

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:

ANTHONY SCARPATI

TAKEN BY:

Counsel for the Defendant

DATE:

November 21, 2024

TIME:

10:31 a.m. - 10:51 a.m.

PLACE:

ZOOM Videoconference

REPORTED BY:

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

Pages 1 - 21

JTP REPORTING (727)422-8287

APPEARANCES

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EXHIBITS

(No exhibits were marked for identification.)

1 WHEREUPON,

2 ANTHONY SCARPATI

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

5 EXAMINATION

6 BY MS. BLAQUIERE:

7 Q Good morning. Lieutenant, correct?

8 A Yes, ma'am.

9 Q Good morning, Lieutenant Scarpati. My name is
10 Nichole Blaquiere, and with Ms. Maria DeLiberato, we
11 represent Mr. Juan Molina-Salles. And Ms. Liz Constantine
12 is with the State on the call.

13 Before we get started, I don't see any reports
14 that you authored. Is that correct?

15 A (No audible response.)

16 Q I think you cut out, or I cut out.

17 A Can you hear me okay now?

18 Q Yes.

19 A Yes, that is correct. I did respond out there,
20 at the time. It's on me. It was an oversight. I did not
21 get a supplement completed for this case; however, I've
22 gone through it, and I do know where -- potentially where
23 you're going to reference where my name is throughout.

24 Q We'll get going to that point in just a second.
25 Can you just tell us where you work and how long you've --

1 what your full law enforcement experience is.

2 A Okay. So I currently work at the Pinellas
3 County Sheriff's Office. I'm a lieutenant over the
4 Administrative Investigation Division or Internal Affairs.
5 I've been in here about almost a year. Prior to that I
6 was in the lieutenant position over Crimes Against Persons
7 for just a few months, as someone had left and I came back
8 to fill in. Then prior to that -- and that would be
9 during the timeframe of this investigation. I'd just been
10 promoted to lieutenant over the Threat Management
11 Division. I worked there for about a year. And then
12 prior to that, for about ten years -- I'm sorry, eight
13 years, I was in the Robbery-Homicide Unit.

14 I started at the Sheriff's office in 2011. In
15 2012, I went to the Homicide Unit as a detective, and
16 during that time I was appointed as a corporal and
17 promoted to sergeant while in that unit and then just
18 before this had happened to lieutenant. Then prior to
19 that I worked for the Pasco Sheriff's Office. I started
20 there in 2005 up until I left and came here.

21 Q You've done very well it sounds like.

22 A I've done one or two things.

23 Q And I'm asking all the law enforcement officers
24 that we depose, so please don't take it personally. Are
25 you -- have you had any complaints sustained against you?

1 A No, ma'am.

2 Q Okay. Great. And do you -- did you know Deputy
3 Hartwick professionally or off-duty?

4 A Professionally. Not off-duty. I never saw him
5 outside of work. There was a short time when I started at
6 the Sheriff's office where I was working in a unique
7 position in patrol. It was during my first year here. He
8 was -- I believe he was on the night-shift, and I was in a
9 weird spot. I was the only deputy that did that, but I
10 worked 2 p.m. to 2 a.m. So the first couple of hours I
11 reported to a day-shift supervisor, and the last couple of
12 hours I reported to a night-shift supervisor. He was one
13 of the night-shift supervisors. That was for just a few
14 months.

15 Q Did you -- do you remember the last time it was
16 you talked to him prior to his passing?

17 A Honestly, I don't. It would have been back then
18 or maybe a midnight phonecall or a phonecall related to an
19 investigation that would have been routed up to Homicide.
20 But specifically I don't.

21 Q Okay. Did you ever work the Archer Western
22 traffic detail?

23 A I did not.

24 Q Now that we've got a bunch of the early stuff
25 out of the way, go ahead and tell me about your

1 involvement in the case.

2 A I have an overall of the actual report, and I
3 pulled out where I'm mentioned in the report so that way
4 we can hit on that. Essentially though -- turn this back
5 on -- September 22nd of '22, it was close to midnight, and
6 Captain John Tobeck had given me a call and said, hey, I
7 need you to respond out to the location of the occurred
8 there out on the interstate. I said okay and left and
9 headed out there. I didn't know what we were going to or
10 anything like that.

