

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:

NICOLE (THOMPSON) HOMJAK

TAKEN BY:

Counsel for the Defendant

DATE:

November 21, 2024

TIME:

2:16 p.m. - 2:30 p.m.

PLACE:

ZOOM Videoconference

REPORTED BY:

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

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ZOOM VIDEOCONFERENCE APPEARANCES

NATHAN VONDERHEIDE, ESQUIRE

Assistant State Attorney

14250 49th Street North

Clearwater, Florida 34620

Attorney for the State of Florida

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 NICOLE HOMJAK

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

5 EXAMINATION

6 BY MS. DELIBERATO:

7 Q Okay. Could you please state and spell your  
8 name for the record.

9 A It's Nicole, N-I-C-O-L-E, formerly Thompson, now  
10 Homjak, H-O-M-J-A-K.

11 Q And how are you employed?

12 A I'm formerly employed with the Pinellas County  
13 Sheriff's Office.

14 Q Okay. How are you employed now?

15 A I work at Menards up in North Dakota.

16 Q That sounds much better. How long were you with  
17 PCSO?

18 A Twelve years.

19 Q Okay. My name is Maria DeLiberato. I'm sorry I  
20 didn't introduce myself. I'm an assistant public  
21 defender. Myself and Nichole Blaquiére represent Juan  
22 Molina-Salles. Present for the State is Nathan  
23 Vonderheide.

24 we're here for your deposition in this case.  
25 It's case number 22-305232. I have that you authored

1 three supplements, 26, 27, and 28. Does that sound right?

2 A Yes, ma'am.

3 Q Have you had a chance to review those before  
4 your deposition today?

5 A I did.

6 Q Okay. Anything that you need to change or  
7 review or correct in those supplements before we begin?

8 A No.

9 Q You said you were with PCSO for twelve years.  
10 Any prior law enforcement experience before that?

11 A No.

12 Q And what was your title and role at PCSO?

13 A When I left, I was a homicide detective.

14 Q Okay. And any particular reason you left?

15 A I got married, and we moved and relocated to  
16 North Dakota for my husband's job.

17 Q Okay. And you're not in law enforcement in  
18 North Dakota?

19 A No, ma'am.

20 Q What's Menards? I don't know what that is.

21 A It's like a Home Depot. I just do it part-time  
22 right now while he works until we relocate. This is only  
23 temporary for his job right now.

24 Q Okay. So how was it that you were involved in  
25 this particular case? Were you on duty? Did you get

1 called in?

2 A I got called in from Sergeant Robinson.

3 Q Okay. And were you in the Homicide Unit then?

4 A Yes, ma'am.

5 Q Okay. Did you know Deputy Hartwick personally  
6 or professionally?

7 A I've met him a couple of times, but I never  
8 worked with him. So, no, personally or professionally, I  
9 didn't know him. I knew who he was. I think I had  
10 in-service training with him one time, but other than  
11 that, he always worked nights, and I always worked days.

12 Q No conversations with him that you can recall or  
13 anything like that?

14 A No. Like I said, he was in in-service with me  
15 one time with like thirty people, so --

16 Q Were you familiar with that Archer Western  
17 Construction detail at all?

18 A I mean, I knew that they were building the  
19 overpass to connect I think 275, but that's about it.

20 Q Did you ever work the detail yourself?

21 A No. No, no.

22 Q So when did you get called out to the scene?  
23 And if you need to refer to your reports, please do at any  
24 time. Perfectly fine.

25 A According to the report, it was on

1 September 22nd, 2022 at 2344 hours.

2 Q Okay. And what was happening when you got on  
3 scene?

4 A When I got there, Sergeant Robinson asked me to  
5 go to a vehicle accident at a different location. A  
6 vehicle had driven off of a ramp. And Pinellas County --  
7 I'm sorry, Pinellas Park PD was actually working an  
8 off-duty detail at the time when the accident occurred,  
9 and so they wanted somebody from the Sheriff's office to  
10 go over there and stand by. So I went over there and met  
11 with some of the MAIT, which is our Major Accident  
12 Investigation Team members and basically stood by with  
13 Pinellas Park.

14 Q Okay. And that was where a driver had sort of  
15 driven off the ramp?

16 A Yes. He was rerouted and kind of -- was driving  
17 home from work, kind of got, like, discombobulated and  
18 took an off-ramp that wasn't completed, and he had driven  
19 off of it and fell on his roof. He was transported to the  
20 hospital prior to me getting there. And so when I got  
21 there, I just kind of gathered what kind of vehicle  
22 information it was and the officer that saw it. And our  
23 Major Accident Investigation Team took over the  
24 investigation, and then I went back to the scene of Deputy  
25 Hartwick's incident.

