

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT

IN AND FOR PINELLAS COUNTY, FLORIDA

STATE OF FLORIDA,

Plaintiff,

v.

Tomasz Roman Kosowski

Defendant

Case No.: 23-02935-CF

DEFENDANT'S MOTION FOR LEAVE TO CONDUCT A LIMITED RE-DEPOSITION

Introduction and Relief Requested

1. Defendant Tomasz Kosowski respectfully moves for leave to conduct a limited re-deposition of PCSO Supervisor Kristen Stropes, PCSO Supervisor Rebeca D'Jimas, and PCSO Specialist Dana Zuchetto for the narrow purpose of examining newly disclosed information and clarifying material inconsistencies that could not have been explored at their prior depositions. The requested redeposition is time-limited, topic-restricted, and scheduled to avoid prejudice or delay

2. Defendant requests an order permitting a re-deposition of the previously listed witnesses limited to 45 minutes each, confined to occur on or before August 31, 2026, at a mutually agreeable time, either in person within Pinellas County or by remote means, with all other protective parameters remaining in effect.

Procedural Background

3. The State has charged the Defendant by indictment on April 27, 2023.

4. The defense noticed and took the deposition of PCSO Stropes on July 31, 2024, of PCSO D'Jimas on April 15, 2024, and of PCSO Zuchetto on April 15, 2024 pursuant to Florida criminal discovery procedures.

Factual Grounds Demonstrating Good Cause

5. The defense has identified inconsistencies between the reports and depositions of the above 3 PCSO witnesses and the deposition of their superior officer, PCSO Lt. Wayne Gross, of January 8, 2025, particularly concerning the chain of custody of evidence. A narrow re-deposition is the least intrusive means to address these discrepancies.

6. After the initial depositions, the State produced receipts, intake forms, and a PCSO ACISS report that are relevant to chain of custody of physical evidence in this case. The defense could not have examined the above 3 PCSO witnesses on these items previously because they were not disclosed until August 14, 2026.

7. Defense promptly conferred with the State on August 16, 2026, regarding a consensual limited re-deposition. As of this filing, the parties are continuing to confer.

Legal Argument

8. Florida Law of Criminal Procedure 3.220 authorizes depositions and confers discretion on the Court to regulate discovery, including permitting additional depositions for good cause.

9. Good cause exists here because the defense seeks to examine the above 3 PCSO witnesses about discrete, newly produced materials, and related inconsistencies, that could not have been explored earlier despite diligence. The proposed limitations ensure proportionality and avoid prejudice.

Proposed Reasonable Limitations

10. Time Limit: The re-deposition will not exceed 45 minutes of on-the-record time for each witness.

11. Scope: Questioning will be limited to identification and chain of custody issues regarding physical evidence.

12. Scheduling: The re-deposition will occur on or before August 31, 2026, at a mutually agreeable time and date, so as not to affect the current trial setting of September 14, 2026, unless otherwise ordered.

13. Location/Format: The re-deposition may proceed in person within Pinellas County, Florida, or by remote audio-video technology by agreement or order of the Court, with standard safeguards for identity verification, sequestration, and exhibit handling.

Conclusion

14. For the foregoing reasons, Defendant respectfully requests that the Court grant leave to conduct a limited re-deposition of PCSO Supervisor Kristen Stropes, PCSO Supervisor Rebeca D'Jimas, and PCSO Specialist Dana Zuchetto, subject to the limitations above, and enter the proposed order.

Submitted: August 20, 2026

Tomasz R Kosowski, pro se

Certificate of Service

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by email to Mr. Nathan Vonderheide, Assistant State Attorney, Sixth Judicial Circuit of Florida, at eservice@flsa6.gov on August 20, 2026.