11 I also was not in the Homicide Unit anymore.
12 During that time I was in a different area. The
13 lieutenant that had taken my spot or the lieutenant that
14 was over homicide was newer, so I didn't know if it was
15 maybe to just be there for an extra set of eyes or
16 whatever.

17 So I responded out there, and on my way is when
18 I figured out that a deputy had been hit and killed or in
19 some kind of traffic-related accident. Once I got there,
20 I attended the briefing to the extent of just kind of
21 getting the bearings as far as what was going on out
22 there, and I would refer to the case agent, which is
23 Detective Syers' supplement, for anything related to the
24 briefing. They're tasked with documenting the information
25 at the briefing. That way we ensure it's accurate.

1 So kind of as the investigation moved along, I
2 wasn't really tasked with anything super specific. It was
3 just kind of oversight. There was a lot of things going
4 on. It was out on the side of the road kind of thing.
5 There was, you know, several people involved in different
6 aspects because a deputy had been killed.

7 So specifically going and looking at the reports
8 where I'm mentioned in the report, if I pull supplement --

9 Q I have -- which supplement do you have?

10 A So Supplement No. 58 and the title of this is --
11 it's authored by Heather Meade, who works in forensics,
12 and the description at the top is Death Investigation
13 Scene of the Front-End Loader.

14 Q Okay. Go ahead.

15 A Page three, down towards the bottom it states,
16 "Once a search warrant was authorized and Lieutenant
17 Scarpati informed me we had the approval to process the
18 interior of the front-end loader, I swabbed the following
19 for any possible touch DNA."

20 So my lead-up to that was, we had several state
21 attorneys that had responded out to the scene and were
22 authoring -- the detective doing the search warrant was --
23 Detective Nicholas Paden was authoring the search warrant
24 in the command bus. Once it had been approved, I walked
25 down from the command bus down to our forensics to let

1 them know that we had received -- the search warrant had
2 been signed.

3 The next one would be Supplement No. 60. It's
4 titled -- one second. There's something just a little
5 funky. Okay. So Supplement No. 60, it is authored by
6 Sandralee King, and she's a forensic specialist. The
7 description of the title of that at the top is Death
8 Investigation Scene, and down at the bottom of page three,
9 it indicates, "At this time, Sergeant Scarpati requested I
10 photograph the dirt area along the side of the road going
11 south from roughly where Deputy Hartwick's cruiser was
12 towards the front-loader area."

13 So Detective Blumberg was in charge of the main
14 scene being over forensics for the processing, and then
15 Detective Dunning was in charge of the front-end loader
16 area, the area around that. I don't recall the exact
17 distance, but I'd say probably a half-mile maybe between
18 the two, quarter-mile. There's some distance.

19 Q which two parts?

20 A From where the deputy was deceased on the side
21 of the road to where the front-end loader had been driven,
22 probably a quarter-mile down the road and stopped. So
23 there's two separate detectives that were over those two
24 main areas, and just as my being out there kind of
25 overseeing and watching what's going on, I made that

1 request to ensure that they photograph in between.

2 Q Could you see the front-loader from where Deputy
3 Hartwick's vehicle was or the front-loader area?

4 A I'd have to -- I'd have to look back at the
5 photos to be sure, but I want to say on the side of the
6 road in different parts, I thought there was like sand
7 piled up or maybe concrete barriers and those things. So
8 I think you could see the top of it, but I don't know that
9 you could see the whole thing but enough to get the gist
10 of the front-end loader is down there, if that makes
11 sense.

12 Q Yeah, that was it. Not if you could see the
13 entire outline of it. Just if it was within visual of
14 where Deputy Hartwick's vehicle was.

