

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:	ADELYNE BRAINARD
TAKEN BY:	Counsel for the Defendant
DATE:	November 18, 2024
TIME:	11:07 a.m. - 11:20 a.m.
PLACE:	ZOOM videoconference
REPORTED BY:	Tamara M. Pacheco, RPR Notary Public, State of FL

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ZOOM VIDEOCONFERENCE APPEARANCES

ELIZABETH CONSTANTINE, ESQUIRE

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Attorney for the State of Florida

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EXHIBITS

(No exhibits were marked for identification.)

1 WHEREUPON,

2 ADELYNE BRAINARD

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. BLAQUIERE:

7 Q Hi, Ms. Brainard. My name is Nichole Blaquiere
8 and along with Ms. Maria DeLiberato, we represent Mr. Juan
9 Molina-Salles. Ms. Constantine is on as well for the
10 State Attorney's office. Have you ever given a deposition
11 before?

12 A No.

13 Q Okay. So you're already doing great. You
14 waited until I finished my question. So you're going to
15 know a lot of the answers to my questions, as you should
16 because I'm not, you know, asking you physics questions
17 over here. Just wait until I'm done. Answer yes or no,
18 whatever is appropriate, but try not to do uh-huh. And
19 let us know if you don't know the answer. Okay?

20 A Okay.

21 Q All right. Great. So this is about the Juan
22 Molina-Salles and Deputy Hartwick case on September 22nd,
23 2022. Do you have any independent memory of this incident
24 before I get started?

25 A What do you mean?

1 Q Do you have, like, an independent memory aside
2 from any reports that you may have reviewed in preparation
3 for your deposition today?

4 A Yes, ma'am.

5 Q You do?

6 A Yeah. Like my view of what happened?

7 Q Just what you remember happening that day
8 without a report. I just wanted to make sure. That's
9 all.

10 A Yeah.

11 Q Okay. What is your -- where do you currently
12 work right now?

13 A St. Pete Fire Rescue, Station 7.

14 Q Great. How long have you worked for St. Pete
15 Fire Rescue?

16 A Almost seven years.

17 Q What are your duties with them?

18 A I am an EMT-firefighter and I drive.

19 Q Were you driving that day on September 22nd?

20 A Yes, ma'am. I was driving Engine 7.

21 Q Go ahead and tell me what you remember from the
22 beginning of your involvement for this case.

23 A I just remember getting in the engine, following
24 the directions given by my lieutenant. He reads the notes
25 off normally. He said law enforcement -- I think he just

1 said law enforcement officer down.

2 But also, at the same time -- so I'll just also
3 say, my sister is a police officer, and my father was also
4 currently a police officer. So my mind was racing in that
5 state, like hopefully it's not one of my family members or
6 somebody I know.

7 So I followed his directions. We got on scene.
8 Truck 13 was already on scene. I believe they already had
9 the pads on him, because by that point they had already
10 called him. And I had just kind of walked over I guess
11 selfishly to make sure I didn't, like, personally know
12 him, you know, and then I went over -- I did not go, like,
13 too far over, but I did see that it was a white male and
14 he was bald. So I knew that it wasn't somebody of my
15 family to be honest. And then all the other sheriffs
16 started rushing in. Bless you.

17 Q Thank you.

18 A And they pretty much told us to get away from
19 the scene because at this point it was a crime scene they
20 believed. So then we just kind of retreated back to the
21 side wall or to the engine and just hung out for, like,
22 three hours. I don't want to say hung out, but we were
23 there for three hours while they were doing their
24 investigation.

25 Q Okay. I appreciate the thoroughness of your

1 narrative. Did you become more involved other than what
2 led you to your curiosity to see who was the deceased
3 person?

4 A No.

5 Q Did anybody get past you?

6 A I just literally walked up, saw, and then I
7 believe my lieutenant walked up. And then we all -- like
8 I said, deputies came up, started shouting get away, so we
9 did. And then they were going to interview us, but I
10 don't think I ever got interviewed on scene because I
11 wasn't a medic nor did I really do anything.

12 Q So just to verify, you never touched or handled
13 Deputy Hartwick's body on scene?

14 A No, ma'am. No, ma'am. He had already been
15 called, and we're kind of told not to touch scenes or
16 disrupt anything.

17 Q When you say he had been called, is that he had
18 been called as deceased?

19 A Yes, ma'am. Sorry.

20 Q You're doing great. What's that call number?
21 Signal 7?

22 A Yes. Yes, Signal 7.

23 Q Okay. Had that been -- had the Signal 7 been
24 announced while you were getting to the scene or while you
25 were on scene?

1 A It definitely had been announced. I'm trying to
2 remember. I think it happened so fast. I think we were
3 pulling right up to the scene. So I wasn't out of the
4 vehicle when they called the Signal 7, but I don't know if
5 we were just about to park or what.

