

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

STATE OF FLORIDA,

Plaintiff,

vs.

Case No.: 2023-02935-CF

TOMASZ KOSOWSKI,

Defendant.

\_\_\_\_\_/

VIRTUAL DEPOSITION OF ASHLEY LEVESQUE

DATE TAKEN: APRIL 10, 2024

TIME: 9:06 a.m. - 10:55 a.m.

Examination of the witness taken virtually before:

Tammy Kelley

Verbatim Court Reporting, Inc.  
728 S. New York Avenue, Lakeland, FL 33815 863-500-3603

APPEARANCES

Counsel for the Plaintiff:

NATHAN VONDERHEIDE, Esquire  
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Counsel for the Defendant:

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615 Turner Street  
Clearwater, Florida 33756

I N D E X

APRIL 10, 2024

WITNESS

Called by the Defendant:

ASHLEY LEVESQUE

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ERRATA SHEET..... 68

CERTIFICATE OF OATH..... 69

CERTIFICATE OF REPORTER..... 70

SIGNATURE LETTER..... 71

1 THE COURT REPORTER: Would you raise your  
2 right hand, please. Do you swear or affirm the  
3 testimony you shall give in this cause shall be  
4 the truth, the whole truth, and nothing but the  
5 truth?

6 THE WITNESS: I do.

7 ASHLEY LEVESQUE, called as a witness by  
8 the Defendant, having been virtually duly  
9 sworn, testified as follows:

10 DIRECT EXAMINATION

11 BY MR. BRUNVAND:

12 Q Good morning. Okay, my name is Bjorn  
13 Brunvand. I represent Tomasz Kosowski. We're here  
14 for the deposition in the matter of State of Florida  
15 versus Tom Kosowski.

16 Present for the State is Nathan  
17 Vonderheide and there may be some other lawyers both  
18 for the defense and the State that might be joining  
19 during the deposition. But that's -- those are the  
20 people present currently.

21 Could you please state your full name.

22 A Yep. My name is Ashley Levesque.

23 Q And how are you employed?

24 A I work for the Pinellas County Sheriff's  
25 Office.

1 Q And how long have you been so employed?

2 A Six years.

3 Q Any prior law enforcement prior to joining  
4 the sheriff's office?

5 A I was an intern at Altamonte Springs  
6 Police Department for approximately eight months.

7 Q Okay. Specifically what do you do for the  
8 Pinellas County Sheriff's Department?

9 A I am a forensic science specialist.

10 Q And what is a forensic science specialist?

11 A We respond to crime scenes to document the  
12 scenes, collect evidence, and process for further  
13 evidence.

14 Q Okay, all right. Did you prepare reports  
15 detailing your involvement in this case?

16 A I did.

17 Q I want to go through just to do an  
18 inventory to make sure that I have all the reports  
19 that you prepared.

20 So the first report that I have in my file  
21 appears to be a seven-page report and details a time  
22 call receipt of March 21st, 2023, at 1807.

23 A That's correct.

24 Q And arrival time at 1820. Is that a  
25 report that you prepared?

1 A Yes.

2 Q And is that -- have you had a chance to  
3 review that report?

4 A Yes.

5 Q Is it complete and accurate?

6 A Yes.

7 Q Okay. The next one I have is a four-page  
8 report with a time call received of 3/25/23 at 0239  
9 hours. Is that one of your reports?

10 A I'm sorry, can you repeat the date and  
11 time.

12 Q Yes. It's March 25th, 2023 with a  
13 received call at 2:39 a.m. and arrived 2:39 a.m.

14 (Ms. Spadaro joins the virtual  
15 deposition.)

16 A Yes, that's correct.

17 Q Okay. The next one I have is a ten-page  
18 report and that has time call received at 3/25/23 at  
19 1932, time arrived at 1934 hours.

20 A Correct.

21 Q That actually appears to be discussing  
22 things prior to the last one that we mentioned. And  
23 that was a ten-page report. You have that?

24 A Yes.

25 Q Okay. The next one -- make sure I'm not

1 skipping anything here.

2 All right. The next one I have is a  
3 five-page report. It has a time call received at  
4 March 26th at 1819 hours.

5 A Yes, correct.

6 Q Okay. The next one I have is a four-page  
7 report. It's got a time call received at  
8 March 28th, 2023, at 1418 hours.

9 A That's correct.

10 Q And then it looks like the final one that  
11 I have is March 29th, 2023, report with a time call  
12 received at 1833 hours.

13 A Correct.

14 Q Are those all the reports that you  
15 completed in this case?

16 A Yes, sir.

17 Q Do they -- have you had a chance to review  
18 all of those reports?

19 A Yes, sir.

20 Q And are they complete and accurate as far  
21 as you know?

22 A Yes, sir.

23 Q Okay. Is there anything that you did in  
24 this case that you did not prepare a report for?

25 A No.

1           Q     All right.  So during the deposition feel  
2     free to refer to your reports if needed.

3           A     Okay.

4           Q     And, so I'm going to start going through  
5     your first involvement in this case.  So when do you  
6     first get involved and then -- and how do you first  
7     become involved in this case?

8           A     I first got involved by responding to this  
9     scene of the incident.  So 1501 South Belcher Road.  
10    I don't remember who specifically called me.  It was  
11    either our lieutenant or an on-scene supervisor had  
12    requested me to respond there.

13          Q     Okay.  And it indicates in your report  
14    that when you arrived you along with Specialist  
15    King, who I believe is now Copeland maybe --

16          A     Yes, correct.

17          Q     -- and Assistant Supervisor Sanford were  
18    briefed of the incident.

19                Do you recall who briefed you?

20          A     Yeah, it was -- we all met, all people on  
21    scene once everyone arrived on scene.  So Specialist  
22    Briggs was there, Assistant Supervisor Klein,  
23    Supervisor Stropes, and Lieutenant Gross were all  
24    there and briefed us.

25          Q     Okay.  Did anyone else from, like, Largo



1     brief you guys or was it strictly from within your  
2     own unit?

3           A     Initially it was just from within our own  
4     unit. Detectives were on scene. But for our  
5     initial briefing I do not recall any detectives  
6     being present for that.

7           Q     Okay. And this briefing starts at  
8     approximately 1820 hours on March 21st?

9           A     I was the first to respond there. So it  
10    was a little bit after that because Sandra-Leigh --  
11    I'm sorry, Specialist Copeland got called in. So we  
12    were waiting mainly for her to get there. So it was  
13    a little bit later than the 1820 hours.

14          Q     Okay. Do you know what time it was?

15          A     I would have to look at her report for the  
16    arrival times. So, no, I do not know off the top of  
17    my head.

18          Q     Okay. But assuming that her report has an  
19    arrival time, that would be a good way for us to  
20    sort of cross-reference and figure out when it  
21    started?

22          A     That's correct.

23          Q     Okay. So tell us, tell me what are you  
24    being told during the briefing.

25          A     We were told that a subject was scene on

1 surveillance walking into the building and then  
2 exiting leaving -- I'm sorry, wheeling out a large  
3 bag and that the victim arrived to work and then  
4 wasn't seen again.

5 Q Okay, all right. And anything else?

6 A That there was an incident approximately a  
7 week prior that an unknown subject had entered the  
8 electrical room seen by another employee and then  
9 that there was possible blood in the men's bathroom.

10 Q Okay. As to the blood in the men's  
11 bathroom, possible blood? Was that how it was  
12 described? Any other description for it?

13 A No, just possible blood.

14 Q Okay, all right. And any, any discussions  
15 about what the law enforcement believed may have  
16 happened?

17 A Not specifically that I recall. I know  
18 they just didn't know where he had gone. But based  
19 off the video, it appeared that he could have  
20 possibly been in that bag.

21 Q Okay, all right. Was that mentioned by  
22 somebody, or?

23 A I don't remember specifically who. But I  
24 know that that was, yes, mentioned.

25 Q All right, okay. Do you remember if that

1 was mentioned by someone within your team or by  
2 Largo, someone from Largo?

