

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

CASE NO.: 23-02935-CF

STATE OF FLORIDA,

Plaintiff,

vs.

TOMASZ KOSOWSKI,

Defendant.

VIDEOCONFERENCE

DEPOSITION OF: NIKKI BOLE

DATE TAKEN: April 15, 2024

TIME: 1:04 p.m. to 1:41 p.m.

PLACE: Via Zoom videoconference

STENOGRAPHICALLY REPORTED BY:

Lori A. Seiden, RPR, FPR-C

Notary Public, State of Florida at Large

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(Appearing via Zoom videoconference)

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C O N T E N T S

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EXHIBITS	NONE

The deposition of NIKKI BOLE was taken pursuant to notice by counsel for the Defendant on the 15th day of April, 2024, commencing at 1:04 p.m., via Zoom videoconference. Said deposition was stenographically reported by Lori A. Seiden, RPR, FPR-C, Notary Public, State of Florida at Large.

- - - - -

NIKKI BOLE,
a witness, having been duly sworn to tell the truth, was examined and testified upon her oath as follows:

THE WITNESS: Yes.

DIRECT EXAMINATION

BY MR. BRUNVAND:

Q. My name is Bjorn Brunvand. I represent Tom -- hold on. I got to start the recording. My apologies.

Okay. You good with being recorded?

A. Yes.

Q. Okay. My name is Bjorn Brunvand. I represent Tom Kosowski. Also present from the State is ASAs Spadaro and Vonderheide.

If you could, please state your full name.

A. Nikki Bole.

Q. And what was your previous name before you recently were married?

A. Nikki Webster.

1 Q. Okay. And I notice on your shirt it still says
2 Specialist Webster on your shirt.

3 A. Yes.

4 Q. Okay. Did you prepare reports detailing your
5 involvement in this case?

6 A. Yes.

7 Q. And do you know what the report numbers are for
8 the reports that you prepared, the supplement?

9 A. 15 and 32.

10 Q. 15 and 32?

11 A. Yes.

12 Q. Okay. So I'm looking at 15 at the moment. The
13 one I have is a four-page report. Is that consistent
14 with what you have?

15 A. Yes.

16 Q. Okay. And let me find the other one.

17 And then 32 appears to be a three-page report?

18 A. Yes.

19 Q. Okay. Let's start with 15.

20 I'm assuming 15 is the first in time as far as
21 your involvement in this case. Is that accurate?

22 A. Yes.

23 Q. So it appears that it details your involvement
24 on March 23, 2023, starting -- or it looks like the call
25 was received at 2223 hours and you arrived at

1 2305 hours; is that correct?

2 A. Yes.

3 Q. And where did you arrive?

4 A. At 511 Seaview Drive.

5 Q. Okay. And tell me what happened when you
6 arrived at that location. Or before you arrived at that
7 location, had you been briefed by anyone about what to
8 expect?

9 A. Briefly, yes. I was advised we were going to
10 be arriving at a residence involving an individual
11 subject that was suspected to be involved -- possibly
12 involved in a missing person's case. And upon arrival,
13 we were -- we were briefed prior to getting there that
14 we would be there waiting to make entry into the home,
15 and then we arrived on scene.

16 Q. Okay. Do you recall who advised you that
17 Tomasz Kosowski was suspected of being involved in a
18 missing person case, possibly a homicide?

19 A. I don't recall exactly who it was.

20 Q. Was it someone from the sheriff's department or
21 someone from Largo Police Department?

22 A. I believe it was within the sheriff's office.
23 It was in the forensics prior to getting on scene.

24 Q. All right. You reference the supplements that
25 were prepared by Zuchetto, D'Jimas, and King.

1 Have you reviewed their supplements?

2 A. I have not.

3 Q. Okay. What do you see when you arrive at the
4 address?

5 A. Within the street, there were a lot of
6 personnel there waiting. I observed a two-story home.
7 The front of the home was east facing, and that's --
8 that's all I could see from the roadway. And then once
9 we got to the point we were able to enter the home, I
10 observed a garage on the bottom floor of the home. And
11 then on the second floor was a living space.

