriff's
8 office and a little bit about your educational background?

9 A. I've been with the sheriff's office for 19 years,
10 since 2005. I have a bachelor's degree in Management and
11 Organizational Leadership. I have two associate's degrees.
12 I have been through the FDLE analyst academy training.

13 Q. Did you know Deputy Hartwick professionally or
14 personally?

15 A. I know he works for the agency. I never had
16 personal interaction with him.

17 Q. You never spoke to him or had a conversation
18 with him?

19 A. Not that I can recall.

20 Q. How was it that you got involved in this particular
21 case?

22 A. I work with our robbery-homicide unit, and they
23 contact me when they need background and research
24 information conducted on investigations.

25 Q. Do you know who contacted you in this case?

1 A. Well, I am not sure offhand which one of them
2 contacted me. It could have been a lieutenant. It could
3 have been a detective at the time.

4 Q. What were you asked to do?

5 A. Some background research.

6 Q. Into who and what?

7 A. Into the various aspects of the investigation.
8 Photo pack, phone analysis.

9 Q. There's no report. So I'm just trying to find out
10 what exactly you did in this case.

11 A. Well, I mean, it's mentioned in a couple reports.
12 So I did a photo pack. I was mentioning. One is
13 preparing a photo pack for one of the detectives.

14 Q. And how do you do that?

15 A. They provide me with a subject photo and then we
16 import it into a system that we have and then it produces
17 a six-person photo pack that they present to a witness or
18 whoever they're going to present it to.

19 Q. And how do the non-subject photographs get
20 identified? Is that manual or the computer spits it out?

21 A. The computer spits out similar subjects.

22 Q. And do you review the photographs to make sure that
23 they're sort of similar enough --

24 A. I just randomly choose other photos that it spits
25 out and put that into the photo pack.

1 Q. I'm just trying to understand, like, how much input
2 you have. You get the subject's photo, the person that
3 they think it is, and then you put it into the computer and
4 it spits out some other images and then you choose the
5 remaining images?

6 A. I just randomly select other photos to put into the
7 photo pack, yes.

8 Q. Randomly? You're not looking for similar
9 characteristics or anything like that?

10 A. No, because the system should be pulling that,
11 like, similar features or whatever it is.

12 Q. Have you attended any trainings on eyewitness
13 identification or things like that?

14 A. No. Because I'm not out in the field, so I don't
15 do eyewitness identification.

16 Q. I'm just trying to understand. I don't know how
17 the system works. So I'm trying to understand if you
18 yourself are making choices as far as who to put in the
19 photo pack.

20 A. No. I just randomly selected and clicked on
21 various photos. I selected five people. When it gave me
22 a group of people to put in it, I just randomly clicked on
23 them and put them into it and then I gave that to the
24 detective. I don't have any other further input. I don't
25 present it or anything like that.

1 Q. Okay. How many does the computer give you?
2 How many choices?

3 A. It depends on what it can pull in. As far as
4 possible people, it varies.

5 Q. And where do those photos come from?

6 A. They can come from either booking photos or they
7 can come from the motor vehicle -- like the driver's
8 license I.D.s.

9 Q. Okay. So you were asked to do that, set up this
10 photo pack. How long does that process take you?

11 A. It can vary anywhere from 15 minutes to an hour,
12 depending on how hard it is or how easy it is to...
13 It just depends.

14 Q. Is there any way to know how long this particular
15 one took you? Is that documented anywhere?

16 A. No.

17 Q. Do you have an independent recollection of this
18 case at all?

19 A. No. Not other than them requesting the photo pack
20 and mapping out some cell phone information, I don't have
21 any personal recollection of it.

22 Q. Okay. I mean, I imagine you do photo packs all the
23 time. Right? So I'm trying to understand if this photo
24 pack stood out from other photo packs that you did.

25 A. No.

1 Q. Okay. What's the cell phone information that you
2 were asked to do?

3 A. I was asked -- they obtained the -- the
4 investigators obtained some call records from a cell phone
5 carrier and they asked me to map those out.