3 A I believe Largo.

4 Q Okay, all right. But you don't remember  
5 who it would have been?

6 A No, sir.

7 Q Okay. So what happened? What's the first  
8 thing that you do once you've gone through the  
9 briefing?

10 A We do a walk-through of the scene and  
11 then -- well, prior to -- I'm going to rewind. I'm  
12 sorry.

13 Q Yeah.

14 A Prior to everyone arriving on scene,  
15 Detective Bolton did ask me to photograph the  
16 victim's husband's vehicle. So I did that while I  
17 was waiting for Specialist -- or Copeland to  
18 respond.

19 Q Okay. And do you know, in your series of  
20 photos, do you know how those are labeled? What  
21 series would that be?

22 A Give me one second. It should be the  
23 first one, but let me confirm. D as in delta.

24 Q D as in delta.

25 A Yes.

1 Q Okay, all right. And those are basically  
2 going to be photographs of whose vehicle?

3 A The victim's husband.

4 Q Okay, okay. And how many photos did you  
5 take of that particular vehicle?

6 A It was 91.

7 Q Okay, all righty. Is there anything out  
8 of the ordinary as it relates to those?

9 A No.

10 Q Okay. So you take those photos at the  
11 request of Detective Bolton. What is the next thing  
12 that you do?

13 A So within that vehicle I did test two  
14 areas that I observed for possible -- they were  
15 stains. So I tested them for possible blood as well  
16 as I did my swabs, which are of various areas within  
17 the vehicle.

18 Q Okay. And did you -- what type of --  
19 first of all, what kind of test did you do?

20 A Phenolphthalein test.

21 Q And what kind of results did you obtain  
22 from that?

23 A All of them were negative results.

24 Q Negative, okay. All right. Then what do  
25 you do?

1           A     So that was it for the vehicle. So going  
2 back to the scene. Like I said, we did the  
3 walk-through and Assistant Supervisor Klein had  
4 already started doing OSCR360 photos and she gave me  
5 the camera kit to continue taking OSCR360 photos  
6 within the scene.

7           Q     Okay. So what is the OSCR360?

8           A     It takes 360-degree photographs.

9           Q     Is that a device that when you're done  
10 putting it all together it almost allows you to walk  
11 through --

12          A     Yes. It's, yes, it's similar to like if  
13 you looked at realtor sites --

14          Q     Right.

15          A     -- and I walked through a house that way.  
16 It's similar to that.

17          Q     Okay. I think that you guys have another  
18 similar program within your department, but I don't  
19 remember the name of it now.

20          A     FARO.

21          Q     Maybe that's what it is. Is that --

22          A     It's a 3D scanner.

23          Q     3D scanner. So this is not a scanner,  
24 this is just photos?

25          A     Correct.

1           Q     Okay, all right. And so what parts of the  
2 building do you do the OSCR360?

3           A     The electrical room, women's bathroom, and  
4 men's bathroom.

5           Q     Okay. Do you do the path that travels  
6 between those places or just those particular rooms?

7           A     Just those particular rooms. Because  
8 Assistant Supervisor Klein had already done the  
9 in-betweens portion.

10          Q     So I guess my question was not very clear  
11 then. So you did those three additional places.

12          A     Correct.

13          Q     But Klein had already done a greater part  
14 of the office?

15          A     That's correct, yes.

16          Q     And do you know what Klein had done prior  
17 to you completing those three rooms?

18          A     It should have been the rest of the  
19 building, but I would have to go through her photos  
20 to confirm.

21          Q     Okay, all right. And is there a special  
22 software that needs to be used to review that and go  
23 through that?

24          A     Yeah. We have a OSCR on our laptops.  
25 That's what we use.

1           Q     Okay, very good. All right. What did you  
2 do next?

3                     Let me -- before I ask you that.

4           A     Yes.

5           Q     So what time do you think you actually do  
6 the OSCR360 of the, of the bathrooms and then  
7 electrical closet?

8           A     Well, we collected -- or we -- yeah, we  
9 conducted a visual examination and alternate light  
10 source examination for trace evidence.

11                    So it would have been done kind of in  
12 conjunction with that. So I can't give you a  
13 definite time as to when. I believe the metadata of  
14 the scans -- or the photos should show the times  
15 exactly. But I don't have that answer off the top  
16 of my head.

17          Q     Okay, all right. Okay, go ahead. I had  
18 cut you off. You were telling me about the next  
19 thing that you did.

20          A     Like I said, we collected -- or we did a  
21 visual examination for trace evidence from the  
22 electrical room and the men's bathroom.

23          Q     Okay.

24          A     And then as well as -- and examination  
25 using an alternate light source in those same areas.

1 Q Okay. What was the light source?

2 A It's an alternate light source.

3 Q Right.

4 A It's like a blue light, what you see on  
5 TV.

6 Q Okay. And you used that for all three of  
7 those rooms?

8 A Two rooms. Just the electrical room and  
9 the men's bathroom.

10 Q Men's bathroom. Okay. And were you  
11 photographing while you were doing this alternate  
12 light source in the men's bathroom part?

13 A Not during the alternate light source, no.

14 Q Okay. So first you do the visual  
15 examination for trace evidence without the alternate  
16 light source, right?

17 A Correct.

18 Q And do you find anything?

19 A Yes.

20 Q Okay. And let's see here. Would that be  
21 the items that are set forth on page four where it  
22 says, "I collected visible trace from the  
23 following"?

24 A Yes.

25 Q Now, it says -- it gives you the rooms,



1 but it doesn't itemize what the visible trace  
2 evidence was.

3 A Yeah. So when we're collecting visible  
4 trace we use -- it's called pharmaceutical fold.  
5 It's a piece of paper that we put all visible trace  
6 into the pharmaceutical fold from those specific  
7 listed areas.

8 Q Okay. And do you --

9 A Sorry to cut you off. It would be hairs  
10 and fibers.

11 Q Right. But I assume you mark them and  
12 keep them separate. Or do you just throw them into  
13 one fold?

14 A It is based off the area. So as you see  
15 listed, it's east end of the electrical room. So  
16 all hairs and fibers collected from the east end of  
17 the electrical room were put in one pharmaceutical  
18 fold and then all hairs and fibers from the west  
19 end, et. cetera.

20 Q Okay. And so do we have any way of  
21 knowing how many hairs and fibers may have been  
22 collected from each one of those prospective areas?

23 A Not without opening the pharmaceutical  
24 fold.

25 Q And what, if anything, has happened to the

1 visible trace evidence that was collected from those  
2 rooms?

3 A I do not know. I submitted it to property  
4 and evidence and where it goes from there is not up  
5 to me.

6 Q Okay. And if I wanted to view these  
7 items, we would have to go to property and evidence  
8 to look at them?

9 A They should be at Largo P.D. now.

10 Q At Largo P.D. But as far as your work is  
11 concerned, you don't ever do a specific inventory,  
12 like east end of electrical room there were nine  
13 hairs or fibers that were collected?

14 A No.

15 Q Okay, all right. Then for purposes of  
16 doing the visible evidence with the alternate light  
17 source, it indicates that you collected trace  
18 evidence from three separate areas. Right?

19 A Correct.

20 Q West end of electrical room, interior  
21 men's bathroom floor, and interior men's bathroom  
22 stall floor.

23 How do you collect that? Is it itemized?  
24 How does that work?

25 A It's the same process as the visible trace

1 collections.

2 Q Okay. So it's put in a -- what did you  
3 call it again?

4 A Pharmaceutical fold.

5 Q Pharmaceutical fold. And why don't you  
6 describe to us what is a pharmaceutical fold.

7 A So it is a piece of paper that we fold  
8 carefully so that no ends are open and then we  
9 basically fold it into itself.

