

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:

ERIC BENJAMIN

TAKEN BY:

Counsel for the Defendant

DATE:

November 18, 2024

TIME:

10:24 a.m. - 10:32 a.m.

PLACE:

ZOOM Videoconference

REPORTED BY:

Tamara M. Pacheco, RPR  
Notary Public, State of FL

Pages 1 - 12

JTP REPORTING (727)422-8287

ZOOM VIDEOCONFERENCE APPEARANCES

MARIA DELIBERATO, ESQUIRE

NICHOLE BLAQUIERE, ESQUIRE

Assistant Public Defenders

14250 49th Street North

Clearwater, Florida 34620

Attorneys for the Defendant

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## EXHIBITS

(No exhibits were marked for identification.)

1 WHEREUPON,

2 ERIC BENJAMIN

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 Good morning, Mr. Benjamin. Myself, with  
8 Ms. Maria DeLiberato -- I'm Nicole Blaquiere -- we  
9 represent Juan Molina-Salles from an incident on  
10 September 22nd, 2022, and we're here today for your  
11 deposition. Have you ever given a deposition before?

12 A No, ma'am.

13 Q You're doing great so far with the yes and no.  
14 Just make sure that when you do respond, make sure I've  
15 stopped asking my question, and I will try not to have  
16 long-winded questions. That's for the benefit of Tammy,  
17 so she doesn't have to figure out who's talking, and she  
18 doesn't get every word and needs to listen to it later.  
19 Then yes and no instead of uh-huh because we also will  
20 scratch our heads and try to remember what it was and then  
21 we'll fight about it.

22 So if you don't understand a question, let me  
23 know. If you don't know something, just say that. Don't  
24 make something up. We're just trying to get what  
25 information you do know. Okay?

1 A Yes, ma'am.

2 Q And Ms. Constantine and Mr. Vonderheide are  
3 going to join us late. They know that we're getting  
4 started without them because we have 22 depositions to do  
5 today. Okay?

6 A Yes, ma'am.

7 Q All right. So September 22nd, 2022, do you have  
8 a memory of what you were doing that day with regards to  
9 this case?

10 A Yes.

11 Q Okay. Can you tell me first where you worked?

12 A St. Pete Fire Rescue.

13 Q Okay. And can you give me a brief overview of  
14 your background and experience?

15 A I'm a firefighter/EMT.

16 Q And how long?

17 A Eight-and-a-half years.

18 Q EMT the whole time?

19 A Yes, ma'am.

20 Q What was your training for both of those?

21 A Fire Academy and EMT school.

22 Q And when did you complete both of those?

23 A 2015.

24 Q What goes into your training for EMT?

25 A Basic life support skills.

1 Q And do you have any continuing education or  
2 anything like that in the course of your work?

3 A Yes, ma'am.

4 Q How often do you do training to renew and keep  
5 up your EMT knowledge?

6 A Typically every month there is a training.

7 Q Okay. What do you do in those monthly  
8 trainings?

9 A It varies every single time. It covers a  
10 different skill-set every month.

11 Q What did you do in your last one?

12 A At this time I don't recall.

13 Q All right. That's fine. Did you write any  
14 reports in this case?

15 A No, ma'am.

16 Q Okay. Can you tell me what you remember from  
17 that day, September 22nd, 2022, I guess when your team was  
18 first assigned the call.

19 A Yes, ma'am. Unfortunately, I'm not going to  
20 have a whole lot of information for you, but I'll give you  
21 everything I do know and remember. I was riding backwards  
22 on Engine 13. We made it to the scene of the call, but it  
23 was -- we didn't even end up making it off the truck.  
24 Another unit had already arrived on scene, and I believe  
25 we got canceled shortly thereafter.

1 Q Did you ever get out of the truck? Do you  
2 recall?

3 A No, ma'am.

4 Q Did you make it to the scene at all? Did your  
5 truck make it to the scene?

6 A We made it to the scene but not very close to  
7 the actual incident.

8 Q How far -- do you remember where you were?

9 A No. We were a pretty good distance. I don't  
10 know if it was -- I would be estimating if I had to guess,  
11 but we were a distance away from the actual site of the  
12 incident.

