

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA IN AND FOR PINELLAS COUNTY

23-02935-CF-D
522023CF002935000APC

STATE OF FLORIDA

v.

MURDER IN THE FIRST DEGREE

TOMASZ ROMAN KOSOWSKI
PID: 312109281

MOTION FOR PRETRIAL DETENTION PURSUANT TO ARTICLE ONE, SECTION
FOURTEEN OF THE FLORIDA CONSTITUTION

BRUCE BARTLETT, State Attorney for the Sixth Judicial
Circuit of Florida, files this State's Motion to MOTION FOR
PRETRIAL DETENTION PURSUANT TO ARTICLE ONE, SECTION FOURTEEN OF
THE FLORIDA CONSTITUTION, and as grounds therefore would state:

1. Defendant Kosowski was acting pro-se in litigation where he was also the plaintiff.
2. His opponents in the litigation included parties represented by S.C.
3. Defendant Kosowski was aggressive in the litigation and engaged in intimidating behavior toward S.C. during a deposition.
4. On December 26, 2022, Defendant Kosowski purchased the gray Toyota Tundra he used during this homicide. He paid 26,000 in cash and never registered the truck.

5. On December 28, 2022, Defendant Kosowski filed a motion in the civil litigation seeking the removal of S.C. as an attorney of record.
6. On January 26, 2023, in the same bathroom where S.C. was later murdered by Defendant Kosowski, Defendant Kosowski called S.C. a "scumbag" and told him he would win in the end.
7. An investigation of Defendant Kosowski's iCloud account revealed on February 16, 2023, he took a photo of S.C.'s condo parking space which captured a photo of S.C.'s husband's vehicle. On February 23, 2023, he videotaped the cars in the parking lot of 1501-B S. Belcher Road. On March 2, 2023, Defendant Kosowski also searched for personal information about S.C. on the internet.
8. Records from Amazon for an account associated with Defendant Kosowski revealed he ordered two collapsible Gorilla carts, one red and one blue. The red cart was sent to his Miami residence and was later located during the execution of a search warrant on that residence. The blue cart was sent to his Tarpon Springs residence. This cart was never recovered. A black Gorilla cart was located at this Tarpon Springs residence.

9. Defendant Kosowski also ordered for delivery to his Tarpon Springs residence five rolls of duct tape, a tag flipping device, and a knife which was never recovered.
10. On March 14, 2023, Defendant Kosowski was observed in a storage closet in the shared hallway of 1501-B S. Belcher Road. He was chased off the property by a concerned employee of the veterinary clinic housed in same office complex as the Blanchard law firm. After he left, employees discovered a blue collapsible wagon in a box in the utility closet. No one who works at the building left the wagon. The wagon was not present in the building during processing after the murder of S.C.
11. Defendant Kosowski's fingerprint was found in that utility closet.
12. On March 17, 2023, Defendant Kosowski's iPhone connected to the Wi-Fi at the Blanchard law firm. Cell location data corroborates his location in the area of the 1501-B S. Belcher Road on that same date and time.
13. On March 20, 2023, Defendant Kosowski conducted an internet search for the effects of succinylcholine

and dosage amounts. Succinylcholine is a known paralytic agent.

14. On March 21, 2023, Defendant Kosowski left his home in Tarpon Springs around 0800 hours.
15. Defendant Kosowski powered down his iPhone while he was driving south towards the location of the Blanchard Law firm located at 1501-B S. Belcher Road, Largo, Pinellas County, Florida
16. At 08:32 hours Defendant Kosowski's truck is observed pulling into the parking lot of the Blanchard law firm.
17. At approximately 0834 hours a figure is observed on surveillance video carrying a box on his shoulder while wearing a mask and a backpack.
18. At approximately 0837 hours, S.C. is observed on surveillance video entering the office building at 1501-B S. Belcher Road for the last time.
19. Both men were scheduled to attend, along with other parties, a telephonic Court hearing beginning at 10:30 a.m.
20. At approximately 0950 hours, S.C. leaves his office door to enter the hallway containing the shared bathrooms for the office complex.