10 Q Okay.

11 A So that no hairs or fibers will fall out.

12 Q Okay. And then are those folds put into  
13 some sort of an Evidence bag or envelope, or?

14 A I placed them into an envelope.

15 Q Okay. And would each envelope -- would  
16 there be a separate envelope for each room or area  
17 where you collected them?

18 A Yes.

19 Q Or were they all in one envelope?

20 A No. They would all be in separate  
21 envelopes.

22 Q Okay, all right. By the way, when you're  
23 going through this scene and collecting all this,  
24 are you wearing any type of protective footwear?

25 A Yes. We are wearing booties.

1           Q     Little booties. And what's the purpose of  
2 the booties?

3           A     To prevent bringing in or taking out any  
4 trace evidence.

5           Q     Okay. And so everyone on the forensic  
6 team are wearing the booties?

7           A     The ones that are doing the trace  
8 evidence, yes.

9           Q     Okay. And are you wearing gloves?

10          A     Yes.

11          Q     And are you constantly replacing your  
12 gloves?

13          A     Yes.

14          Q     Any idea how many gloves you went through  
15 on this particular day?

16          A     I don't have a number, but a lot.

17          Q     Okay. They usually come in boxes?

18          A     Yes.

19          Q     All right. And do you know how many are  
20 in a box usually?

21          A     I believe it's 50 pairs --

22          Q     Okay.

23          A     -- maybe. Depending on the box.

24          Q     All right. Do you have your own box or do  
25 you guys share a box?

1           A     So we all get box -- or, like, our office  
2 gets boxes and then we take our own individual boxes  
3 from the supply closet.

4           Q     Okay. Do you know did you go through more  
5 than one box?

6           A     Yes.

7           Q     Do you know how many boxes roughly?

8           A     I cannot say. I do not know, I'm sorry.

9           Q     That's okay. Okay. Is the next thing you  
10 do is collect vacuum sweepings?

11          A     Correct.

12          Q     So explain that to me.

13          A     So we use a vacuum and vacuum up the floor  
14 in this instance for any additional trace evidence  
15 that we couldn't see with visible or ALS.

16          Q     Okay. And I assume this is some sort of  
17 a -- not just a regular vacuum cleaner?

18          A     Correct. It's a hand -- it's like a  
19 handheld trace evidence --

20          Q     Okay.

21          A     -- vacuum that has a filter.

22          Q     And how, how is -- how do you protect from  
23 contamination maybe from a previous crime scene or  
24 any type of contamination as it relates to this  
25 vacuum sweeping?

1           A     After we use the vacuum on scenes we  
2     sterilize it in a bleach water solution and let it  
3     dry.

4           Q     And you mentioned there's a filter of  
5     sorts that collects the trace evidence?

6           A     That's correct, yes.

7           Q     So when you sweep, for example, the east  
8     end of the electrical room with the vacuum  
9     sweepings, do you then remove this filter and then  
10    place it somewhere?

11          A     Yes. So we remove the filter and anything  
12    that gets caught in the filter or prior to the filter  
13    into another pharmaceutical fold and then replace  
14    the filter for the next area.

15          Q     Okay. As far as the device itself, do you  
16    do anything as far as sterilizing or anything in  
17    between each room or just from each crime scene?

18          A     Just each crime scene.

19          Q     Okay. And, again, presumably no  
20    itemization of what's recovered or found, it's just  
21    collected and preserved?

22          A     Correct.

23          Q     Okay. What's the next thing you do?

24          A     Next thing I do is collect possible DNA  
25    swabs.

1           Q     Okay. And so there's a list of hallway  
2 side doorknob of door from lobby, lobby side  
3 doorknob of door into hallway. A bunch of other  
4 items that are identified in your report which  
5 carries on, it looks like, to the next page with the  
6 final item is doorknob opening for electrical room  
7 door.

8           A     Correct.

9           Q     Okay. Excuse me.

10                  The -- so what is the process here for  
11 collecting -- this, I assume, is looking for touch  
12 DNA, or?

13          A     Yes. For, for any sort of DNA but mainly  
14 touch DNA, yes.

15          Q     Okay, explain that. Any sort of DNA but  
16 mainly touch DNA. Explain it.

17          A     What do you mean?

18          Q     Well, you're swabbing a surface, right?

19          A     Correct.

20          Q     I guess what's the difference between  
21 touch DNA and any type of DNA?

22                  What do you get with the swab?

23          A     So, for instance, like I swabbed -- I'm  
24 just gonna use this one as an example. But I  
25 swabbed the men's bathroom urinal flush. There

1     could also be urine on that which does also have  
2     DNA.

3           Q     Okay.

4           A     So, yes, I'm mainly swabbing for touch  
5     DNA, but there might be additional types of DNA as  
6     well.

7           Q     Okay. And would that include -- I know  
8     DNA can transfer just from breathing onto an item.  
9     Right?

10          A     Yes, potentially.

11          Q     Okay, all right. So you're basically  
12     looking for potential touch DNA and maybe bodily  
13     fluids?

14          A     Yes.

15          Q     Whether they're airborne or deposited, you  
16     know, however they may have been deposited?

17          A     Correct.

18          Q     Okay. And all these items are collected  
19     and preserved, you don't do any of the testing?

20          A     Correct.

21          Q     All right. And who decides what will be  
22     tested and how much of this will be tested?

23          A     Detectives, the case agent.

24          Q     Prosecutor?

25          A     You mean like the State?



1 Q Right, the State.

2 A I believe so, but I'm sure that they can  
3 probably speak better than I can about that.

4 Q Okay, all right. Very good. How is it  
5 preserved?

6 A So it is climate controlled.

7 Q Okay. Is it -- is the swab placed in an  
8 envelope, is it -- how is it?

9 A Yes. So each swab comes in a sterile  
10 sleeve. So we put the swabs back into that sterile  
11 sleeve and then put that sterile sleeve into an  
12 envelope. Each individual swab gets its own  
13 envelope and sterile sleeve.

14 Q And is -- are these all paper or is there  
15 plastic, or?

16 A They have paper, yeah.

17 Q Paper, okay. Presumably then it dries up,  
18 it doesn't get mildew and what have you?

19 A Correct.

20 Q All right, all right. And other than the  
21 items that are listed as far as the items that you  
22 tried to obtain DNA from, were there any items that  
23 you tried to get DNA from?

24 A I did collect possible blood swabs as  
25 well.

1           Q     Okay, all right. Will we get to that  
2 later or is that next?

3           A     There's one thing in between it.

4           Q     All right. Let's talk about the one thing  
5 in between.

6           A     Okay. So I observed possible ridge detail  
7 on one of the panel doors in the electrical room.  
8 So I photographed that.

9           Q     Okay. And so what photo identification  
10 can we use for that, possible ridge detail photos?

11          A     Give me one moment.

12                 Sorry, I'm not seeing it in my initial  
13 pass. So give me one moment.

14          Q     Okay.

15          A     It is at the end of D. So photos 92 and  
16 93.

17          Q     So delta 92 and 93?

18          A     Correct.

19          Q     All right, thank you very much.

20          A     You're welcome.

21          Q     Do you do anything with that as far as  
22 evaluate what's on the image or do you just preserve  
23 it and pass it on to someone else?

24          A     Preserve and pass it on.

25          Q     Okay. The next thing you do is what?

1           A     I test areas for the presence of possible  
2 blood.

3           Q     Okay. And tell us what, what are you  
4 doing at that point.

5           A     So I'm swabbing various areas that we see  
6 possible blood and then testing them using  
7 phenolphthalein.

8           Q     So your report indicates the areas that  
9 were tested for the presence of blood and then  
10 there's a list of the areas that resulted in a  
11 positive result for the presence of blood.