12 Q. Okay. Did you enter through the garage?

13 A. Yes, I did.

14 Q. Okay. Did you see a Toyota Tundra truck in the
15 garage?

16 A. Yes, I did.

17 Q. You indicate in your report that you observed
18 possible blood in the bed of the truck. Tell me about
19 that.

20 A. I was tasked initially with taking overall
21 documentation photographs of the truck. In the bed of
22 the truck, I observed darker spots of an unknown
23 substance believed to possibly be blood. So I
24 documented those -- those areas.

25 Q. Was that pointed out to you by someone or did

1 you independently observe it?

2 A. I observed it right alongside my training
3 specialist King.

4 Q. So no one had told you, take a look over here,
5 does that look like blood, or anything like that?

6 A. Not that I recall, no.

7 Q. Okay. Is that something you normally would
8 document in your report?

9 A. If somebody --

10 Q. Pointed out --

11 A. -- pointed it out?

12 Q. Right.

13 A. Not that I'm aware that I do. I ensure to
14 observe it myself.

15 Q. No, no, I understand that.

16 What I'm trying to find out is if someone
17 points out a particular area of concern, obviously
18 you're going to look at it and make your own assessment.
19 But would you normally note in your report that
20 so-and-so pointed out a particular area for you to
21 further inspect to see whether or not you saw anything?

22 A. I believe at times I have, yes.

23 Q. Okay. All right. Did you do it in this case?

24 A. I did not.

25 Q. Okay. You photographed -- according to the

1 report, you observed and photographed a gray Tundra
2 truck.

3 Could you tell us the sequence numbers for the
4 photographs that you took of the gray Toyota Tundra
5 truck?

6 A. If I may refer to --

7 Q. Yes.

8 A. -- the documents.

9 Q. Yeah, you may.

10 A. Okay. The initial photo number for the photos
11 I took starting with the truck is 84.

12 Q. Does it have a letter in front of it?

13 A. Yes, K.

14 Q. K and then 84?

15 A. K84, yes.

16 Q. Through?

17 A. And the final photo involving the truck -- I'm
18 looking -- would be photo number 236, also K.

19 Q. Okay. Those are all photographs of the truck?

20 A. Specifically the truck, yes.

21 Q. Okay.

22 A. The truck and other photographs of all
23 documentation of the garage.

24 Q. Okay. You indicated that there was an
25 abundance of firearms, weapons and ammunition.

1 Could you elaborate on that?

2 A. Well, while documenting the residence, I
3 observed many firearms located within the garage as well
4 as the living space on the second floor. Boxes of
5 ammunition as well throughout. And then I also observed
6 other weapons, including knives, within the residence as
7 well.

8 Q. Anything apparently unlawful about the firearms
9 and weapons that you saw?

10 A. Not that I know of. I'm unaware.

11 Q. Okay. And so the photographs that you took in
12 that area, what -- what's the number sequence on those,
13 and is it still in the K category?

14 A. They are all in the K category. I would have
15 to look through the photographs, if I may, and I can
16 indicate where I observed --

17 Q. Right.

18 A. -- and photographed the firearms.

19 Would you like me to --

20 Q. Yes, yes. Please, yes, go ahead.

21 A. Okay. I begin to see boxes of possible
22 ammunition in a storage closet in the garage, photo
23 numbered starting at K393.

24 Q. Okay.

25 A. That goes until 395. I also have more boxes of

1 possible ammunition, again, in the storage room in the
2 garage at K403, also 405.

3 Q. So they -- they're sort of skipping; right?

4 A. They are scattered throughout my photo
5 documentation of the residence.

6 Q. Why don't you just give me the beginning and
7 end of the photos that you did inside the residence?

8 A. Okay.

9 Q. So I know we did the truck, which was 84 to
10 236.

11 A. Correct.

12 Q. Were those the first series of photos you took?

13 A. I took external photos of the residence.

14 Q. Okay.

15 A. And then leading into the garage with the
16 truck, and then outside of the truck to include the
17 garage as well as the upstairs residence. That would be
18 starting at 237. And then the final photograph that I
19 took was 1252. Throughout that, it does include all
20 photographs I took of the garage and the upstairs
21 residence.