21. At approximately 1022 hours, the same figure who entered the building with the backpack exits the building pulling a wagon. The wagon is bearing a heavy load, it is covered with an orange or red blanket, and the man pulls the wagon in the direction of the parking lot where Defendant Kosowski's truck was parked.
22. Defendant Kosowski powers on his iPhone a few minutes prior to the scheduled telephonic conference.
23. Defendant Kosowski calls into the telephonic conference and attends the conference for the entire 30 minute period.
24. While he is attending the telephonic conference, Defendant Kosowski's iPhone is connecting to a cell tower that is so close to the Blanchard law firm it looms over the parking lot.
25. Defendant Kosowski's iPhone remains connected to the same cell tower throughout the duration of the phone call.
26. A witness present in the telephonic hearing, who has extensive experience with Defendant Kosowski through the civil litigation, heard Defendant Kosowski's voice and observed that Defendant took over the phone conference with a list of items to accomplish.

27. At the completion of the telephonic court conference, Defendant Kosowski powers down his iPhone.
28. Within minutes of the completion of the telephonic hearing, the same figure from before is on the surveillance video moving the cart which is bearing a heavy load.
29. At approximately 1116 hours Defendant Kosowski left the parking lot of 1501-B S. Belcher Road in his Toyota Tundra.
30. A variety of cameras capture Defendant Kosowski driving his Toyota Tundra north towards his residence at 511 Seaview Drive. Defendant Kosowski's Toyota Tundra had a New Jersey license tag affixed to it. This tag had an expired registration and the registered owner is deceased.
31. The cameras also capture the wagon from the earlier surveillance containing an object covered by an orange or red covering in the bed of Defendant Kosowski's Toyota Tundra.
32. Defendant arrived home and he powered on his iPhone at his residence 511 Seaview Drive, Tarpon Springs, Florida.
33. That residence was later searched in the early morning hours of March 24, 2023 pursuant to a

residential search warrant signed by Judge Federico in the late evening hours of March 23, 2023.

34. The Toyota Tundra was located in the garage. The New Jersey license plate affixed to the truck when it appeared at the Blanchard law firm was never located.
35. The Toyota Tundra had a tag flipping device that could change tags with the press of a button. Defendant Kosowski had a collection of tags filed on a shelf.
36. The residence was processed for DNA.
37. Later DNA analysis revealed a mixture of Defendant Kosowski's DNA and the blood of S.C. in the middle of the garage floor of Kosowski's residence, located at 511 Seaview Drive.
38. S.C.'s blood was also located on Defendant Kosowski's Toyota Tundra.
39. After Defendant Kosowski returned home, within an hour, S.C. was reported missing and an investigation commenced.
40. The men's bathroom at 1501-B S. Belcher Road is a bathroom shared with multiple office suites.
41. It was processed as a crime scene. Luminol revealed spots indicating the presence of blood. Blood was

- also plainly visible on various surfaces of the bathroom and on the exterior door to the bathroom.
42. DNA analysis revealed S.C.'s blood as the blood located on various surfaces of the men's bathroom including the floor, divider, stained paper towels, napkins, and the drain.
43. A mixture of Defendant Kosowski's DNA and S.C.'s DNA was located on the exterior of the men's bathroom door. The swab of the mixture indicated the presence of blood.
44. S.C. left behind in his office his keys, wallet, and cell phone. His computer was left on. A file was opened and he appeared actively working on a file.
45. S.C., to date, is missing.
46. Defendant Kosowski also owned a red Toyota Corolla. This vehicle is observed on surveillance camera leaving his residence at approximately 1700 hours on March 21, 2023.
47. Defendant Kosowski's phone records show his approximate path back to his secondary residence in Miami, Florida.
48. During his travels, his phone records reveal he diverted from US Highway 19 N, the most direct travel

to go south to Miami, to pass the Blanchard Firm on S. Belcher Road.

49. Defendant Kosowski drove to an area of US Highway 41 and Loop Road on the Tamiami Trail. He stops for a few minutes and then continues to Miami.

50. Cell records for Defendant Kosowski reveal he drove back to that same location on March 23, 2023, he stayed for a short period of time, and he then immediately returned back to Miami, an approximately 2-hour roundtrip.

51. On March 25, 2023, Defendant Kosowski began his return trip to Tarpon Springs. Before he left Miami, his iPhone records reveal that he searched variations of "Largo Police warrant," "Largo Police warrants," "Largo Police Department," and "Largo Police warrents."

52. Later that day, Defendant Kosowski was stopped and detained by Tarpon Springs Police Department.

53. Defendant Kosowski was found with over 280,000 dollars in cash. He also had in his vehicle masks (including ski masks, a black plastic face mask and a Guy Fawkes mask), duct tape, firearms, a ballistic vest with "EMS" written on it, patches for PCSO and

Clearwater PD, industrial trash bags, and a vial of succinylcholine, a paralytic agent.