1 Q And when you first got to the scene before you  
2 were sent by Sergeant Robinson were you able to observe  
3 anything at Deputy Hartwick's scene, or were you sent  
4 pretty quickly to the secondary accident?

5 A I was sent immediately. So there was just a  
6 bunch of law enforcement present. I didn't see anything.  
7 I wasn't briefed. I was just told, hey, can you please go  
8 over to this accident and see if it was any kind of  
9 relation, and that's where I went.

10 Q And do you know how long you were at that  
11 secondary scene?

12 A An hour. It wasn't very long. Like I said, I  
13 stood by and talked to which would be now Sergeant Mullens  
14 and talked to the Pinellas Park officer, and then I went  
15 back over to Deputy Hartwick's incident.

16 Q And what did you do when you got back?

17 A She asked me to go over to the construction  
18 company's headquarters and meet with Sergeant Hart, which  
19 he was the sergeant of our Home Unit at the time. They  
20 just wanted me to get a list of employees that were  
21 currently working that evening.

22 Q Okay. And did you do that with Sergeant Hart?

23 A I did.

24 Q And you spoke to, I think, Robert Short?

25 A Let me see. Yes.



1 Q And he gave you information on the employees?

2 A He gave us a list, yeah. He couldn't give us  
3 anything more than that at that time because he didn't  
4 have access to it. So he just printed out a list of  
5 employees that were currently working that evening.

6 Q And before you went there, did you have the name  
7 of a potential suspect or the potential driver of the  
8 front-loader?

9 A We knew it was a subject by the name -- that was  
10 identified as Victor, but that was all we had. That was  
11 what was given to us. That was what was given to me by  
12 Sergeant Robinson. How she came across that, I don't  
13 know. She just told me Victor.

14 Q And were you able to confirm with Robert Short  
15 whether there was an employee named Victor that had  
16 clocked in that night?

17 A There was a Victor Vazquez Real that was on the  
18 roster, but I didn't make contact with him.

19 Q With the driver you didn't make contact with?

20 A Correct, yes.

21 Q But you were able to verify from Mr. Short that  
22 he had -- he was listed as an employee that was working  
23 that night?

24 A Correct.

25 Q And that he had the letters EXOP next to his

1 name, which is basically that he can drive the excavator  
2 and the heavy equipment?

3 A That's what was explained to me, yes.

4 Q Okay. And then what else did you do?

5 A Once we got done with that, I went back over to  
6 the scene and gave the list to Sergeant Robinson. And  
7 then she asked me to stand by with one of the suspects at  
8 the time, and I stood by waiting for Detective Borbonio to  
9 show up. He was with our Narcotics Unit, and he spoke  
10 Spanish. Because the defendant at that time didn't speak  
11 English. So I stood by -- he was sitting on the side of  
12 the road -- just to make sure that he didn't leave or  
13 anything like that.

14 Detective Borbonio showed up. He handed me the  
15 photo-pack that contained a picture that they had  
16 identified as a subject by the name of Victor. I put them  
17 in folders because I had folders with me, and I gave it  
18 back to Detective Borbonio. He translated and spoke to  
19 this Glidden right there at the side of the road in  
20 Spanish and was able to get a DNA swab and to do a  
21 photo-pack with him.

22 Once he was done with that, Glidden was taken  
23 into custody. I took the photo-pack and the DNA swab,  
24 went and gave the information to Sergeant Robinson about  
25 the photo-pack, and then I took the photo-pack and the DNA

1 swab and put it in evidence. Right after that, I was  
2 released from the scene. Because if anything else had  
3 come out that night, they wanted me to take it. So that  
4 was my involvement.

5 Q Okay. So a couple of follow-up on that. The  
6 subject Glidden, G-L-I-D-D-E-N, do you know what his  
7 purported involvement was?

8 A I just believe he was one of the Archer Montoya  
9 [sic] employees that night that were working that area.  
10 That's all I can give you.

11 Q You said he was taken into custody, so I didn't  
12 know if you knew what he was taken into custody for.

13 A No. I just know -- I believe Detective Syers or  
14 Corporal Syers had an affidavit, arrest affidavit already  
15 filled out for him.