22 Q. And these are all in the K series?

23 A. Yes.

24 Q. And I didn't ask you this, but did you at some
25 point review your reports for accuracy and completeness?

1 A. Yes.

2 Q. Okay. And in doing so, did everything appear
3 to be accurate?

4 A. Yes.

5 Q. And complete?

6 A. Yes.

7 Q. When I say "complete," what I'm referring to
8 is, you know, are there things that you recall doing
9 that may have evidentiary significance that you have not
10 included in your report?

11 A. To my knowledge, everything has been included
12 in the reports.

13 Q. Okay. You indicate in your report that you
14 tested for possible blood. And you indicated, "The
15 following areas tested positive for the presence of
16 possible blood that were collected: North end of the
17 garage, number 3; middle of the garage, number 2."

18 Can you elaborate on what is -- how do you come
19 up with the numbering system and give me a little bit
20 more information about that.

21 A. So the numbers indicate the number of swabs
22 that I collected individually from that particular area.

23 Q. Okay. So not location, but the number of
24 swabs?

25 A. The number of swabs, yes.

1 Q. Is that because it's a bigger area, or why --
2 why do you take -- for example, on the north end of the
3 garage you take three swabs?

4 A. So the north end, because I took three, it
5 would indicate that there was a larger area to swab than
6 the other area in the garage.

7 Q. Okay. And the other area being the middle of
8 the garage where you take two?

9 A. Yes.

10 Q. Did you photograph the areas where you took
11 these swabs?

12 A. I did not.

13 Q. Did someone else photograph them?

14 A. Yes.

15 Q. You put evidence markers down?

16 A. I did not.

17 Q. Do you know if anyone else did?

18 A. No.

19 Q. Okay. Do you know whether or not this area was
20 searched with an alternative light source prior to the
21 testing that you did?

22 A. I do know that luminol was applied to the area
23 and prior to me swabbing.

24 Q. Okay. Had that happened before you arrived?

25 A. The luminol application?

1 Q. Yes.

2 A. No.

3 Q. So it happened while you were there?

4 A. Yes.

5 Q. And who did that?

6 A. Forensic training specialist King applied the
7 luminol.

8 Q. Okay. And did you -- were you there and
9 observing it at the time?

10 A. Yes.

11 Q. And what did you see when -- after the luminol
12 was applied?

13 A. I observed an area of luminescence that
14 suggested a positive reaction to the luminol.

15 Q. Okay.

16 A. At which point, while it was still luminescing,
17 I collected a swab of the area.

18 Q. So -- so would that be the swabs in the north
19 end of the garage and the middle of the garage?

20 A. Yes.

21 Q. Would it be fair to say that you did not see
22 these spots prior to the luminol being applied?

23 A. Yes.

24 Q. Okay.

25 A. I did not see the spots prior to.

1 Q. Okay. How do we determine where in the north
2 end of the garage the swab was collected from?

3 A. After the application of the luminol, the --
4 there was an area that glowed or luminesced and that
5 becomes an area of interest, at which point, while it is
6 still luminescing, I collected a swab from the area.

7 Q. Right. I guess that wasn't my question.

8 My question is: How do I now find out where
9 that possible blood was collected when your description
10 just says "north end of the garage," which is, you know,
11 a fairly large area?

12 A. Right. The area was photographed with the --

13 Q. By whom?

14 A. I'm sorry?

15 Q. By whom?

16 A. Oh, Forensic Specialist Zuchetto.

17 Q. Okay. Would you be able to identify the photos
18 that are associated with the north end of the garage?

19 A. Yes.

20 Q. Okay. Do you have access to those? Could you
21 give me the number sequence?

22 A. For her photographs of the north end or my
23 photographs?

24 Q. Whichever ones would assist us in seeing the
25 area in question.

1 A. That would be -- my photographs don't show the
2 area of the garage without the truck there. That would
3 be Specialist Zuchetto's photographs that she would have
4 to provide.