54. Defendant Kosowski was also found with a Polish Passport and a United State Passport.
55. Defendant Kosowski's Toyota Corolla was processed for DNA.
56. S.C.'s DNA was located in the trunk of Defendant Kosowski's Toyota Corolla.
57. A review of Defendant's cell phone records launched a search for S.C.'s body by multiple law enforcement agencies in the area of Loop Road and US 41 on the Tamiami trail.
58. This search led to a dumpster at that crossroads. A cadaver dog alerted to the dumpster.
59. The driver of the garbage truck who disposed of the dumpster said that dumpster is usually filled with camping materials.
60. However, on March 23, 2023, the day after Defendant Kosowski stopped at that crossroads for a few minutes, the garbage truck driver described the dumpster as heavier than normal and described it as smelling "fucking vile."
61. A video from the garbage truck of the dumpster being emptied into the garbage truck shows a large garbage

- bag falling in a manner inconsistent with normal trash and consistent with being shaped and falling in a manner not inconsistent with a wrapped human body.
62. After viewing the video, the garbage truck driver definitively stated S.C.'s body was picked up from the Loop Rd dumpster and delivered to the landfill.
63. Eight days after the dumpster was emptied at the Collier County Landfill, after the cadaver dogs hit on the dumpster, and after law enforcement viewed the video, multiple law enforcement agencies attempted a multi-day recovery effort for S.C.'s body to no avail.
64. Law enforcement learned from employees of Waste Management that trash disposed in the Collier County landfill is compacted to approximately 1/3 its normal size making recovery efforts nearly impossible.
65. On April 27, 2023, a Pinellas County Grand Jury issued an indictment charging Defendant Kosowski with First Degree Murder.
66. On April 28, 2023, the State of Florida filed a Notice of Intent to Seek the Death Penalty.
67. Defendant was employed as a plastic surgeon at the time of his arrest.

68. Defendant Kosowski's residence contained over 200 firearms and a vintage guitar collection. The firearms and guitars are worth over tens of thousands of dollars.
69. Financial records for S.C. reveal he has made no active purchases since he went missing.
70. Prior to March 21, 2023, S.C. would contact his parents regularly. He would contact his Husband multiple times a day.
71. S.C. and his husband shared Apple Fitness Activity data with each other. S.C.'s activity ceased at approximately 1000 hours on March 21, 2023.
72. S.C. has not contacted his husband or parents since March 21, 2023.
73. Since March 21, 2023, S.C. has not returned home to his husband and two dogs, Casey Jones and Sprout.

ARGUMENT

74. A Criminal Defendant charged with a capital offense or an offense punishable by life has no right to pretrial release if the proof of the accused's guilt is evident or the presumption that he committed the crime is great. State v. Arthur, 390 So.2d 717 (Fla.

1980); Article 1, Section 14 Florida Constitution;
Preston v. Gee, 133 So.3d 1218 (Fla 2d DCA 2014).

75. The State of Florida can meet this burden by presenting affidavits or transcripts. The Court is not required to take testimony. Preston v. Gee, 133 So.3d at 1225.
76. Should the State of Florida meet this burden proving Defendant has no constitutional entitlement to pretrial release, the burden shifts to the Defendant to prove that conditions of release can effectively protect the public from the risk of physical harm, assure his presence at trial, and assure the integrity of the judicial process. Reeves v. Nocco, 141 So.3d 775 (Fla. 2d DCA 2014).
77. In the instant case, Defendant methodically planned the murder of S.C. over the course of months, of a person who, at best, annoyed him in litigation.
78. Defendant Kosowski's extended planning, methodical murder, and the disposing of the body of S.C. demonstrate a danger to the community.
79. Defendant was arrested with tools to kidnap and kill others.
80. Defendant has a United States passport and a Polish passport.

81. Defendant has the means and property to leave the Country. The contents of his Toyota Corolla on the date of his arrest demonstrate his intent and readiness to flee.
82. Defendant presents a danger to the community, and *any* individual who crosses him given the circumstances of this murder.

WHEREFORE, the State of Florida moves this Honorable Court to detain Defendant Kosowski without release or a bond pending trial.

I HEREBY CERTIFY that a copy of the above has been furnished to Bjorn Esq Brunvand, Attorney, BRUNVAND WISE P A, 615 TURNER ST, CLEARWATER, FL 33756, bjorn@acquitter.com, by e-service or personal service or U.S. Mail this 7th day of July, 2023.

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