6 Q. I don't see that in a report anywhere; so that's
7 why I was trying to figure out what. Do you know what
8 mapping they asked you to do? What does that mean?
9 Location? Cell tower?

10 A. Like where a phone would have hit off of what
11 towers.

12 Q. Are you -- it looks like you're referring to
13 something. Is it a report that it's referenced in that you
14 can give me the number of?

15 A. No. No, it's not a report. I just have a map here
16 that I printed out.

17 Q. I'm going ask you to email that, after the
18 deposition, to Ms. Constantine. I'm not certain that I
19 have it. I don't know if you're able to, like, hold it up
20 so I can at least see it or if it's on the screen.

21 A. (indicating)

22 Q. Do you know when you printed that out?

23 A. When I printed it? I printed it when I found out
24 that I was being subpoenaed for it. This particular --
25 it looks like I did this on October 15th. 17th.

1 October 17th.

2 Q. Of 2022?

3 A. Yes.

4 Q. Are there any identifying -- like, did somebody ask
5 you to do this or who asked you to do this or anything
6 like that?

7 A. It looks like Detective Paden, and I sent it to
8 Corporal Syers.

9 Q. Anything else that you did in this case that we
10 haven't talked about?

11 A. I was asked to look up a North Carolina driver's
12 license or identification.

13 Q. Okay?

14 A. And nothing came back? It came back as not
15 existing in the -- in the Electronic License And Vehicle
16 Information System. It came back as a non-existing
17 North Carolina I.D. or driver's license.

18 Q. Do you have access to, like, a North Carolina
19 specific database that would --

20 A. It's a database that you can look up driver's
21 license for any state.

22 Q. Okay. That's a law enforcement tool that the
23 sheriff's office --

24 A. Yes.

25 Q. -- that you have access to?

1 A. Yes.

2 Q. And so you're able to kind of punch in a name and
3 it says whether this is a valid or invalid license?

4 A. You can either look stuff up by names or by the
5 license or I.D. number. It also can run criminal
6 histories.

7 Q. Okay. And did you -- you said you didn't find
8 anything that it was a valid license. Did you do any other
9 research into it?

10 A. No.

11 Q. Other than those three things that we've talked
12 about: The photo pack; the cell phone map; and the
13 investigation into the North Carolina license, anything
14 else that you did in this case?

15 A. No.

16 Q. Did you attend any meetings or briefings or
17 anything like that?

18 A. I don't recall. So if we had a briefing in our
19 unit itself, I may have been in attendance to a briefing or
20 a meeting that we might have had, but I don't recall that.

21 Q. Anything that you recall specifically?

22 A. No.

23 Q. The data that you use to collect this map, to
24 create this map, where do you get that information from?
25 Is that Detective Paden gave you the information?

1 A. Yes, he requested it. It looks like he had a
2 subpoena request for it, and then I was asked to map it
3 out.

4 Q. After, sort of, all of your work on this case
5 ended, did you do any like research on your own into this
6 case or into my client or the background or anything
7 like that?

8 A. No.

9 Q. Are you familiar with anything that he's charged
10 with or anything like that?

11 A. No.

12 Q. How do you do the mapping of these cell phone
13 records? Is it a software program? Is it Google Maps?

14 A. It's a software program.

15 Q. What's the program?

16 A. GeoTime.

17 Q. And is that like a proprietary software that the
18 sheriff's office purchased or --

19 A. It's a software that we pay for annually to have
20 access to where we put all of our cell phone records in to
21 map out.

22 Q. You sort of input the information and it spits out
23 the map?

24 A. Yes. We import the raw data that comes from the
25 cell phone carrier into this program, the software program,

1 and it automatically maps it out based on tower locations.

2 Q. I -- because I haven't seen the map and I don't
3 have it, I'm going to, in an abundance of caution, suspend
4 your depo in the event that I have to ask you more
5 questions about the particular mapping; I probably won't,
6 but in the event that I do, I'm going to suspend the depo
7 instead of concluding it.