5 Q. Okay. So my question, though, was: Do you
6 know whether or not you would be able to further
7 identify the location on the north end of the garage
8 where the swabs were taken by looking at her
9 photographs?

10 A. Possibly, yes.

11 Q. Okay. Have you looked at those photographs?

12 A. Hers, I have not.

13 Q. Okay. So until you actually look at those
14 photographs, you may or may not be able to identify the
15 specific location based on the photographs?

16 A. Possibly.

17 Q. Okay. And is the same true for the middle of
18 the garage?

19 A. Yes.

20 Q. And the middle was also identified after
21 luminol was applied; right?

22 A. Yes.

23 Q. Do you know if the north end of the garage is
24 the same as what's referred to by Specialist Zuchetto as
25 "garage floor just inside north bay samples"?

1 A. I don't know. I'm unaware how she documented
2 her areas.

3 Q. Okay. Would that be consistent with what you
4 recall the samples to be?

5 A. Directly inside the garage bay, yes.

6 Q. It just says, "Just inside of the north bay in
7 the garage." I guess there's a north bay and a south
8 bay; right?

9 A. Yes.

10 Q. Okay. So if I'm standing facing the garage
11 from the street, it would be to the left or to the right
12 as I'm looking in the garage?

13 A. The north bay would be to the right if you're
14 looking directly at the garage.

15 Q. Okay. At the scene, I don't know if I asked
16 you this or not, but were you briefed by Largo PD before
17 you started doing your work?

18 A. Yes.

19 Q. And who with Largo PD briefed you at that time?

20 A. I don't recall the individual.

21 Q. Okay. Do you recall what the individual told
22 you?

23 A. I was told that a search warrant was going to
24 be conducted on the residence by -- with the assistance
25 of Tarpon Police Department and Largo Police Department.

1 They were going -- the search warrant was going to be
2 conducted.

3 Q. Okay. Were you standing by until the search
4 was completed, or were you --

5 A. No.

6 Q. -- participating in the search?

7 A. I'm sorry?

8 Q. Were you standing by or were you participating
9 in the search?

10 A. I was participating with photo documentation.

11 Q. Do you recall seeing law enforcement with body
12 cam -- cameras in the house during the search?

13 A. I don't recall.

14 Q. Okay. Do you recall having a conversation with
15 someone else, any of the law enforcement members,
16 whether it was a forensic specialist or detective or
17 what have you, about when the truck had been purchased?

18 A. I don't recall.

19 Q. Might you have had a conversation about when
20 the truck was obtained?

21 A. I can't say for certain.

22 Q. Okay. If there was a body cam video that
23 captured such a conversation, do you think listening to
24 or viewing and listening to that might assist you in
25 recalling?

1 A. Possibly.

2 Q. Okay. Well, I mean, presumably if you see
3 yourself in the video and you hear your voice, that
4 might refresh your memory?

5 A. Yes.

6 Q. Okay. Do you recall anyone providing you
7 information prior to the search or during the search
8 about when the truck had been purchased or obtained and
9 by whom?

10 A. I don't recall.

11 Q. Okay. While you were photographing during the
12 search, who was primarily conducting the search?

13 A. It was Tarpon Springs police and Largo that
14 were inside the residence.

15 Q. Okay. Where did you -- do you recall who
16 actually was doing the searching? Were they all doing
17 it individually? You know, were certain people giving
18 instruction or directions to others? What do you recall
19 about that as it relates to each agency?

20 A. I recall Tarpon Springs and Largo going
21 together. Tarpon Springs was handling items throughout
22 the residence at Largo's instructions.

23 Q. How did you distinguish Largo detectives from
24 the Tarpon Springs detectives?

25 A. I don't recall if I observed any specific

1 indication or meetings to determine.

2 Q. Okay. I'm just trying to figure out how it is
3 that you know that it was Tarpon Springs that was doing
4 the search versus Largo detectives.

5 A. I was advised that prior to the search that
6 they were going to team up, in other words, with Tarpon.
7 Again, Tarpon handling everything inside the house and
8 Largo standing alongside directing them what to touch,
9 what to support.

