

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

STATE OF FLORIDA,                    )  
Plaintiff                                )

VS.

TOMASZ KOSOWSKI, )  
Defendant. )

Case No. 23-02935-CF

## DEPOSITION OF CHRISTOPHER NAULT

DATE: Monday, July 29, 2024

TIME: 1:03 p.m.

PLACE: VIA ZOOM VIDEOCONFERENCE

REPORTER: Kathy H. Hoy  
Notary Public

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

A-P-P-E-A-R-A-N-C-E-S

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For the State of Florida

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For the Defendant

I-N-D-E-X

July 29, 2024

DEPOSITION OF CHRISTOPHER NAULT

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EXHIBITS

(No exhibits marked.)

## DEPOSITION IN DISCOVERY

CHRISTOPHER NAULT

PURSUANT to notice duly given, the deposition of CHRISTOPHER NAULT, called by the Defendant in the above-entitled cause, was taken by me, a Notary Public in and for the State of Florida at Large, at the time and place and in the presence of counsel enumerated on page 1 hereof.

THEREUPON, it was stipulated and agreed, by and between the attorneys for the respective parties, by and with the consent of the said deponent, that signature to the said deposition be reserved.

THEREUPON, the following proceedings were had and taken:

COURT REPORTER: Would you raise your right hand for me please.

Do you swear or affirm that the testimony you're about to give today shall be the truth, the whole truth, and nothing but the truth?

MR. NAULT: Yes, I do.

COURT REPORTER: Thank you.

CHRISTOPHER NAULT, having been duly sworn or affirmed, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. BRUNVAND:

Q. All right. Detective, this is Bjorn Brunvand. I represent Tom Kosowski. We're here on State of Florida v. Tom Kosowski.

If you could please begin by telling us your full name.

A. It's Deputy Christopher Nault, N-A-U-L-T.

Q. And, Deputy, you've been listed as a witness in this case. Did you prepare supplements detailing your involvement in this case?

A. Yes, I have.

Q. Do you know, was it one or was it multiple supplements?

A. I don't know how many supplements. I did the risk protection order report and then the supplements regarding that. I couldn't tell you how many really offhand.

Q. All right. Let me see if I can pull it up here.

A. Let me see. I believe I might have done the original risk protection order report along with two supplements.

Q. Okay. And the supplements that -- the other supplements that you did, what are the supplement

1 numbers on those?

2 A. It looks like Supplement 1. Let me just look  
3 here.

4 Oh, I'm sorry, one -- there's going to be  
5 Supplement 1, Supplement 2, and Supplement 7. I believe  
6 that's all of them. So 1, 2, and 7.

7 Q. All right. Have you had an opportunity to  
8 review those prior to appearing here today?

9 A. Yes.

10 Q. And do they appear to be complete and  
11 accurate?

12 A. Yes.

13 Q. Do they describe your involvement in this  
14 case?

15 A. Yes, they do.

16 Q. All right. Let's talk about your first  
17 involvement in this case.

18 What was your first involvement in this case?

19 A. The first involvement was on March 27th, 2023.  
20 I received a risk protection order, a temporary risk  
21 protection order, to serve on the Defendant.

22 Q. And what number is associated with that --  
23 with the report detailing your involvement at that  
24 stage?

25 A. Okay. That would be S023-97355.

1 Q. Okay. And so what is the first thing you do  
2 as it relates to the risk protection order?

3 A. The first thing is of course we receive it  
4 from the court.

5 The next, we would go out and serve it to the  
6 respondent.

7 Q. Okay.

8 A. Explain --

9 Q. And --

10 A. Oh, go ahead. Sorry.

11 Q. Well, when you say the next thing we do is  
12 serve it on the respondent, did you serve it on the  
13 respondent?