13 Q Were there a lot of police officers and other  
14 EMS --

15 A Yes, ma'am.

16 Q -- type vehicles?

17 A Yes, ma'am.

18 Q You did great on the not uh-huhs, but do your  
19 best to try to wait until I finish the question. I know  
20 you're going to know everything I'm asking you, but  
21 because we don't have a report of what you did that day,  
22 just wait to the end of the question.

23 If I showed you a copy -- were you on the same  
24 truck as Nicholas Boice and Robert Terry that day?

25 A Yes, ma'am.

1 Q If I show you a copy of the EMS report, can I go  
2 over that with you really quickly?

3 A You can. I wouldn't have written it, so I'm  
4 probably not going to recognize much that's on there. But  
5 you're welcome to go over it with me if you'd like.

6 Q Okay. Can you see this where my cursor is  
7 moving, the Pinellas County EMS Patient Care Report?

8 A I can see the image, but it's about the size of  
9 half a postage stamp on my screen.

10 Q Can you zoom in at all?

11 A Yes, ma'am.

12 Q So this is the first page right here. It's EMS  
13 run number 2157054, and it was dated September 22nd, 2022.  
14 Your name is on there?

15 A Yes, ma'am.

16 Q Okay. And is this accurate where the location  
17 of your -- where you responded to further down, location  
18 275 Northbound Roosevelt Boulevard?

19 A I believe so. Yes, ma'am.

20 Q Okay. So that's where you were when you saw --  
21 that's about as far as your truck made it, and there were  
22 already lots of cop cars and EMS in that area, right?

23 A Correct. Yes, ma'am.

24 Q And that was -- is this accurate that the call  
25 time your vehicle received to go out there was 2329 on



1 September 22nd, 2022?

2 A That sounds correct. I know it was in the  
3 evening. I couldn't -- I'm not positive of the exact  
4 time.

5 Q well, can you -- does this report -- can you  
6 pinch in further on the first page and look at call  
7 received. Is that -- would that be an accurate reflection  
8 of when your vehicle would have responded?

9 A Yes, ma'am. That looks reasonable, yes.

10 Q Okay. I mean, they don't make up these times.  
11 This is just a reflection of when someone presses a button  
12 inside the firetruck, right?

13 A Yes, ma'am.

14 Q So you never interacted with Deputy Hartwick  
15 that evening, correct?

16 A No, ma'am.

17 Q And have you given any statements in this case  
18 to any officers on scene?

19 A No, ma'am.

20 Q Do you remember talking to any deputies in the  
21 scene?

22 A No, ma'am.

23 Q Have you done any research about my client,  
24 Mr. Juan Molina-Salles?

25 A No, ma'am.

1           Q     Okay. Any other involvement in this case other  
2 than what you've told us this morning?

3           A     No, ma'am.

4           MS. BLAQUIERE: I don't have any further  
5 questions. If Ms. DeLiberato, my cocounsel doesn't,  
6 then we are done.

7           MS. DELIBERATO: I'm good.

8           MS. BLAQUIERE: Okay. Great. Thank you,  
9 Mr. Benjamin. Have a wonderful day. Do you want to  
10 read or waive your right to look at your answers?

11          THE DEPONENT: Yeah, I don't need to look at any  
12 of that. Thank you.

13               (Deposition concludes at 10:32 a.m.)  
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1 COUNTY OF PINELLAS )

2 STATE OF FLORIDA )

3 CERTIFICATE OF OATH

4  
5 I, the undersigned authority, certify that ERIC  
6 BENJAMIN personally appeared before me and was duly sworn.

7 witness my hand and official seal this 13th day  
8 of January, 2025.

9  
10 Tamara M. Pacheco

11 Tamara M. Pacheco, RPR  
12 COMMISSION # 474485  
13 EXPIRES: March 30, 2028  
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## 1 CERTIFICATE OF REPORTER

2 STATE OF FLORIDA )

3 COUNTY OF PINELLAS )  
4

5 I, Tamara M. Pacheco, certify that I was  
6 authorized to and did stenographically report the  
7 Deposition of ERIC BENJAMIN; that a review of the  
8 transcript was NOT requested; and that the transcript is a  
9 true and complete record of my stenographic notes.

10 I further certify that I am not a relative,  
11 employee, attorney or counsel of any of the parties, nor  
12 am I a relative or employee of any of the parties'  
13 attorney or counsel connected with the action, nor am I  
14 financially interested in the action.

15 Tamara M. Pacheco16 Tamara M. Pacheco, RPR  
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