12          A     Yes.

13          Q     And then it says, "I collected possible  
14 blood swabs from the above-listed positive areas."

15                 Does that mean that they -- that the swabs  
16 were strictly from the areas that tested positive?

17          A     In this list, yes.

18          Q     Okay. And you said the test that was used  
19 to obtain the positive results was which one?

20          A     Phenolphthalein.

21          Q     And what does it mean when you get a  
22 positive from phenolphthalein?

23          A     It means that it's possible blood.

24          Q     Okay. What, what else could it be other  
25 than blood?

1           A     There is very few false positives for  
2 phenolphthalein. But I believe like horseradish is  
3 one. It's very random things. I would have to look  
4 up the exacts. But they're very few.

5           Q     Where would you find that information? If  
6 I was going to try to look it up, where would I find  
7 that information?

8           A     You can Google it. It will come up.

9           Q     Okay, all right. And how do you preserve  
10 these possible blood swabs?

11          A     Similarly to the possible DNA swabs. They  
12 get put back into their individual sterile sleeves  
13 and then put into envelopes.

14          Q     And as far as what testing, if any, is  
15 done, that's decided by someone else?

16          A     Correct.

17          Q     Okay. What is the next thing you do?

18          A     I collect various items from the scene.

19          Q     Okay. So the first item says booties worn  
20 on scene. Is that your booties or many people's  
21 booties?

22          A     It's the -- anyone that used booties that  
23 day.

24          Q     Okay. And they're all collected and put  
25 together or are they kept separate?

1           A     They are all put together in a bag.

2           Q     Okay. And preserved in evidence?

3           A     Correct.

4           Q     Okay. Paper towel, photo marker number  
5 five, do you recall where that was recovered from?

6           A     That was just outside the men's bathroom  
7 door.

8           Q     Okay. Do you have any idea how long that  
9 paper towel had been at that particular location?

10          A     I do not know.

11          Q     Do you know whether or not it may have  
12 been -- actually ended up there after law  
13 enforcement first arrived at the scene?

14          A     That I do not know.

15          Q     Okay, all right. So you collected the  
16 items that are set forth in that list on the bottom  
17 of page five. Goes through the top of page six.

18                 And, by the way, is your report reflecting  
19 the same page numbers as mine?

20          A     Yes, sir.

21          Q     Very good. And all these items are  
22 collected and placed into plastic bags or what kind  
23 of -- how are they preserved?

24          A     They all would be in paper bags.

25          Q     Paper bags. Okay. And is the -- what's

1 the primary reason for using paper bags versus  
2 plastic bags?

3 A So that any item for possible DNA or with  
4 possible DNA on it can breathe essentially.

5 Q Okay, all right. All right. Then what's  
6 the next thing that you do?

7 A I powder process various areas.

8 Q All right. And so what are you looking  
9 for now?

10 A Fingerprints.

11 Q Okay. And, so it indicates that you  
12 processed a list of areas starting with  
13 exterior/interior entrance west door handle.

14 What are we -- what exterior/interior  
15 entrance are we talking about?

16 A So, just to clarify, that's the west door  
17 and door handle. I just -- I did a slash for door  
18 and handle. But that is the entrance door that  
19 leads to the lobby of the businesses.

20 Q Okay. So, so there's -- so is it strictly  
21 the door handle you said?

22 A No. It's the door and the door handle.

23 Q Okay.

24 A Exterior and interior.

25 Q Okay. So there's a -- one on the west

1 side of the building?

2 A No. So there was two -- it was like two  
3 doors on the north side of the building. The  
4 entrance was on the north side. So the two doors, I  
5 was differentiating them by saying west and east.

6 Q Are we talking about the entrance where  
7 the individual was seen entering and leaving?

8 A Correct, yes.

9 Q Okay. Because there are other doors in  
10 the building that exits to the outside, right?

11 A That's correct, yes.

12 Q But we're strictly talking about the  
13 one -- I think it's a double door and actually when  
14 you walk in I think there's a John Lennon painting  
15 on the wall?

16 A There was artwork, yes. But, yes, it is  
17 that lobby.

18 Q Okay, artwork on the wall.

19 A Yes.

20 Q Whoever that may have been.

21 A I know it was a man, but I couldn't point  
22 him out.

23 Q Okay, okay. So, and then you indicate you  
24 obtain positive ridge detail in the following areas  
25 and you itemized the areas where you found the

1 positive ridge detail.

2 When it says panel door, what are we, what  
3 are we talking about?

4 A From the electrical room, one of the  
5 electrical panels.

6 Q Okay, okay. What does it mean to obtain  
7 positive ridge detail?

8 A It means that I observed ridge detail in  
9 that area.

10 Q Okay. Does it matter how much? It's just  
11 enough that you observed some ridge detail and then  
12 you collect it?

13 A Correct.

14 Q You don't make any assessment as to  
15 whether or not it's suitable for comparison?

16 A Correct.

17 Q Okay. Do you photograph this, or no?

18 A No. In this instance, I lifted them using  
19 latent lift tape.

20 Q Okay, all right. What's the next thing  
21 that you do?

22 A Next thing is using Luminol I sprayed the  
23 lobby floor.

24 Q Okay. And it appears that Specialist King  
25 photographed the area that you attempted to obtain



1 luminescence from?

2 A Correct.

3 Q And it says we had -- "We were met with  
4 negative results as it relates to the lobby floor."

5 Does that mean that in these photographs  
6 we're really not going to see anything?

7 A Correct, yes.

8 Q Okay. The next thing I see in your report  
9 it says, "Upon return to the forensic sciences  
10 division, I imported the OSCR369 data." Is that  
11 the -- what is that?

12 A That's the OSCR360 camera that we had  
13 talked about.

14 Q That is the OSCR, okay. All right.

15 A Yes, sir.

16 Q Does it stand for something?

17 A Not that I'm aware of.

18 Q Okay, okay. But it says -- almost like  
19 the name Oscar without the A?

20 A Correct, yes.

21 Q All right. Did you actually, like -- so  
22 you submitted the data. Did you actually then go in  
23 and look to make sure that it was working properly?

24 A Yes.

25 Q Okay. And then the next thing you do is

1 secure the list of items that are set forth below  
2 into your evidence locker number 46.

3 A Correct.

4 Q Did you photograph those items?

5 A They would have been already photographed  
6 on scene by Specialist King.

7 Q So you did not photograph those?

8 A No, sir.

9 Q Okay. Then it says on the next page,  
10 "Packaged and submitted the remaining items to  
11 property and evidence division. The photographs  
12 were submitted to the forensic imaging unit."

13 And would those be the photos that we  
14 talked about, the D series, delta series?

15 A Correct.

16 Q Okay. And I believe 91 of those were of a  
17 car or contents of a car and then two of those were  
18 of -- I can't remember now.

19 A Ridge detail.

20 Q Ridge detail, right. Okay.

21 Anything else on that day?

22 A No.

23 Q And it appears that you were at the scene  
24 doing all these things for 12.7 hours?

25 A Correct.

1           Q     It says you were in the lab for 1.7 hours.  
2     What does that mean, in the lab?

3           A     That's time spent either uploading the  
4     OSCR to my laptop and, you know, transferring that  
5     to the thumb drive or packaging the items, securing  
6     the items, filming the items.

7           Q     Okay. Does the scene time and the lab  
8     time, does that exclude travel time from the scene  
9     back to the -- your department? Or include it?

10          A     The scene time does include the en route  
11     time. I believe that the lab time does include the  
12     drive from the scene to my office. But I would have  
13     to confirm that.

14          Q     All right, all right. Does that describe  
15     everything that you did on March 21st, 2023?

16          A     Yes.

17          Q     I think I asked you about other agents  
18     that could cause a false positive result using  
19     phenolphthalein.

20          A     Yes.

21          Q     That was, you had mentioned, very few  
22     items, one being --

23          A     I believe horseradish, but I would have to  
24     confirm.

25          Q     Okay. But there are some others and I can

1 find the answer by Googling it?