10 Q. Okay. So are you assuming because of that
11 instruction that Largo was directing Tarpon Springs and
12 Tarpon Springs was conducting the search?

13 A. I was advised that that would be happening.

14 Q. Yeah, understood.

15 So you were advised of that, but --

16 A. Yes.

17 Q. -- not able to distinguish necessarily the
18 detectives from Largo versus Tarpon Springs.

19 So my question is: Based on that instruction,
20 was it your assumption that law enforcement followed
21 through on that rather than you actually being able to
22 say, I know that that's how it happened?

23 A. I can't assume. I don't recall exactly who it
24 was that I was with at this time.

25 Q. Okay. And you say you don't know the names of

1 the detectives that you were following?

2 A. Correct.

3 Q. Did you notice whether or not any of the
4 detectives were wearing gloves while they were
5 conducting the search?

6 A. I don't recall.

7 Q. Do you know who Detective Bolton is?

8 A. Not exactly, no.

9 Q. Detective Hunt?

10 A. No.

11 Q. Were you wearing gloves when you were
12 collecting evidence?

13 A. Yes.

14 Q. And how many times would you change gloves
15 during the time that you were at -- it looks like you
16 were there for about -- a little bit over eight hours?

17 A. Right.

18 Can you please repeat the question?

19 Q. Yeah.

20 During the eight-plus hours that you were
21 there, how many times would you think that you changed
22 gloves, replaced the gloves you were wearing and put new
23 ones on?

24 A. I don't recall the number of times I changed
25 gloves.

1 Q. Would it be a high number of times?

2 A. More than once. I don't recall the number
3 whether it was high.

4 Q. Do you generally carry your own box of gloves?

5 A. Yes.

6 Q. And do you know whether or not you used most of
7 the box or do you just think it was less than ten?

8 A. I believe it's -- it was more than ten gloves.

9 Q. Okay. But you are just not sure how many?

10 A. Correct.

11 Q. Do you frequently -- when you do this kind of
12 work, do you generally frequently replace the gloves?

13 A. Yes.

14 Q. Why?

15 A. To avoid cross-contamination.

16 Q. Okay. And what's cross-contamination?

17 A. Items within different rooms that may be
18 collected. I try to keep any contamination, if you
19 will, within one room, change out gloves prior to
20 collecting from another room.

21 Q. So can cross-contamination include touch DNA?

22 A. Yes.

23 Q. Bodily fluids?

24 A. Yes.

25 Q. Skin cells?

1 A. Yes.

2 Q. Okay. And other things?

3 A. Yes.

4 Q. Okay. Does your report, your photographs, and
5 the discussions that we've had here today, does that
6 cover everything that you know and everything you did on
7 March 23, 2023?

8 A. Yes.

9 Q. Okay. The next supplement that you authored is
10 Supplement Number 32; correct?

11 A. Yes.

12 Q. And it appears that details work that you did
13 on March 27, 2023?

14 A. Yes.

15 Q. So it appears that you retrieved a bunch of
16 firearms from property and evidence?

17 A. Yes.

18 Q. And then it says, "I retrieved the following
19 items from my secure evidence locker." Those would be
20 in addition to the firearms?

21 A. Correct. The -- the items in my evidence
22 locker at the forensic sciences division.

23 Q. And the other items, where is the property and
24 evidence division?

25 A. Directly next door to the forensic sciences

1 division.

2 Q. Okay. All right. So when you say you
3 transported them to the forensic sciences division, are
4 we talking about walking, or...

5 A. No. I utilized my van and drove them between
6 facilities.

7 Q. Okay. All right. But it's a short distance?

8 A. Correct.

9 Q. Okay. And then it appears that you -- the
10 first thing you do is use sterile swabs in looking for
11 touch DNA on the items that are listed?

12 A. Correct.

13 Q. And do you do any actual testing to see if you
14 were successful in getting touch DNA, or do you just
15 collect it for someone else to test it for DNA?

16 A. I collect it for someone else to test for DNA.

17 Q. Okay. It says, "Both positive and negative
18 control tests were conducted for the phenolphthalein kit
19 and proper results were obtained."

