

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:

JUSTIN FINEBERG

TAKEN BY:

Counsel for the Defendant

DATE:

March 26, 2024

TIME:

1:57 p.m. - 2:05 p.m.

PLACE:

ZOOM videoconference

REPORTED BY:

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

Pages 1 - 14

JTP REPORTING (727) 422-8287

ZOOM VIDEOCONFERENCE APPEARANCES

ELIZABETH CONSTANTINE, ESQUIRE

NATHAN VONDERHEIDE, ESQUIRE

Assistant State Attorneys

14250 49th Street North

Clearwater, Florida 34620

Attorneys 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

INDEX

JUSTIN FINEBERG	PAGE:
Examination by Ms. DeLiberato.....	4
Certificate of Oath.....	12
Errata/Signature Page.....	13
Certificate of Reporter.....	14

EXHIBITS

(No exhibits were marked for identification.)

1 WHEREUPON,

2 JUSTIN FINEBERG

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

5 EXAMINATION

6 BY MS. DELIBERATO:

7 Q Good afternoon. If you could please state and
8 spell your name for the record.

9 A Justin Fineberg, J-U-S-T-I-N, F-I-N-E-B-E-R-G.

10 Q And how are you employed?

11 A Pinellas County Sheriff's Office.

12 Q And my name is Maria DeLiberato. I'm an
13 assistant public defender. Myself and Nichole Blaquiere
14 represent Juan Molina-Salles. It's your case number
15 22-305232. Present for the state are Nathan Vonderheide
16 and Elizabeth Constantine, and we're here for your
17 deposition today.

18 I have that you authored just one supplement,
19 Supplement 50. Is that right?

20 A Yes, ma'am.

21 Q Any other supplements that you've authored?

22 A No.

23 Q And have you had a chance to review that today?

24 A No, but I -- I remember everything pretty
25 vividly.

1 Q Do you -- if you need to review it at all, I
2 have a copy of it. So I can always either hold it up or
3 screen-share.

4 A No, I appreciate it. I mean, I was on the call
5 for a very long time, but my involvement is pretty
6 limited.

7 Q I understand. I appreciate it. How long have
8 you been with PCSO?

9 A Eleven-and-a-half years now, I believe.

10 Q And the whole time as a K-9 officer or different
11 roles?

12 A No. So K-9 has been about eight years now.
13 Prior to that, it was patrol.

14 Q Any prior law enforcement experience before
15 PCSO?

16 A No, ma'am.

17 Q In your eleven-and-a-half years at PCSO, ever
18 had a complaint sustained against you for any reason,
19 meaning like a finding of wrongdoing?

20 A Oh, no.

21 Q Not did people complain about you. People
22 complain about me all the time. My question is any
23 complaints that were sustained.

24 A No. No.

25 Q Thank you. So were you on duty the night of

1 September 22nd into the 23rd, or did you get called to the
2 scene?

3 A I was on duty, yes, and I got a call from the
4 scene after prior. I mean, I was there in the initial
5 when the accident happened, and then everything kind of
6 broke down, and then I was called back to the scene. I
7 want to say it was probably around 3:30 in the morning I
8 believe it was. Somewhere around then.

9 Q Okay. So you heard the call obviously go out
10 that a deputy had been struck, but you didn't -- you
11 weren't required to respond to the scene. At that point,
12 did you go to the general area?

13 A Yes. I was just in the general area kind of
14 trying to drive around and help. Because at that point,
15 our impression was that it was hit-and-run, so we were
16 looking for a vehicle that was involved in a hit-and-run.
17 So at that point, I never really went to the actual scene.
18 I was just kind of circulating, looking for a vehicle that
19 was involved in an accident.

20 Q Okay. And what -- who is your dog?

21 A At that time, it was Ronin.

22 Q And what kind of dog is Ronin?

23 A He is Shepherd-Malinois mix.

24 Q And how long had you worked Ronin at the time of
25 this?

1 A This was last year, right?

2 Q '22, November.

3 A '22. So at that point, he was I want to say
4 about five. Five or six. So, yeah, probably four or five
5 years at that point.

6 Q Okay. So what did you do when you got called on
7 scene? What were you instructed to do?

8 A The second time I showed up, I met with Captain
9 Danzig, and he brought me to the area where the -- I want
10 to say the front loader. That's what it's technically
11 called, the construction equipment. He pointed out the
12 18-wheeler. He pointed out, again, the front-loader. I
13 may be wrong, but either way, he then explained to me what
14 they had now for information about what they saw on video
15 and told me that the suspect was last seen in an unknown
16 direction.