15 A Yes.

16 Q Okay. And then -- go ahead. Carry on.

17 A Supplement No. 100, which is authored by
18 Detective Zarasvand -- and for the court reporter, it's
19 Z-A-R-A-S-V-A-N-D -- and it's titled or the description is
20 Contact with Archer Western workers on the night of the
21 incident. On the top of page two, he indicates,
22 "Eventually, Lieutenant Scarpati requested I go to the
23 temporary offices used by Archer Western, the construction
24 company, to see if there were any employees who could
25 provide information on the person responsible. He

1 provided me a scanned copy of a North Carolina
2 identification card for the subject who at the time was
3 believed to be named Victor Vazquez. It should be noted
4 that it was later determined that Victor's real name was
5 Juan Molina-Salles. I attached a copy of the
6 identification card to the supplement."

7 So in the midst of this investigation,
8 Lieutenant Suess had obtained the suspect's identity from
9 Archer Management, and via Lieutenant Suess, I was
10 relaying and asking Detective Zarasvand to respond to the
11 Archer offices that were nearby. I knew they had like
12 trailers or something down there, like trailer offices to
13 see if there were any personnel files for the employees to
14 try and gather any kind of identifying documents of who
15 this person may be.

16 Q And was that discovered after he was taken into
17 custody?

18 A This is way before. This was --

19 Q No, I apologize.

20 A So this was around 3 -- it looks like this is
21 around 3:30, 3:40 in the morning once Zarasvand had gotten
22 back to the scene or to the scene from -- I believe he
23 originally went to the hospital because there was a car
24 that drove over the overpass that we thought may have been
25 related that wasn't. Detective Zarasvand got back to the

1 scene or got to the scene, and so it was about 3:30 in the
2 morning, 3:40 when that happened. I know he was not
3 caught until -- I know it was daylight out, so it was
4 hours later.

5 Q Were you still on the scene when he was
6 apprehended, taken into custody?

7 A I was.

8 Q And did you see where he was taken from, like
9 the location they found him?

10 A The general area. It was probably about a mile
11 away from where I was up into the brush and dirt mounds
12 out on the side of the interstate. I didn't see right
13 where he was. It was quite a bit a ways away.

14 Q Did you go to where he was taken from the brush
15 area, where he was brought out?

16 A I did not. I stayed at the scene.

17 Q Okay. Could you see the general area where he
18 was apprehended from where you were?

19 A I'm thinking side of the interstate. Most of it
20 is wide open, open areas, but there's still a lot of
21 concrete barriers, sand mounds, all that. So I could see
22 -- I had an idea of where they were, the general
23 direction, but I didn't -- like immediately where they
24 came out of and found him I could not see. It was too far
25 away.

1 Q Once he got to the roadway, to that portion of
2 the roadway closest to where they took him out of the
3 brush, is that general area observable in daylight hours
4 from where you were near Deputy Hartwick's vehicle?

5 A I would have -- honestly, I would have to look
6 back at the reports to see exactly where they pulled and
7 walked and everything. I believe, from what I can recall,
8 they were a ways down the way, and then they put him in
9 the back of a cruiser and pulled up I thought towards the
10 scene. But they were quite a distance away.

11 Q And that was just south of the Ulmerton
12 southbound entrance out at 275, right?

13 A I believe so. With all the construction, that's
14 all changed around. I know it was about a mile south of
15 where -- when I say scene, where the deputy was deceased
16 at.

17 Q So did you yourself do any measuring of
18 distances for this case?

19 A No.

20 Q What additional involvement did you have? I
21 believe you're also referenced at least in Deputy Plumb's
22 interview.

23 A So in Supplement 17, which is the transcribed
24 interview of Deputy Plumb, I have my name on the top of
25 page two as listed; however, as you go through the

1 transcript, at the end on page -- just right at the end
2 where I walked in and I told one of the detectives I need
3 to speak with him for a moment, but I was not in the
4 interview.

5 Q Okay. Why did you need to speak with him? Was
6 it about Kody Gardner leaving?

7 A To be honest, I don't recall. There was so much
8 going on at the time. There was a lot of information and
9 just doing different tasks and things.

10 Q What else --

11 A The biggest thing was, they're the case agents.
12 So if it's something that is vital to the investigation,
13 everything is going to get routed through them. So it
14 would be potentially that.