8 MS. DELIBERATO: But I don't have any further
9 questions for today. Does my co-counsel have any
10 questions?

11 MS. BLAQUIERE: Not right now.

12 MS. DELIBERATO: And I am going to ask you
13 to --

14 MS. CONSTANTINE: I'm sorry to interrupt.

15 Ms. Priest, your mapping, is that under a
16 particular -- is that an attachment to the report or
17 is that ... (unintelligible) ...

18 THE DEPONENT: I don't know. Once I send it
19 to the corporal and detective that requested it, I
20 don't know if they put it in a report or not.

21 MS. DELIBERATO: Do you have more
22 questions, Liz? I don't want to interrupt.

23 MS. CONSTANTINE: I'm just looking through
24 the property stuff. This is labeled geospatial
25 presentation, but I'm not sure if that's it or

1 not. Do you know?

2 MS. DELIBERATO: I don't think so.

3 THE COURT REPORTER: I cannot understand what
4 Liz is saying. She is very muffled.

5 MS. CONSTANTINE: It's Item 190 ...
6 (unintelligible) ...

7 THE COURT REPORTER: I heard "190 something."
8 Liz is muffled.

9 MS. DELIBERATO: Liz, that's not the same
10 thing. The geospatial is not the map of the cell
11 phone records. The map that she held up today
12 I don't recall ever seeing. So I would like
13 Ms. Priest to email that map to you and then we
14 can go from there with further questions either
15 for Corporal Syers or for her, maybe. It sounds
16 like she just input the information; but that's
17 the document that I need.

18 Are you, Ms. Priest, able to email that document
19 to the State at the end of the depo?

20 THE DEPONENT: Yes. When I go back upstairs.

21 MS. DELIBERATO: Liz, is that acceptable?

22 MS. CONSTANTINE: I don't care if she emails
23 it. I'm just like double-checking myself, too.

24 MS. DELIBERATO: I'm not criticizing anyone.
25 I just want to look at that document and then if

1 I'll bring her back.

2 MS. CONSTANTINE: That's fine.

3 MS. DELIBERATO: All right. Thank you so
4 much for your time today.

5 THE DEPONENT: Thank you.

6 (The deposition suspended at 4:06 p.m.)

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CERTIFICATE OF OATH

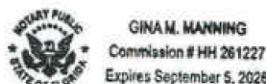
STATE OF FLORIDA)
COUNTY OF PALM BEACH)

I, the undersigned authority, certify that
KIMBERLY PRIEST appeared before me via Zoom teleconference
and was duly sworn.

WITNESS my hand and official seal this 16th day of
December 2024.

Gina M. Manning

GINA M. MANNING
Shorthand Reporter
Notary Public - State of Florida
My Commission Number: HH261227
Expires: September 5, 2026



REPORTER'S DEPOSITION CERTIFICATE

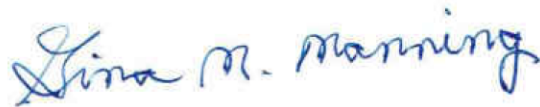
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STATE OF FLORIDA)
COUNTY OF PALM BEACH)

I, GINA M. MANNING, Shorthand Reporter and Notary Public, certify that I was authorized to and did stenographically report the teleconference deposition of KIMBERLY PRIEST and that the foregoing transcript is a true and accurate 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.

Dated this 16th day of December 2024.



GINA M. MANNING
Shorthand Reporter
Notary Public - State of Florida
My Commission Number: HH261227
Expires: September 5, 2026

1 IN RE: DEPOSITION OF: KIMBERLY PRIEST

2 DATE TAKEN: Wednesday, November 20, 2024

3 IN THE CASE OF: STATE OF FLORIDA, Plaintiff, vs.
4 JUAN ARIEL MOLINA-SALLES, Defendant.

5 ERRATA SHEET

6 DO NOT WRITE ON TRANSCRIPT - ENTER CHANGES

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21 Under penalties of perjury, I declare that I have read
22 the foregoing document and that the facts stated in it
23 are true.

24 _____

DATE

KIMBERLY PRIEST

25