14 A. Not in this case, no.

15 Q. Okay. Did you serve it on anyone?

16 A. Yes. Yeah, I served it on you I believe.

17 Q. Okay. And tell me about that.

18 Where were you and then when did all this take  
19 place?

20 A. Okay. The following day, March 28th, at  
21 approximately 3:40 p.m. myself and several detectives  
22 and supervisors from my unit responded to the  
23 Defendant's residence to conduct a third-party transfer  
24 and to meet with you and serve you with the temporary  
25 risk protection order.

1 Q. What is a third-party transfer?

2 A. The third-party transfer is that since we knew  
3 that the respondent/Defendant had firearms and  
4 ammunition at his residence, it was prearranged through  
5 our general counsel's office that we would meet with you  
6 at the residence to do a third-party transfer basically  
7 transferring custody of the firearms and ammunition to  
8 someone other than the respondent.

9 Q. And at that point you had the risk protection  
10 order in your possession.

11 A. Correct.

12 Q. And then it had been issued by a court.

13 A. Yes.

14 Q. Okay. And if you didn't have the third-party  
15 transfer -- transfer paperwork transferring the firearms  
16 to my custody, what would have happened as far as the  
17 firearms are concerned?

18 A. We would have to take them and hold them for  
19 safekeeping until the end of this court order.

20 Q. Okay. And do you know whether or not there's  
21 any cost associated with you holding them for  
22 safekeeping?

23 A. I do not think there is.

24 Q. Okay. All right. But it basically -- but for  
25 the third-party transfer paperwork it would have been in



1 the sheriff's custody and not in my custody or custody  
2 of people that I designate it to possess them.

3 A. Correct. Correct.

4 Q. All right. So the third-party transfer  
5 paperwork, do you have copies of that with you or no?

6 A. I do not. I'm sorry I don't have them with  
7 me.

8 Q. Did you stay at Tom Kosowski's home until all  
9 the firearms had been inventoried and examined?

10 A. Yes.

11 Q. Okay. And do you recall who was there other  
12 than the sheriff's department?

13 Do you recall me being there?

14 A. Oh, yes. Yes, sir.

15 Q. Okay. Do you recall ATF being present?

16 A. I do, yes.

17 Q. Okay. Do you know what the purpose of ATF  
18 being there was?

19 A. I do not, no.

20 Q. Do you know whether or not there might have  
21 been a concern as to whether or not some of the items  
22 might not be lawful to be in possession of?

23 A. I heard -- I don't know direct knowledge of  
24 that. I heard through my supervision that there may be  
25 some kind of trigger assembly that may have been

1       questionable, but that's all I know about that.

2           Q.     Okay. All right. And the bottom line is the  
3       majority of the firearms and then associated items  
4       was -- it was determined that it was okay for those to  
5       be turned over to my custody on behalf of Tom Kosowski.

6           A.     Correct. Yes.

7           Q.     All right. And at the end of -- we were there  
8       for many, many hours at the house of Tom Kosowski, is  
9       that fair?

10          A.     That's fair. Yes.

11          Q.     And you had indicated that you didn't think  
12       you served Tom Kosowski.

13                 Did we not meet at the jail at the end of that  
14       evening where we actually went to see Tom Kosowski?

15          A.     Yes, we did. We went there for the purpose of  
16       having him sign his copy of the third-party transfer  
17       form.

18          Q.     Okay. Okay. To make sure that he was in  
19       agreement with the third-party transfer form.

20          A.     Correct. Yes.

21          Q.     Okay. Who completed the third-party transfer  
22       paperwork?

23          A.     I think it was Detective Fite.

24          Q.     Okay. And did the third-party transfer  
25       include both firearms and ammunition?

1 A. Yes.

2 Q. Okay. And were they all itemized on the  
3 third-party transfer form?

4 A. They should have been, yes.

5 Q. Okay. Do you recall whether or not you  
6 verified that or would that be something that Detective  
7 Fite would be the person to ask?