20 What does that mean?

21 A. That means I utilized the chemicals prior to
22 collecting a swab from an area of interest to ensure
23 that my chemicals were properly working prior to using
24 them on an item of evidence.

25 Q. And you then tested the switchblade and the

1 blade of a bronze-colored knife?

2 A. Yes.

3 Q. And both of those were negative for the
4 presence of possible blood; is that accurate?

5 A. Yes.

6 Q. You were there for about -- just shy of two
7 hours --

8 A. Correct.

9 Q. -- working with them?

10 Okay. Is there anything else that you've done
11 in this case?

12 A. No.

13 Q. Going back to the search of the house, were you
14 present when the Toyota truck was removed from the
15 garage?

16 A. I was not outside at that time.

17 Q. Anything else that you did that I have not
18 asked you about?

19 A. No.

20 MR. BRUNVAND: All right. We'll see if anyone
21 else has any questions.

22 THE WITNESS: Okay.

23 MR. VONDERHEIDE: No questions from me. Thank
24 you.

25 MS. SPADARO: No questions. Thank you.

1 MR. BRUNVAND: Thank you very much. Do you
2 want to read or waive if this is transcribed?

3 THE WITNESS: Read, please.

4 (At 1:41 p.m., no further questions were
5 propounded to this witness.)
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ERRATA SHEET

IN RE: STATE OF FLORIDA vs. TOMASZ KOSOWSKI
DEPOSITION OF: NIKKI BOLE
TAKEN: 04/15/2024

DO NOT WRITE ON TRANSCRIPT - ENTER CHANGES HERE

Please sign, date, and return this sheet to our office.
If additional lines are required for corrections,
attach additional sheets.

At the time of the reading and signing of the
deposition the following changes were noted:

PAGE	LINE	CORRECTION	REASON
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Under penalty of perjury, I declare that I have read my
deposition and that it is true and correct subject to
any changes in form or substance entered here.

SIGNATURE OF DEPONENT: _____

DATE: _____

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF PINELLAS

I, Lori A. Seiden, RPR, FPR-C, Notary Public,
State of Florida, certify that NIKKI BOLE virtually
appeared before me on the 15th day of April, 2024, and
was duly sworn.

WITNESS my hand this 26th day of December 2024.

Lori A. Seiden



Lori A. Seiden, RPR, FPR-C
Notary Public - State of Florida
My Commission No.: HH 226917
My Commission Expires: June 6, 2026

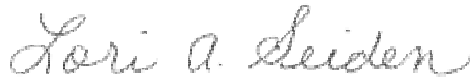
1 CERTIFICATE OF REPORTER

2
3 STATE OF FLORIDA4 COUNTY OF PINELLAS
5

6 I, Lori A. Seiden, RPR, FPR-C, do hereby certify
7 that I was authorized to and did stenographically
8 report the foregoing deposition of NIKKI BOLE; that a
9 review of the transcript was requested; and that the
10 foregoing transcript is a true and complete record of
11 my stenographic notes.

12 I further certify that I am not a relative,
13 employee, attorney or counsel of any of the parties,
14 nor am I a relative or employee of any of the parties'
15 attorneys or counsel connected with the action, nor am
16 I financially interested in the action.

17
18 Dated this 26th day of December, 2024.

19
20 

21 _____
22 Lori A. Seiden, RPR, FPR-C
23
24
25

December 26, 2024

NIKKI BOLE
nbole@pcsonet.com

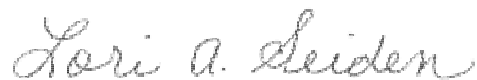
Dear Ms. Bole:

Your deposition taken in the case of State of Florida vs. Tomasz Kosowski on April 15, 2024, has been transcribed. Per your request to review the transcript, it is being held at our office at 728 South New York Avenue, Lakeland, Florida, until January 26, 2025.

Please call (863) 682-8737 to make arrangements to do this during our regular business hours of 8:30 a.m. to 5:00 p.m.

Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Lori A. Seiden".

Lori A. Seiden, RPR, FPR-C