

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: ARMANDO MASCIANTONIO

DATE TAKEN: December 5, 2023

TIME: 2:27 p.m. to 3:03 p.m.

PLACE: Via Zoom videoconference

STENOGRAPHICALLY REPORTED BY:

Lori A. Seiden, RPR, FPR-C

Notary Public, State of Florida at Large

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

1 APPEARANCES:
(Appearing via Zoom videoconference)

2 NATHAN T. VONDERHEIDE, ESQUIRE
3 eservice@flsa6.gov
- and -

4 ALEXANDRA G. SPADARO, ESQUIRE
eservice@flsa6.gov
5 Office of the State Attorney
County Justice Center, 14250 49th Street North
6 Clearwater, Florida 33762
(727) 464-6221

7
8 Appearing on Behalf of the Plaintiff
9

10 BJORN E. BRUNVAND, ESQUIRE
bjorn@acquitter.com

11 - and -
12 WILLENGY RAMOS WICKS, ESQUIRE
willengy@acquitter.com

Brunvand Wise, P.A.
13 615 Turner Street
Clearwater, Florida 33756
14 (727) 446-7505

- and -
15 AMANDA POWERS SELLERS, ESQUIRE
amanda@thepowerdefense.com
16 Amanda Powers Sellers, P.A.
6344 Roosevelt Boulevard
17 Clearwater, Florida 33760
(727) 531-2926

18 Appearing on Behalf of the Defendant
19
20
21
22
23
24
25

C O N T E N T S

TESTIMONY OF ARMANDO MASCIANTONIO	PAGE
DIRECT EXAMINATION	
BY MS. POWERS SELLERS	4
BY MR. BRUNVAND	10
ERRATA SHEET	16
CERTIFICATE OF OATH	17
CERTIFICATE OF REPORTER	18
WITNESS NOTIFICATION LETTER	19
EXHIBITS	NONE

1 The deposition of ARMANDO MASCIANTONIO was taken
2 pursuant to notice by counsel for the Defendant on the
3 5th day of December, 2023, commencing at 2:27 p.m., via
4 Zoom videoconference. Said deposition was
5 stenographically reported by Lori A. Seiden, RPR,
6 FPR-C, Notary Public, State of Florida at Large.

7 - - - - -

8 ARMANDO MASCIANTONIO,
9 a witness, having been duly sworn to tell the truth,
10 was examined and testified upon his oath as follows:

11 THE WITNESS: Yes, I do.

12 DIRECT EXAMINATION

13 BY MS. POWERS SELLERS:

14 Q. Okay. Good afternoon. Can you please state
15 your full name?

16 A. Armando Masciantonio.

17 Q. Masciantonio. Okay. I just wanted to hear you
18 say it before I said it.

19 Mr. Masciantonio, I represent Dr. Kosowski, who
20 has been indicted for murder on -- surrounding an
21 incident back in March of this year. Are you familiar
22 with that?

23 A. Yes.

24 Q. Can you say that again?

25 A. I'm familiar only from what I've seen on TV and

1 neighborhood discussions.

2 Q. Okay. Have you ever given a deposition before?

3 A. Not on a criminal case, no.

4 Q. Okay. But are you familiar with the reason why
5 we're here and how this all works?

6 A. Yes, generally, I am, yes.

7 Q. Okay. So I'm just going to ask you a few
8 questions surrounding March of earlier this year. And
9 there's no wrong answer. If you don't understand a
10 question, just ask me to repeat it or say it in a
11 clearer way.

12 First, are you under the influence of any
13 medication or anything that would affect your ability to
14 understand what's going on today?

15 A. No.

16 Q. Okay. What is your address?

17 A. 1704 Grand Central Drive in Tarpon Springs.

18 Q. And how long have you lived at that address?

19 A. Approximately 12 years.

20 Q. Do you live alone or do you have other
21 individuals in your home?

22 A. My wife lives in the home.

23 Q. Okay. And do you work or are you retired?

24 A. I'm retired.

25 Q. Back in March of this year, were you in your

1 home or were you traveling, that you can recall?

2 A. I was in my home.

3 Q. Okay. And what about your wife?

4 A. She was there also.

5 Q. What is her name?

6 A. Bonnie, B-o-n-n-i-e.

7 Q. Okay. And same last name, I'm assuming?

8 A. Yes.

9 Q. The law enforcement visited you regarding some
10 surveillance or a surveillance camera that you have on
11 the exterior of your home. Do you remember that?

12 A. Yes, I do.

13 Q. And that was on March 23rd.

14 Do you recall what the officer's name was that
15 visited you?

16 A. No, I do not.

17 Q. Do you recall if it was one officer or
18 multiple?

19 A. At first there was one, and there were several
20 others.

21 Q. I'm sorry. Did you say several others?

22 A. At first there was just one officer came to my
23 door. Throughout the process there were several others
24 that came in.