16 Q Was he in -- when he was given a photo-pack was  
17 he in handcuffs?

18 A No.

19 Q Okay.

20 A He was sitting on the side of the road.

21 Q But he was obviously not free to leave? You  
22 were supposed to make sure he stayed there, right?

23 A Correct.

24 Q You don't speak any Spanish?

25 A I do not.

1 Q when you -- and you got the photo-pack. You  
2 said you put it into folders. So is it like six  
3 individuals pictures?

4 A Six individual pictures and then two blanks. It  
5 gets put into folders, and then they get -- in an order  
6 get sent or shown to the person.

7 Q And are you -- like did you set up the order and  
8 all of that, or you just randomly put them in?

9 A They were numbered. So they were numbered, and  
10 they were already printed out for me. So I had just taken  
11 them and put them in green folders because that's what we  
12 had at the time, and I just put them in and handed it back  
13 over to Detective Borbonio.

14 Q Did you put them in numerical order from one to  
15 six?

16 A Uh-huh.

17 Q Did you know which one of them was the subject,  
18 Victor?

19 A No, I did not.

20 Q Okay. You hadn't seen a picture of him or  
21 anything like that before putting the photo-packs into  
22 evidence?

23 A Not at all, no. At that point I had no  
24 information. Like I said, I went from the accident, back  
25 over and got the list. Came back over and was told to

1 stand by with this gentleman. Somebody was on his way to  
2 do a photo-pack, and that was it. I believe as I was  
3 getting ready to leave the scene is when Victor or Juan  
4 was taken into custody. So I never even saw him. I was  
5 sent home for the day.

6 Q when you were standing by when Detective  
7 Borbonio did the photo-pack, was it conducted entirely in  
8 Spanish?

9 A Yes. I stood probably five to ten feet away  
10 because I didn't want to interrupt. I didn't want any  
11 kind of intervention. I just let him do it, and I let him  
12 take care of it because I couldn't communicate with him.

13 Q Okay. Do you know if Detective Borbonio knew  
14 who the sort of Real suspect in the photo-pack was?

15 A No, because he literally was called to come to  
16 the scene because he spoke Spanish. We were trying to get  
17 ahold of some kind of deputies and detectives that could  
18 speak Spanish to the people that were present there. And  
19 I don't know if he was on that night working, because he  
20 works evenings because he was narcotics, or if they called  
21 him in because he spoke Spanish. You'd have to ask him  
22 that. But he came directly to me with the photo-packs  
23 because he knew he had to administer it.

24 Q Okay. And then I think you said you left either  
25 as or right after my client, Juan Molina-Salles was taken

1 into custody?

2 A Uh-huh.

3 Q Did you see him? Do you actually ever lay eyes  
4 on him at all?

5 A Never laid eyes on him. No, I just heard over  
6 the radio that they had got him into custody, and then I  
7 literally went to property and evidence, put the stuff in,  
8 and then I went home.

9 Q Okay. Did you do any other work on this case  
10 after that?

11 A Huh-uh. No.

12 Q Did you attend any briefings or meetings in your  
13 department or with the State Attorney's office about the  
14 case?

15 A I believe we had a brief the next day or later  
16 on that day, but I don't remember, like, if anything was  
17 said. I mean, I attended the funeral. But I didn't speak  
18 with the State Attorney or anything on it. It wasn't my  
19 case.

20 Q Okay. Did you do any kind of research or  
21 investigation or follow it in the news, my client's arrest  
22 or what he was charged with or anything like that?

23 A No. I just knew that he was arrested. And,  
24 like I said, it was Corporal Syers' case, so he did all  
25 the follow-up and did everything like that. If I would

1 have done anything else, I would have supplemented it.

2 Q Okay. And I assume you haven't followed the  
3 case since as it's wound its way through the criminal  
4 justice system, especially from the Dakotas?

5 A No. No, I haven't. Like, I don't know where  
6 it's at or anything like that. Like I said, I only kind  
7 of follow the ones that I'm the case lead on.

8 MS. DELIBERATO: Okay. I don't have any further  
9 questions. I don't believe my co-counsel does, and  
10 the State doesn't either.

11 MR. VONDERHEIDE: No questions. Thanks.

12 (Deposition concludes at 2:30 p.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  
6 NICOLE THOMPSON HOMJAK personally appeared before me and  
7 was 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 NICOLE THOMPSON HOMJAK; 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. Pacheco*16 Tamara M. Pacheco, RPR  
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IN THE CASE OF: STATE OF FL v. JUAN MOLINA-SALLES

NAME OF DEPONENT: NICOLE THOMPSON HOMJAK

CASE NUMBER: 22-09348CFANO

PAGE	LINE	ERROR/AMENDMENT	REASON FOR CHANGE
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Date