2 A Yes.

3 Q Okay. And I assume that means you Googled  
4 it before, and?

5 A Yes, I have.

6 Q And the answers that you see there agree  
7 with your training and experience?

8 A Correct.

9 Q Was phenolphthalein the only test that was  
10 used for processing looking for possible blood?

11 A Well, we used Luminol in the lobby.

12 Q Right. What about in the bathrooms?

13 A That was it that I did.

14 Q I know. But had someone else used Luminol  
15 prior to the phenolphthalein?

16 A No.

17 Q Okay. Is there potentially any  
18 cross-reaction between the two?

19 A Between phenolphthalein and Luminol?

20 Q Yes.

21 A No. I don't believe so, no.

22 Q Okay. So I believe that's it for  
23 March 21st. Your next involvement in this case is  
24 on March 25th.

25 A Correct.

1 Q Okay. What do you do on March 25th?

2 A I complete follow-up at our building.

3 Q All right. So it appears that from item  
4 79, which is male items, you tried to get -- see if  
5 you could obtain ridge detail and you were not  
6 successful?

7 A With powder, correct.

8 Q Right, with black powder.

9 A Yep.

10 Q Then it says, "I observed possible hairs  
11 on the paper towel from photo marker number five."

12 Is that the paper towel that was outside  
13 the bathroom?

14 A Correct.

15 Q "I separated these hairs from the paper  
16 towel and collected them."

17 And what do you do with them when you  
18 collect them?

19 A Put them into a pharmaceutical fold.

20 Q And when you say hairs, do we know how  
21 many hairs we're talking about?

22 A No, not off the top of my head, no.

23 Q Okay, all right. And the answer is the  
24 same as far as, you know, the only way to know is to  
25 open up that pharmaceutical fold and look?

1 A Correct.

2 Q And what, if any, testing may have been  
3 done on that you don't know?

4 A Correct.

5 Q Okay. Then it says, "Positive quality  
6 control tests were conducted using" --

7 A Indanedione.

8 Q -- "Indanedione and Ninhydrin."

9 A Yep.

10 Q Okay. What is that?

11 A Both of those are chemicals to obtain  
12 finger- -- or to look for fingerprints or ridge  
13 detail on porous items.

14 Q Okay. And so you looked at item 79 in the  
15 male items. And, again, using Ninhydrin you  
16 obtained negative results?

17 A Using Indanedione I obtained negative  
18 results on the blue envelope.

19 Q Okay. Then it says, "I heat accelerated  
20 this item."

21 Does that, does that -- is that all part  
22 of obtaining the negative result?

23 A Correct.

24 Q Okay, all right. And so then you describe  
25 using Ninhydrin and processed the items that are set

1     forth below. But it doesn't really say what results  
2     you had from that.

3             A     On another supplement it does.

4             Q     Okay, okay. So when you use Ninhydrin,  
5     explain that. How does that work?

6             A     So with Ninhydrin you can either -- well,  
7     you spray it onto the item and then you can either  
8     let it sit in your locker for around 24 hours or you  
9     can heat accelerate.

10            Q     Okay.

11            A     In this instance I chose to put it in my  
12     locker.

13            Q     Okay, all right. It says, "I packaged and  
14     submitted the remaining items to the property and  
15     evidence division. The latent prints -- the latent  
16     lifts were submitted into AFIS division for their  
17     evaluation."

18                   Where -- which latent lifts are we talking  
19     about?

20            A     The ones from the scene.

21            Q     Oh, the ones from the scene. Okay.

22            A     Yes.

23            Q     All right. So not from, not from anything  
24     you found that day?

25            A     Correct.

1           Q     All right. All right, anything else you  
2 did on this particular day?

3           A     Not during this shift, no.

4           Q     Okay. And this took about 2.2 hours?

5           A     Yep.

6           Q     All right. And I think what we just  
7 discussed took place middle of the night --

8           A     Correct, yes.

9           Q     -- on March 25th. What was your shift  
10 during this time period?

11          A     I believe I was 6:00 p. to 6:00 a.m. I  
12 either do 6:00 p. to 6:00 a. or 7:00 p. to 7:00 a. I  
13 believe at that time I was 6:00 p.m. to 6:00 a.m.

14          Q     Okay. So the next report is the same day,  
15 but now it's in the evening hours. So you --  
16 presumably you went home, got some sleep, and then  
17 come you back to work.

18          A     Correct, yes.

19          Q     All right. And the call starts or was  
20 received at 1932 hours and you arrived at 1934  
21 hours. Where did you arrive?

22          A     At our forensics garage, the forensic  
23 processing bay.

24          Q     Okay. And who did you arrive with and who  
25 did you see? Who did you first meet when you



1 arrived?

2 A Assistant Supervisor Sanford responded  
3 with me and Detective Allred showed up to the garage  
4 as well.

5 Q Okay. And did Detective Allred provide  
6 you with any information?

7 A Just that a search warrant was obtained  
8 for the vehicle that had been secured in the  
9 garage -- or that was getting put into the garage  
10 and that it was related to the missing persons scene  
11 that I had originally worked.

12 Q Okay. And Supervisor -- Assistant  
13 Supervisor Sanford, what was, what was Sanford's  
14 involvement?

15 A She was assisting with me.

16 Q So I believe that you photographed the  
17 Corolla. Is that correct?

18 A Yes.

19 Q And so where do we find the Corolla  
20 photos?

21 A They are S1 and I believe they're going to  
22 be S2 as well.

23 Q All right.

24 A Yeah, S2 as well.

25 Q All right. So you photograph -- well, let

1 me ask you this. Before you photograph the Corolla,  
2 how, how do you find the Corolla? How is it, how is  
3 it, you know, brought to you, or?

4 A So it had already been placed into our  
5 garage, but the vehicle was sealed with Evidence  
6 tape --

7 Q Okay.

8 A -- in our garage.

9 Q And when you say sealed with Evidence  
10 tape, does that include the doors, the windows, the  
11 trunk?

12 A Typically, yes, we do the trunk and the  
13 doors.

14 Q Okay. And so before you start taking  
15 photographs at least of the interior, I assume that  
16 the seal has to be broken?

17 A Correct.

18 Q And who does that?

19 A Me once I'm ready. After I photograph the  
20 exterior to remove the seals, then I -- as soon as  
21 I'm ready to go in I open the door and it breaks the  
22 seal.

23 Q Okay, all right. So the things that are  
24 itemized on page four of the report and on the top  
25 of the page appears to be after you have taken the

1 photographs of the exterior and the seal has been  
2 broken and you're now itemizing things on the  
3 interior?

4 A Correct.

5 Q And so the rest of this page basically  
6 described the items that you see and the location of  
7 where the items are and all these items are  
8 photographed?

9 A Correct.

10 Q Including on the next page looks like it  
11 goes through including the trunk and the driver  
12 visor. Yeah.

13 So what's -- and do you know in the S1  
14 series what's the range of the photos that are  
15 described on these two pages?

16 A It should be all of them between the  
17 exterior and the interior as well as the contents.  
18 Give me one second.

19 So my photographs start with my, like, my  
20 notebook, my case identifier photo, and then the  
21 front and back pages of the search warrant and then  
22 the exterior of the car, like I said, to include the  
23 seals and then I moved to the interior.

24 And from there after I do generals of the  
25 interior is when we start removing items and I start

1 photographing them outside of the vehicle.

2           So first item I remove is the black  
3 ballistic vest and that's at photo number 134. I'm  
4 not sure if that helps you.

5           Q     134, okay. So everything up until the 134  
6 would be the, I would imagine, the items that are  
7 set forth above there?

8           A     That would just be them in place within  
9 the car and then I still -- again, the entire S  
10 series 1 and 2 are going to be documenting all of  
11 those things that I listed.

12          Q     Okay. As it relates to the black  
13 ballistic vest, who removed those from the trunk?

14          A     I did.

15          Q     It then says, "Possible blood, red  
16 possible fibers, and white possible hairs were  
17 observed on them and in areas on the trunk."