17 So I was with Deputy Lorusso at the time.
18 That's when I ended up deploying K-9 Ronin as Deputy
19 Lorusso deployed K-9 Logan. We kind of worked together
20 and deployed in different areas.

21 Q Okay. And what -- were you there when they kind
22 of went through the fence and found the construction vest
23 and helmet, or were you attempting --

24 A No. So, yeah, Tony deployed, and he went to the
25 west. I deployed -- I was with Claudio Dimundo. He was

1 my backup. We started tracking northbound from the
2 occurred area where the 18-wheeler was, and Lorusso
3 started tracking westbound. So when Tony located the vest
4 and the helmet, we assumed that a track was going into
5 those wood lines. So at that point, I took Ronin and
6 pulled him off of my track and put him back in the truck
7 because we focused everything towards the west where the
8 wood line was.

9 Q Okay.

10 A So for me, that was technically the only
11 involvement I really had with my dog. I think I got out
12 later and checked some random areas but --

13 Q And so did you ever go to the area where the
14 suspect, Mr. Molina-Salles was ultimately located by the
15 bloodhound?

16 A No. That was Corporal Matt Aitken was with him
17 at that point. Yeah, I was still at the command center
18 when all that was going on.

19 Q Okay. And did you ever actually lay eyes on
20 Mr. Molina-Salles after he was taken into custody?

21 A At the very end, just when he was brought back
22 to the command post and he was taken out of the cruiser.
23 I think they took pictures of him. That was pretty much
24 it. That's the only time I actually laid eyes on him
25 physically is after he was placed into custody and brought

1 back to the area.

2 Q Anything that stood out to you about his
3 demeanor or anything like that, or were you not close
4 enough to observe?

5 A No. I mean, he was -- I don't think he said
6 anything. He just seemed very -- I don't know if calm is
7 the right word. I mean, he was just kind of quiet.

8 Q Certainly wasn't combative or argumentative?

9 A No, no, no. Not combative at all. Nothing
10 along those lines.

11 Q Okay. Do you remember hearing anything on the
12 radio about where he was and the condition he was in when
13 he was found or anything like that?

14 A I believe he was -- well, I mean, I know he was
15 found north. I believe they said he was underneath an
16 overpass on 275 kind of hiding in some brush, along those
17 lines. I believe that was what was put out over the
18 radio, but again, I wasn't there physically. That's what
19 was kind of relayed over the radio is that he was found
20 under an overpass, and he was in some thick brush.

21 Q Did you talk to anybody else on scene, any other
22 civilian witnesses? Anything like that?

23 A No. No. No witnesses or anything like that.

24 Q And did you ever get to the area -- I don't
25 think so, but I want to be sure. When you got there, you

1 were never able to observe Deputy Hartwick or his injuries
2 or anything like that?

3 A No. No.

4 Q After your involvement this day, did you do
5 anything else?

6 A No. No. Honestly, after that day, yeah, I had
7 no other involvement with this case.

8 Q Did you attend any briefings --

9 A No.

10 Q -- either in your department or at the State
11 Attorney's office? Anything like that?

12 A No.

13 Q Did you do any research or hear anything through
14 sort of the grapevine in your office about my client or
15 any facts about him or this case or anything like that?

16 A No.

17 Q And there was like a civil lawsuit pending. I
18 assume you weren't called in to give any depositions or
19 anything like that?

20 A No. This is the first I'm hearing about that.

21 MS. DELIBERATO: I appreciate it. I don't
22 have any other questions. Nichole, do you have
23 any questions?

24 MS. BLAQUIERE: No. Thank you.

25 MS. CONSTANTINE: No questions for me.

1 MR. VONDERHEIDE: No questions.

2 MS. DELIBERATO: Appreciate it. Thank you
3 so much.

4 (Deposition concludes at 2:05 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 JUSTIN FINEBERG personally appeared before me by ZOOM
7 videoconference and was duly sworn.

8 witness my hand and official seal this 24th day
9 of September, 2024.

10
11 Tamara M. Pacheco

12 Tamara M. Pacheco, RPR
13 COMMISSION # 474485
14 EXPIRES: March 30, 2028
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IN THE CASE OF: STATE OF FL v. JUAN MOLINA-SALLES

NAME OF DEPONENT: JUSTIN FINEBERG

CASE NUMBER: 22-09348CFANO

PAGE	LINE	ERROR/AMENDMENT	REASON FOR CHANGE
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Date

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 JUSTIN FINEBERG; 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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