6 Q Was that Lieutenant Deschryver you were
7 referencing?

8 A Yes.

9 Q Did you talk to any of the lay witnesses on
10 scene that day?

11 A No. No.

12 Q Did you talk to any of the deputies on scene
13 that day?

14 A No. Not about the call at all, no.

15 Q Okay. Was your time that you arrived on scene,
16 is that reflected in EMS Run No. 2157042?

17 A Honestly, I have no idea, ma'am.

18 Q Okay. Can I share with you my report --

19 A Yeah.

20 Q -- where you're referenced in it?

21 A I know it was late. Well, the sun was down I
22 should say.

23 Q Can you see my cursor moving on the screen?

24 A Yes.

25 Q Okay. So here it says EMS Run No. 2157042,

1 correct?

2 A Uh-huh.

3 Q And then you're listed as Crew Member No. 3. Is
4 that accurate?

5 A Yeah.

6 Q And would it -- is it accurate that your vehicle
7 arrived on scene at -- when according to these timestamps?

8 A I mean, that would probably be accurate because
9 we had to go all the way up the interstate and then get
10 back on because of where it was. So it took us -- it
11 probably took us that long to get there, yeah, because we
12 had to go up and come back.

13 Q So you went north on 275 and then southbound at
14 Roosevelt?

15 A Yes. Actually, I'm not sure. Honestly, I'm not
16 sure, but I know we got on the ramp south.

17 Q Before the bridge to Tampa?

18 A Yes, ma'am.

19 Q Okay. And then anything in this report, I think
20 it was authored by Nick Papaj?

21 A Yes. He was the medic on Engine 7.

22 Q Okay. Anything in this report regarding any of
23 your work that you may have done, or is this all other
24 work completed by a different --

25 A Oh, yeah. I didn't do any work other than drive

1 there.

2 Q Okay. I'm just doublechecking. Anything else
3 about this case that you remember your involvement that we
4 have not discussed this morning?

5 A No. I really didn't have any involvement just
6 other than driving, and since he was already called prior
7 to us there, like I said, we don't -- we try not to
8 interfere with crime scenes or investigations since nobody
9 had an idea of what really happened.

10 Q Okay. When you arrived on scene, the scene was
11 forming? That's how early you got there?

12 A Yes. Yeah. We parked in front of the truck
13 because the truck is used as our traffic cone, and then
14 that was -- and then everybody started rolling in, all the
15 PDS and stuff.

16 Q And this became a pretty big scene?

17 A Yes, very big. Lots of lights.

18 Q And was it pretty noisy out there as well?

19 A Once everybody got there, yeah.

20 Q Have you done any additional research about our
21 client, Juan Molina-Salles or this case regarding Deputy
22 Hartwick's death?

23 A No. No, ma'am.

24 Q Have you been involved in any meetings -- any
25 meetings after the fact about this case?

1 A No.

2 Q Have you understood all my questions?

3 A Yes.

4 Q were you able to answer everything accurately
5 and completely?

6 A Yes.

7 MS. BLAQUIERE: Okay. I appreciate it. I don't
8 have anymore questions. I don't think my co-counsel,
9 Ms. DeLiberato does. I haven't seen Ms. Constantine
10 pipe up, so we can --

11 MS. DELIBERATO: No questions. And Liz said in
12 the chat that if she doesn't say anything, she has no
13 questions, so I think we're good.

14 MS. BLAQUIERE: Do you want to read or waive
15 your right to read the deposition transcript for
16 accuracy?

17 THE DEPONENT: Me?

18 MS. BLAQUIERE: Yes.

19 THE DEPONENT: Sure. I don't know what that
20 means but --

21 MS. BLAQUIERE: I'll explain it to you really
22 quick. Sorry. So Tammy is going to transcribe
23 everything we've said.

24 THE DEPONENT: Okay.

25 MS. BLAQUIERE: Do you want to read it before

1 it's submitted for whatever purpose, or do you want
2 to waive your right to read what she transcribes for
3 accuracy? Maybe you said the sky is blue, and she
4 actually wrote down the sky is red. Do you want to
5 have the right to read your transcript before it's
6 submitted, or do you want to waive the right to read
7 the transcript before it's submitted?

8 THE DEPONENT: I'll waive it. That's okay.

9 (Deposition concludes at 11:20 a.m.)

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COUNTY OF PINELLAS)

STATE OF FLORIDA)

CERTIFICATE OF OATH

I, the undersigned authority, certify that
AdeLyne Brainard personally appeared before me and was
duLy sworn.

witness my hand and official seal this 18TH day
of JANUARY, 2025.

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 ADELYNE BRAINARD; 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