18                Could you elaborate on that, please.

19          A     Yes. I saw and I did photograph all of  
20 those on the black ballistic vest. But I observed  
21 the possible fibers on -- or hairs on the ballistic  
22 vest and then I observed areas -- or an area of  
23 possible blood on the black ballistic vest.

24          Q     So the areas of possible blood on the  
25 black ballistic vest, what photographs would those

1 be?

2 A So it starts at 137.

3 Q And then S1 or S2?

4 A S1.

5 Q Okay.

6 A So it looks like 13- -- what did I just  
7 say, 137 through 141 are all photographs of the area  
8 of possible blood.

9 Q 141?

10 A Yes.

11 Q And, so that was -- that's from just  
12 looking at it, right?

13 A Correct.

14 Q Have you look at 137.

15 A Okay.

16 Q Would this be 1- -- can you see 137, or  
17 no?

18 A Yep, I can see it.

19 Q Could you tell me where the possible blood  
20 is on 137.

21 A So you see the Velcro portion, like where  
22 it cuts on. So it's just above it about in the  
23 middle. Yep, about right there. Yep.

24 Q Okay, all right. And so you photographed  
25 those images. And then do you do any additional

1 testing on those places where you see possible  
2 blood?

3 A Yes. So I -- also on the EMS ballistic  
4 vest I also saw possible blood. So both of those  
5 areas were tested using phenolphthalein.

6 Q Okay. So the EMS ballistic vest, where  
7 are those photos?

8 A So it starts 984. And then the possible  
9 blood photographs start at 988.

10 Q 934 and 988?

11 A 984.

12 Q 984 through 988?

13 A So 9- -- so 984 is where the photographs  
14 of the EMS ballistic vest start and then the blood  
15 on that vest starts at 988 for possible blood.

16 Q All right. And this is S1 still, right?

17 A Yes.

18 Q Why the big jump in numbers from the black  
19 ballistic to the EMS ballistic?

20 A The black ballistic was on top of the EMS  
21 one or relatively close to on top. So it was the  
22 first one that I had seen that I observed possible  
23 blood on. So I immediately pulled it out and -- to  
24 see if it was possible blood.

25 Q Okay. I want to pick up 988.

1           A     Okay.

2           Q     Is that, is that the image you were  
3 talking about where you see the possible blood?

4           A     Yes.

5           Q     That's on the -- so on the top, this  
6 general area right here? You see my cursor?

7           A     Yes. That's correct.

8           Q     All right. I got off the share screen,  
9 right?

10          A     Correct.

11          Q     Okay. So then you do blood swabs from  
12 those two areas to do confirmation testing?

13          A     Correct.

14          Q     The possible blood prior to that is the  
15 phenolphthalein and the possible alternative  
16 substances we already discussed, right, that remains  
17 the same?

18          A     Correct.

19          Q     Okay. Then it says you collected visible  
20 trace from the following. And then you describe  
21 interior edge of trunk and latch through the EMS  
22 ballistic vest.

23                Is it collecting the same way as the other  
24 trace evidence that we discussed?

25          A     Yes, sir.

1           Q     Then you do the alternate light source.  
2     Again you collect based on that.  So then it  
3     describes the series of areas where you're testing  
4     for the presence of possible blood.

5           A     Yes.

6           Q     How are you testing these areas for the  
7     possible presence of possible blood?

8           A     With phenolphthalein.

9           Q     Okay.  So all of this is with  
10    phenolphthalein?

11          A     Correct.

12          Q     And it appears of all the items that you  
13    tested only one mat is the only one that had a  
14    positive result for the possible presence of blood?

15          A     In this list, yes.

16          Q     Right.  Okay.  And then you did a DNA swab  
17    for that area?

18          A     A possible blood swab, yes.

19          Q     Right.  Okay.

20          A     Yes.

21          Q     And I assume and that's collected,  
22    preserved.  How is that identified, that  
23    particular --

24          A     What do you mean, I'm sorry?

25          Q     Does it have -- does it get identified or



1 it's just marked as another swab of -- does it have,  
2 like, a number associated with it, or?

3 A So when I built it into our report-writing  
4 system, I built it as trunk mat top and that is a  
5 number, has a number associated, like an item number  
6 associated with it.

7 Q Okay, okay. Then you do the possible  
8 touch DNA swabs from the list of items that are set  
9 forth. We're now on page 7 of this report. Right?

10 A Correct.

11 Q And it says, "I also collected swabs from  
12 the following unknown substance stained areas."  
13 What does that mean, unknown substance stained area?

14 A They were stained areas that did not come  
15 back as positive results for possible blood, but I  
16 still collected the swab from that area.

17 Q Because you saw something that appeared to  
18 you to be some sort of a substance?

19 A Correct, yes.

20 Q Then you indicated, "I collected the  
21 following", and then it describes -- looks like it  
22 goes on onto for the middle of page nine. Right?

23 A Correct.

24 Q The Polish Passport, did you know whether  
25 or not that was a valid Passport or not?

1 A I do not know.

2 Q You photograph it?

3 A Yes.

4 Q You photograph all these items?

5 A Correct, yes.

6 Q Are they all going to be within that same  
7 series, the S1 series, S2 series?

8 A Yes.

9 Q And all these items secured as evidence as  
10 well, or?

11 A They were what as evidence, I'm sorry?

12 Q Were they preserved as potential evidence?

13 A Yes, sir.

14 Q Okay. And I'm assuming you didn't do any  
15 further testing on any of those items because if you  
16 did you would have included it in the report.

17 Right?

18 A Testing as far as what?

19 Q I don't know. As far as -- other than  
20 what we discussed any, any forensic testing on any  
21 of the items that you --

22 A I do have follow-ups related to these  
23 items.

24 Q Okay, okay. But, so at this point you  
25 have not?

1           A     Correct.

2           Q     Okay. And when I say at this point, I'm  
3 talking about on this particular day and time when  
4 the report is discussing the collection of these  
5 items.

6           A     Correct.

7           Q     So it appears to be the next thing is  
8 you're now using black magnetic powder and you  
9 process areas that are set forth. And this is in  
10 the bottom of page nine of this report.

11          A     Yep.

12          Q     Then it describes that you obtained  
13 positive results for ridge detail at about, I don't  
14 know, one, two -- eight areas, eight or nine areas?

15          A     Eight.

16          Q     Okay. Then it says, "A positive quality  
17 test was conducted using Luminol. The proper  
18 results were obtained." What does that mean?

19          A     So with our chemicals we test them to make  
20 sure that that they're working properly. So that's  
21 what that line means.

22          Q     Okay, all right. And then it says, "Using  
23 Luminol I sprayed the trunk, front driver's seat,  
24 front passenger's seat, and I took photographs of  
25 the areas of luminescence in these areas and

1 Assistant Supervisor Sanford swabbed these areas.

2 See her supplement for details."

3 These photographs describing the  
4 luminescence, where do I find those?

5 A I believe those are part of the 2 series,  
6 the S2.

7 Q Okay.

8 A Yes. So they start at, appears, 68.

9 Q Okay.

10 A And then goes through 75.

11 Q Okay. 68 through 75. All right.

12 "Please note all cash in the vehicle was  
13 turned over to Detective Allred for collection  
14 purposes." Did you photograph the cash?

15 A Yes, sir.

16 Q Okay. Did you count the cash?

17 A I personally did not, no.

18 Q Okay. Do you have any idea how much cash  
19 was there?

20 A A lot. But I don't know the amount.

21 Q Okay. What does a lot mean, like?

22 A I mean I think there was close to -- I  
23 would have to review my photos. But I think there  
24 was close to, like, 400,000.

25 Q Okay. But you didn't count it?

1           A     No, I personally did not.

2           Q     Your estimate would be basically sort of a  
3 visual of what you photographed?

4           A     Correct.

5           Q     You didn't lay it out bill by bill?

6           A     Not bill by bill, no.

7           Q     All right. Does that conclude your  
8 involvement on this particular day, March 25th?

9           A     After I secured everything and submitted  
10 the photos, yes.

11          Q     Right. And it looks like -- it says scene  
12 12 hours, lab 1.7. The scene is basically in your  
13 evidence facility. Right?