25 Q. Okay. What did they say when they knocked on

1 your door?

2 A. To the best of my recollection, the officer
3 asked if I had seen a truck driving down the road, and I
4 replied that there were a number of trucks since there's
5 construction going on down the road. And then he asked
6 about my video camera, if he could access the memory on
7 it.

8 Q. And were you able to provide him access with
9 videos?

10 A. Yes. He ran through my recorder and looked
11 through some of the video that was on there.

12 Q. What kind of security camera do you have?

13 A. It's just a video camera that records whatever
14 the video camera is trained on.

15 Q. Is it motion activated or is it always
16 recording?

17 A. I believe it's always recording.

18 Q. Do you know how long it saves recordings, or
19 does it start over and start recording over? How does
20 that work?

21 A. I believe it has a one gigabyte hard drive and
22 saves about four or six weeks worth of recording.

23 Q. Okay. And do you recall if law enforcement
24 asked for specific dates, or did they just say can I
25 have access to your system?

1 A. I don't recall specifically.

2 Q. Okay. Do you know if they -- do you know how
3 they extracted that information from your system?

4 A. No.

5 Q. Is it an app or is it a physical machine? How
6 does that work?

7 A. It's a physical machine that I have in my
8 garage.

9 Q. Okay.

10 A. They plugged it and they got what they needed.

11 Q. And once they got what they needed, did they
12 then leave your house or did they stay and ask you more
13 questions?

14 A. I think they just left the house.

15 Q. Other than did you see any trucks on this
16 street, did they ask you any other questions that you
17 can recall?

18 A. No other questions, I believe. I don't recall
19 anything else.

20 Q. Do you -- are you aware if your camera system
21 is accurately documenting dates?

22 A. Would you repeat that again? Am I aware of
23 what?

24 Q. So if you wanted to look at December 1st and
25 what happened and what your video recorded, are you able

1 to access December 1st and it actually is December 1st,
2 or do you know?

3 A. It actually -- the machine is -- the date, it
4 does have a date stamp on the video, but many times if
5 there's a -- I believe if there's a momentary outage the
6 machine resets the date, and it's an ongoing situation.

7 Q. Okay. What about the times? I'm assuming it
8 has a timestamp as well?

9 A. Yes, the same situation with that. It
10 records -- the time and date stamp may not necessarily
11 be correct until I reset it.

12 Q. Okay. Do you know if it was accurate back on
13 March 23rd when law enforcement came, or were you able
14 to even check that before they went into the system?

15 A. I believe it was not accurate on that day.

16 Q. Okay. Do you know Dr. Kosowski?

17 A. Just in passing.

18 Q. So you know which home he was living in?

19 A. Yes, I do.

20 Q. Do you recall seeing law enforcement in your
21 neighborhood on March 22nd, which would have been the
22 day before law enforcement knocked on your door?

23 A. I do not recall that. I don't believe I saw
24 any law enforcement, no.

25 Q. When the law enforcement left your home, did

1 you see them go to Dr. Kosowski's home?

2 A. No, I did not. Did not see.

3 MS. POWERS SELLERS: Okay. I believe that's
4 all I have.

5 Bjorn, do you have anything?

6 MR. BRUNVAND: Yeah, I just have a few
7 follow-ups.

8 BY MR. BRUNVAND:

9 Q. You said you knew Dr. Kosowski in passing?

10 A. Yes.

11 Q. Tell us a little bit more about that.

12 A. I spoke with him maybe a total of five,
13 ten minutes at a couple of different social gatherings
14 in the neighborhood. Once at a social gathering with
15 his neighbor, his next-door neighbor, and I believe one
16 other time. Only one other time about a week or so
17 before all this happened, right next-door neighbors.
18 About five or ten minutes is all I've spoken with him.

19 Q. So a week or so prior to this particular day,
20 you spoke with him at your neighbor's home?

21 A. Yes.

22 Q. And your neighbors, what are their names?

23 A. My neighbor is Dan O'Kelly.

24 Q. Okay. And Dan O'Kelly, and anyone else?

25 A. I don't understand. Did I speak to anyone

1 else?

2 Q. No, no. Is he the only one that lives there?
3 Is he the only neighbor?

4 A. Yeah, he's my neighbor next door. Yes, I
5 believe his spouse or his partner lives there also.

6 Q. Do you know the name of the spouse or the
7 partner?

8 A. Pam, and I can't recall the last name right
9 now.

10 Q. Okay. Tell us about the ten minutes or so that
11 you interacted with Dr. Kosowski a week prior to the
12 date that -- or roughly a week prior to the date when
13 law enforcement came to the house. What was the
14 occasion? What do you recall about the conversation?

15 A. The occasion was the Saint Patrick's Day
16 celebration, and just spoke in general terms regarding
17 casual discussions, that kind of thing.