15 Q Okay. What else, if anything, was your
16 involvement that morning that we haven't already
17 discussed?

18 A I remained on the scene until I want to say the
19 command bus was secured and the -- once we were ready to
20 open up the interstate and get everything moving again, I
21 was there right up to the end just to kind of ensure and
22 oversee that. Once the victim had been removed, his body
23 had been removed by the medical examiner's office, the
24 crime scene was done being processed, just again
25 overseeing the opening up of the interstate.

1 Q Okay. Were you present for any of the other lay
2 witness interviews? Do you remember talking to any of
3 them?

4 A No.

5 Q And do you remember seeing Mr. Juan
6 Molina-Salles at any point that morning once he was taken
7 into custody?

8 A I remember I thought I saw him in the back of
9 the Tahoe once he had been taken into custody -- I thought
10 it was a Tahoe -- and brought closer to where the command
11 bus was. But outside of that, no, and I didn't speak with
12 him.

13 Q Did you -- and you may have touched on this, so
14 I apologize. Did you walk at all towards the direction
15 where Mr. Molina-Salles was taken into custody? Did you
16 get closer to that area at any point?

17 A No. I was between the primary scene where the
18 deputy had been hit and the front-end loader.

19 Q Okay. So you never went past the front-end
20 loaders?

21 A No, not to go where he was.

22 Q Okay. Anything -- what do you remember about
23 Mr. Molina-Salles' demeanor in the Tahoe or whichever
24 vehicle it was in?

25 A That he was awake and just kind of there. I

1 don't -- beyond that, I don't really remember anything
2 else. As far as something that would stick out like, hey,
3 he's fighting or something, carrying on, I don't remember
4 anything like that.

5 Q Okay. I appreciate it. Have you done any
6 research further into this case or my client after you
7 left the scene that morning?

8 A I know -- researching, no, other than I remember
9 some articles in the paper and some back and forth
10 regarding Archer and the Governor and those kind of things
11 as far as folks from outside the country working here.

12 Q Okay. So you stayed up on the news, and you're
13 aware of Mr. Molina-Salles' immigration status or
14 potential immigration status?

15 A It was something about folks -- it wasn't --
16 this was a big event, but, you know, it was made into --
17 this related to folks working from -- coming here from
18 outside the country and working and not being properly --
19 I believe it was properly identified or vetted and having
20 a job.

21 Q Do you have any thoughts or opinion on that?

22 A I don't.

23 Q Okay. Were you involved in any case briefings
24 either with the Sheriff's office or the State Attorney's
25 office after that morning?

1 A I don't remember doing so. The only other
2 things related to were transport of the deputy's body to
3 the funeral home and his funeral service.

4 Q Okay. Anything else we haven't already gone
5 over that you can remember about this case and your
6 involvement?

7 A No, ma'am.

8 Q Okay. Because you didn't write a report, if
9 something does come up, do you promise to let
10 Ms. Constantine know so that we can potentially ask you
11 some follow-up questions?

12 A Yes. Uh-huh. Yes, ma'am.

13 Q Okay. Sorry. And have you understood all my
14 questions so far?

15 A Yes, ma'am.

16 Q Have you been able to answer them accurately and
17 completely?

18 A Yes, ma'am.

19 Q Okay. Great. Not a trick question.

20 A Yes, ma'am.

21 MS. BLAQUIERE: All right. I greatly appreciate
22 it. I don't know if Ms. DeLiberato has any
23 questions.

24 MS. DELIBERATO: No questions.

25 MS. BLAQUIERE: Or Ms. Constantine?

1 MS. CONSTANTINE: No questions from me either.

2 MS. BLAQUIERE: Thank you so much, lieutenant.

3 Have a great rest of your day.

4 THE DEPONENT: Thank you. You all too.

5 (Deposition concludes at 10:51 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 LT.
6 ANTHONY SCARPATI personally appeared before me and was
7 duly sworn.

8 witness my hand and official seal this 4th day
9 of February, 2025.

10
11 Tamara M. Pacheco

12 Tamara M. Pacheco, RPR
13 COMMISSION # 474485
14 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 LT. ANTHONY SCARPATI; that a review of the
8 transcript was 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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ERRATA SHEET

IN THE CASE OF: STATE OF FL v. JUAN MOLINA-SALLES

NAME OF DEPONENT: ANTHONY SCARPATI

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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Signature

Date