14          A     Correct, yes.

15          Q     And the lab, is that at your desk or in  
16 your -- wherever you're uploading everything and  
17 doing --

18          A     Yeah, in our lab. Like in our back labs  
19 where we're uploading everything to our report  
20 system.

21          Q     All right. How is the -- you talked  
22 about, I think, doing a negative quality control  
23 test for the phenolphthalein. How is that done?

24          A     So we have two swabs. We wet both of them  
25 with distilled water and then we put possible blood

1     that's in our phenolphthalein kit onto one of the  
2     swabs.

3             So that would be the one with blood would  
4     be our positive quality control and then the one  
5     with just the distilled water would be the negative  
6     quality control.

7             And then we do the phenolphthalein process  
8     for both of them. And we want to make sure that we  
9     get the proper results, which would be the one with  
10    blood turns pink and then the one without blood does  
11    not turn pink.

12            Q     Okay. And that's what happened in this  
13    case?

14            A     Yes, sir.

15            Q     And you did both of these prior to the  
16    start of processing the Corolla?

17            A     The quality control tests?

18            Q     Yes.

19            A     Yes.

20            Q     The inventory that we went through with  
21    all the different things that you examined in the  
22    Corolla, does that include everything that was in  
23    that Corolla?

24            A     Yes.

25            Q     Is it possible that you may have missed

1 some items from the Corolla?

2 A No. Not to my knowledge, no.

3 Q Did you remove \$5,000 in cash from the  
4 Corolla?

5 A \$5 in cash from where?

6 Q No, \$5,000 in cash.

7 A I'm sorry. From where?

8 Q Did you remove \$5,000 in cash from the  
9 Toyota Corolla?

10 A I mean there was more than \$5,000 that was  
11 taken out of the Corolla.

12 Q And it was taken and provided to whom?

13 A Detective Allred.

14 Q Was there, was there any cash that was  
15 kept in evidence -- was there any cash that was kept  
16 in evidence that was not turned over to Detective  
17 Allred?

18 A Not within the Corolla, no.

19 Q Okay. And please take no offense to this  
20 question. But did you take any cash out of it and  
21 keep it yourself for personal?

22 A No, I did not. No.

23 Q Did you witness your supervisor, Assistant  
24 Supervisor Sanford, remove 5,000 in cash from the  
25 Corolla for her own personal use?

1           A     I did not, no.

2           Q     How long was Detective Allred at Largo  
3 Police Department present when you were processing  
4 the Corolla?

5           A     The entire time that I -- pretty sure the  
6 entire time.

7           Q     Okay. Are you able to, are you able to  
8 give me the window of when that was? Like, when it  
9 started and when it ended time-wise.

10          A     So I arrived on the scene at 1934 and then  
11 I completed it at 9:12. So between that timeframe I  
12 was working on this.

13          Q     When you say 1934 and 9:12 --

14          A     The next morning. So that was overnight.

15          Q     Okay. And it's your belief that Detective  
16 Allred was there the entire time?

17          A     I'm pretty sure, yes.

18          Q     Okay, all right. Was he participating or  
19 was he just observing?

20          A     He was mainly just observing.

21          Q     Okay. Mainly just observing. What does  
22 that mean?

23          A     I mean he was, like, looking over to see,  
24 like, what he -- what we were pulling out and stuff.  
25 But he wasn't physically touching anything --



1 Q Okay.

2 A -- unless we were handing over, like, the  
3 cash and -- in this instance.

4 Q Okay, all right. So with the exception of  
5 taking the cash, he did not handle or touch anything  
6 inside the Corolla?

7 A Not that I specifically recall.

8 Q Okay. Would that be appropriate, I mean  
9 if something like that happened while you're  
10 examining?

11 A I mean sometimes detectives do clear guns  
12 for us. So it is possible that he cleared a gun for  
13 us. I just don't specifically remember if he did.

14 Q Okay.

15 A I feel pretty comfortable with handguns,  
16 so usually I do it. But I don't remember in this  
17 specific instance if he did help or not.

18 Q Okay. So clearing a handgun could be one  
19 scenario where he might have participated?

20 A Correct, yes.

21 Q Any other scenarios other than that?

22 A Not that I can think of.

23 Q As relates to the Luminol testing --

24 A Yes.

25 Q I'm trying to remember if I asked you

1 this. But is there such a thing as a negative  
2 quality control for the Luminol testing?

3 A Not a negative, no. Just positive.

4 Q Okay. The luminescence that you observed  
5 in front -- I think from the front seats and the  
6 trunk, what is the significance of those areas?

7 A So we spray Luminol in attempts to locate  
8 areas of possible blood or potential clean up that  
9 isn't visible with the naked eye.

10 Q Okay. Does the Luminol absorb into the  
11 carpet or a truck upholstery?

12 A Yes.

13 Q I know we talked about false positives.  
14 But just to make sure I understand. Are there any  
15 agents that could give a false positive result with  
16 Luminol?

17 A I mean Luminol reacts with a lot of things  
18 including, like, bleach or some cleaning products.  
19 So I wouldn't consider those a false positive  
20 because Luminol is just to see what we can't see.

21 Q Okay.

22 A And then from there, like I said,  
23 Assistant Supervisor Sanford had swabbed areas that  
24 did luminescence.

25 Q Right.

1           A     And I believe she would have tested those  
2 with phenolphthalein after.

3           Q     Right.

4           A     But you would have to refer to her report  
5 for that.

6           Q     Okay. I don't know if this makes any  
7 sense. But are there any agents that could give a  
8 false positive result with both phenolphthalein and  
9 Luminol?

10                   And when I say false positive meaning --

11          A     Right. Not, not to my knowledge, no.

12          Q     Does Luminol and phenolphthalein  
13 cross-react?

14          A     No.

15          Q     And you understand what I mean by that?

16          A     You mean if I swab, like, Luminol, an area  
17 with Luminol and then test it with phenolphthalein  
18 that -- yeah, no. Because we do that. That's a  
19 standard practice for us.

20          Q     Okay. Specifically can you pull up as to  
21 24, 26, and 27. I mean I can pull it up as well.  
22 But let's start with S2-24. It says 2-24.

23          A     Okay.

24          Q     So when I look at 2- -- where is the share  
25 screen -- 24, what is it supposed to show?

1           A     It looks just black. So I don't know if  
2 my flash didn't go off or what happened. I'm not  
3 sure.

4           Q     Okay. Can you, by looking at your  
5 photographs, maybe the ones coming shortly before 24  
6 and then 25, 26, 27, give us an idea of what you  
7 think that should -- was an attempt to photograph?

8           A     So hang on one second. Well, it was  
9 inside the trunk. So I think I was looking at the  
10 right side of the trunk. If you look at number 25,  
11 I retook the photograph and it's the right side of  
12 the trunk.

13          Q     Okay. So I'm gonna pull up 25 real quick.  
14 So that's the right side of the trunk. Do we see  
15 anything unusual in this photograph?

16          A     I believe I was documenting that wire.

17          Q     Okay. But no, no bodily fluids, or?

18          A     Not that I can visually see from this  
19 picture, no.

20          Q     Okay. What about 26 and 27?

21          A     Those, again, look like maybe my flash  
22 wasn't working or --

23          Q     Okay.

24          A     -- something was going on. But I retook  
25 it in 28 for what I was going for.

1 Q Okay, 28. Okay, 28 looks like maybe some  
2 tools in the event of a flat tire?

3 A Yes. In the trunk.

4 Q Okay. No bodily fluids or anything?

5 A Not that I can visibly see, no.

6 Q Okay. The photos 24, 26, 27, were those  
7 photos that were attempts to photograph the  
8 luminescence that you were seeing in places in the  
9 trunk?