18 Q. What was your impression of him during that
19 encounter?

20 A. Seemed a very friendly and normal individual.

21 Q. Okay. And, specifically, as to what you guys
22 were discussing, you don't recall, but it was sort of a,
23 like, get-together type of a conversation?

24 A. That's correct.

25 Q. Okay. And then you mentioned a prior occasion

1 where you had spoken with him, you know, maybe or five
2 or ten minutes. When do you think that was?

3 A. Well, again, these discussions were all in a
4 group. It wasn't one to one.

5 Q. Sure.

6 A. We were sitting around the table and talking in
7 general terms; so world events, football games,
8 whatever.

9 Q. Okay.

10 A. That was the gist of the discussion.

11 Q. And the number of times that you had these type
12 of gatherings, I think you said that maybe four or five
13 total?

14 A. No.

15 Q. Oh, I'm sorry.

16 How many times total?

17 A. I only recall twice.

18 Q. You only recall twice. I apologize.

19 And both occasions were a neighborhood
20 gathering?

21 A. That's correct, yeah.

22 Q. Okay. And your encounter with him on both of
23 those occasions, you'd say it was a pleasant encounter?

24 A. Excessive encounter?

25 Q. No, no. Pleasant. Pleasant.

1 A. Yes, of course.

2 Q. Okay. And were you familiar with what kind of
3 car or cars that Dr. Kosowski would drive?

4 A. No.

5 Q. Okay. Were you familiar with whether or not,
6 you know, anyone, other than Dr. Kosowski, that
7 associated with him on a regular basis?

8 A. No.

9 Q. Okay. And you had been asked about whether or
10 not you had seen law enforcement in your neighborhood in
11 the area of Dr. Kosowski's home in the days prior to you
12 handing over the video surveillance. And I think you
13 had indicated you don't recall seeing them there prior
14 to the day you handed over that video surveillance?

15 A. That's correct.

16 Q. Okay. What about following the time when they
17 handed over the video surveillance? Do you recall
18 seeing law enforcement in the neighborhood following
19 that day?

20 A. I don't recall seeing anything out of the
21 ordinary.

22 Q. Where is your house located compared to
23 Dr. Kosowski's home?

24 A. So at the end of the block. He lives around
25 the corner, and I live at the beginning of the road

1 Grand Central Drive, second house in.

2 Q. Okay. So if I'm driving to Dr. Kosowski's
3 home, do I then pass your home, go down, turn the
4 corner?

5 A. Yes.

6 Q. Okay. And as I'm driving down the road towards
7 Seaview, are you on the left or the right side of the
8 road?

9 A. The right side.

10 Q. Right. Good.

11 Do you know anyone else involved in this case?

12 A. No. No, I don't.

13 MR. BRUNVAND: Okay. That's all I have.

14 Nathan, do you have any questions?

15 MR. VONDERHEIDE: No questions from me.

16 MS. SPADARO: No questions from me either.

17 MR. BRUNVAND: Amanda, do you want to explain
18 read or waive or do you want me to do it?

19 MS. POWERS SELLERS: You can go ahead.

20 MR. BRUNVAND: We're probably going to order a
21 transcript of the deposition. Before that
22 transcript is finalized you have the opportunity, if
23 you wish, to review it for accuracy prior to it
24 being completed. You can request that, or you can
25 waive that. If you waive it, you still get to read

1 the transcript. And if you want to review it in
2 advance, you can write down corrections in the back
3 of it, but you can't actually change anything in the
4 transcript.

5 So with that in mind, would you like to read or
6 would you like to waive reading of the transcript.

7 THE WITNESS: I'd like to read it if that's
8 available.

9 (At 3:03 p.m., no further questions were
10 propounded to this witness.)
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ERRATA SHEET

IN RE: STATE OF FLORIDA vs. TOMASZ KOSOWSKI
DEPOSITION OF: ARMANDO MASCIANTONIO
TAKEN: 12/05/2023

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
------	------	------------	--------

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

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 ARMANDO MASCIANTONIO
virtually appeared before me on the 5th day of
December, 2023, and was duly sworn.

WITNESS my hand this 17th 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

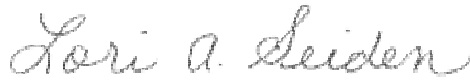
1 CERTIFICATE OF REPORTER

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 ARMANDO
9 MASCIANTONIO; that a review of the transcript was
10 requested; and that the foregoing transcript is a true
11 and complete record of 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 17th day of December, 2024.

19
20 

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

December 17, 2024

ARMANDO MASCIANTONIO
1704 Grand Central Drive
Tarpon Springs, Florida 34689

Dear Mr. Masciantonio:

Your deposition taken in the case of State of Florida vs. Tomasz Kosowski on December 5, 2023, 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 17, 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,



Lori A. Seiden, RPR, FPR-C