10 A No.

11 Q Okay. Does that include everything you  
12 did on this day?

13 A Yes.

14 Q So it starts on the 25th, but it really  
15 goes into the morning of the 26th, right?

16 A Correct.

17 Q The next report, now we're back to the  
18 evening of the 26th, and looks like you make efforts  
19 to swab variety items for touch DNA.

20 A Correct.

21 Q Okay. And that list goes on to the --  
22 close to the bottom of page four.

23 A Close to the bottom on page three.

24 Q Oh, I'm sorry. Did I skip a page? It  
25 starts on page three, right?

1           A     Yeah. And it ends just at the bottom,  
2     magazine number eight.

3           Q     Yeah, I see it. I see it. Okay.

4           A     Okay.

5           Q     Then it looks like there's -- on the  
6     bottom of page three it looks like that's a little I  
7     all by itself?

8           A     Yeah, I don't know why it prints like  
9     that. But it's continued onto the next page, on  
10    page four. So it's, "I took additional photographs  
11    of the following."

12          Q     Right. And these photographs would also  
13    be in the S2 series?

14          A     No.

15          Q     S1 series?

16          A     No.

17          Q     All right. Where are we finding these  
18    photographs?

19          A     These all are U and V.

20          Q     U and V?

21          A     Yep.

22          Q     Okay. And how many photographs?

23          A     So total including -- so we'll get to it  
24    I'm sure, but just while we're talking about it. I  
25    also take UV/IR photographs, which is T, as in

1 tango. But total all three of those 110  
2 photographs.

3 Q Okay. Then it looks like you see a stain  
4 on a folding knife which was photographed. You did  
5 the phenolphthalein test and it was negative for  
6 presence of blood, possible blood?

7 A Correct.

8 Q All right. Then it says, "Using the UV/IR  
9 Fuji camera, I took additional photographs in  
10 attempt to locate areas of possible blood from the  
11 black ballistic vest and the EMS ballistic vest."

12 And UV, is that like UV -- like we used to  
13 have UV films and now it's like a digital UV camera,  
14 or what?

15 A So it's a camera that -- you can either  
16 use ultraviolet light, so UV light, or infrared, IR,  
17 light.

18 Q Okay. And digital though, right?

19 A Yes. Yes.

20 Q Okay. And those photographs, are those --  
21 you said they're in the T series? T as in Tom?

22 A Correct.

23 Q And then you observed some possible blood  
24 and described the general area and then you do --  
25 you test and it's negative for blood. Right?

1           A     For one of those areas, yes.

2           Q     Okay. Did you test more than one area or  
3 just one area?

4           A     On this specific day, only one area.  
5 Because the second area that I observed had already  
6 been tested and collected.

7           Q     Okay, all right. And the area that you  
8 tested on this day is the back left side of the  
9 black ballistic vest?

10          A     Correct.

11          Q     When you say back left side, does that  
12 mean the part of the vest that would be on the back  
13 of the, of the person wearing it, or?

14          A     So it would be, like, on the back side of  
15 their back left shoulder. Like, not touching their  
16 shoulder but on the outer side of it.

17          Q     Okay, all right. Okay. And then you  
18 obtained some -- then it says, "A positive quality  
19 control test was conducted with use of Ninhydrin  
20 which resulted in visible ridge detail."

21                 Of what? Are we still talking about the  
22 black ballistic vest?

23          A     No. That's just the line for saying that  
24 we tested our chemicals and it worked.

25          Q     Oh. Right. Okay. So then you processed



1 the envelope, gray bag in front passenger's seat,  
2 and then you put it into the locker so it can do  
3 whatever it does?

4 A Yes.

5 Q Further testing at a later time?

6 A Correct.

7 Q Is that the extent of what you did on that  
8 day?

9 A Besides submitting everything, yes.

10 Q Right. Okay. Then on March 28th --

11 A Yes.

12 Q -- and the time it's now middle of the  
13 afternoon?

14 A Yes.

15 Q Not getting your time off on that day,  
16 huh?

17 A I don't remember why I was in on this time  
18 on this specific day.

19 Q Okay. So you're removing the items that  
20 are set forth top of the report on page three. You  
21 inspect the Ninhydrin processed items. And then you  
22 describe the areas that you were able to get ridge  
23 detail and then you photographed those.

24 And where do we find those photographs?

25 A Those are W.

1 Q W. Okay.

2 A And, wait. Hold on. I'm sorry.

3 Yes, that's correct, W.

4 Q Okay. And it looks like the next thing,  
5 do the positive negative quality control test for  
6 the phenolphthalein kit, proper results. And then  
7 you test what areas?

8 A So the areas that I photographed in latent  
9 photograph area one and two. So the inside of the  
10 toilet paper roll and then that paper towel A.

11 Q Okay, all right. Then you collect  
12 possible blood swabs from those two areas?

13 A Correct.

14 Q And that's the extent of what you did on  
15 that day?

16 A Besides submitting everything, yes.

17 Q Right, right. Okay. And then the next  
18 involvement you have on this case looks like it's on  
19 March 29th. And you removed the following from the  
20 evidence locker, envelope that contained money, gray  
21 bag front passenger's seat.

22 Does it have any money in it at this  
23 point?

24 A No.

25 Q And the money all went where?

1           A     With Detective Allred.

2           Q     Okay. Then you were looking previously  
3     Ninhydrin processed item and you get positive  
4     results for ridge detail and then you submit those  
5     items into evidence?

6           A     Correct.

7           Q     Is that the extent of what you did on that  
8     day?

9           A     Yes.

10          Q     Anything else that you have done in this  
11     case?

12          A     No, sir.

13                 MR. BRUNVAND: All righty, I think that's  
14     all I have. Thank you very much.

15                 THE WITNESS: Thank you.

16                 MR. BRUNVAND: Nathan?

17                 MR. VONDERHEIDE: No questions.

18                 MR. BRUNVAND: Okay.

19                 MS. SPADARO: No questions.

20                 MR. BRUNVAND: All right. So you want to  
21     read or waive if we transcribe this?

22                 THE WITNESS: Read please.

23                 (The deposition was concluded at 10:55  
24     a.m.)

25

DO NOT WRITE ON TRANSCRIPT -- ENTER CHANGES HERE

IN RE: STATE OF FLORIDA VERSUS TOMASZ KOSOWSKI  
DATE TAKEN: APRIL 10, 2024  
REPORTER: TAMMY KELLEY

PAGE NO.	LINE NO.	CHANGE	REASON
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Under penalties 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.

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ASHLEY LEVESQUE

CERTIFICATE OF OATH

STATE OF FLORIDA     )  
COUNTY OF POLK       )

I, the undersigned authority, certify that  
ASHLEY LEVESQUE, virtually appeared before me and was duly  
sworn.

WITNESS my hand and official seal this 8th  
day of January 2025.

TAMMY KELLEY  
NOTARY PUBLIC - STATE OF FLORIDA  
MY COMMISSION NO. HH 216644  
EXPIRES: 02/07/26



## 1 REPORTER'S DEPOSITION CERTIFICATE

2  
3 STATE OF FLORIDA )4 COUNTY OF POLK )  
5

6 I, TAMMY KELLEY, certify that I was authorized to  
7 and did stenographically report the virtual deposition of  
8 ASHLEY LEVESQUE, that a view of the transcript was requested  
9 and that the transcript is a true and complete record of my  
10 stenographic notes.

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

17 DATED this 8th day of January 2025.

18   
19  
20

21 TAMMY KELLEY  
22  
23  
24  
25

January 8, 2025

Ms. Ashley Levesque  
alevesque@pcsonet.com

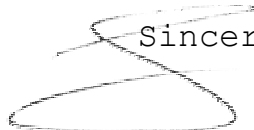
Dear Ms. Levesque:

Your deposition taken in State of Florida versus Tomasz Kosowski on April 10, 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.

Please call (863)500-3603 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 dark ink, appearing to be 'Tammy Kelley', written over the word 'Sincerely,'.

Tammy Kelley