8 A. He was in charge of documenting the firearms'  
9 serial numbers.

10 Myself and some other deputies were assigned to do  
11 the ammunition count.

12 Q. Okay. Okay.

13 A. So it's kind of a split effort there.

14 Q. Okay. And the ammunition count, I'm assuming  
15 that there are no serial numbers on the ammunition.

16 A. Correct.

17 Q. Okay. And where would you document the  
18 ammunition?

19 Was that part of the third-party transfer  
20 documentation?

21 A. It should have been. I don't have it here  
22 unfortunately to verify that, but it should be with the  
23 firearms as well. It's usually tallied down by caliber  
24 and amount.

25 Q. Okay. All right. And as far as the risk

1 protection order is concerned did it order that all  
2 firearms and ammunition be taken into your custody  
3 unless you can have a third-party transfer?

4 A. Yes. That's what it states.

5 Q. Okay. Are there two separate documents for  
6 the firearms and the ammunition or was it just one?

7 A. It should be on the same document. I know  
8 this is unusual because it was so many firearms and so  
9 much ammunition they may have been split and printed  
10 separately just because it wouldn't fit on our normal  
11 regular printout form.

12 Q. Okay. There was some suppressors that were  
13 taken by the sheriff's department on that same day.

14 Would the suppressors be items that are required to  
15 be taken into the custody of the sheriff pursuant to the  
16 risk protection order?

17 A. Yes.

18 Q. And why is that?

19 A. Because I believe under the ATF guidelines  
20 that the suppressor is considered a firearm.

21 Q. Okay. So from your perspective, and is this  
22 something that you've been advised of internally with  
23 the sheriff that the suppressor would be included as a  
24 firearm?

25 A. Yes. They would be taken into our property

1 and evidence section because they couldn't be  
2 third-party transferred to someone else due to the ATF  
3 regulations of having a suppressor.

4 Q. Okay. So is it your understanding that the  
5 people that can be in possession of a suppressor have to  
6 have certain credentials that many people don't have?

7 A. Yes. I believe it's a -- what is it? It's  
8 maybe a tax stamp or something for it through ATF.

9 Q. Okay. All right.

10 A. You got to apply for and get approval for it.

11 Q. Okay. Do you recall there being 21  
12 suppressors that were taken into sheriff's custody?

13 A. Yes.

14 Q. And who prepared the paperwork for that?

15 A. That would be Detective Brian Williams or  
16 Deputy Brian Williams, and I believe Detective Fite  
17 assisted him with that as well.

18 Q. Do you know whether or not there's any ATF  
19 forms that had to be completed as a result of the  
20 sheriff taking custody of these suppressors?

21 A. I am not aware of any forms.

22 Q. Okay. Do you ever have any involvement in the  
23 release of firearms that are taken into the sheriff's  
24 custody pursuant to a risk protection order?

25 A. Yes.

1 Q. Okay. And have you ever dealt with  
2 suppressors being released after being held pursuant to  
3 a risk protection order?

4 A. No. I believe -- I don't know property and  
5 evidence general orders pertaining to that or their  
6 procedures, but they would have to get approval -- my  
7 understanding is they'd have to get approval to release  
8 those items just because it's -- we -- they can't  
9 release those suppressors to somebody without the proper  
10 stamp or credentials so.

11 Q. And I guess that's what I'm trying to find out  
12 is who would within your department would know exactly  
13 what those guidelines are and what's required in order  
14 for someone to retrieve, for example, the suppressors?

15 A. That would probably be our property and  
16 evidence section.

17 Q. Okay. So maybe --

18 A. Some supervision there.

19 Q. Okay. All right.

20 A. Or maybe even our legal counsel's office might  
21 be able to get some insight on that.

22 Q. Okay. All right. So there was no third-party  
23 transfer paperwork done for the suppressors, is that  
24 accurate?

25 A. That's correct.

1 Q. And I think we already discussed the reasons  
2 why it was not done.

3 What do you do with the third-party transfer  
4 paperwork after it's been signed and what have you?

5 A. I take a picture of it through my cell phone  
6 and e-mail that to our general counsel's office to put  
7 into the file.

8 Q. Okay. And the original document, where does  
9 that go?

10 A. That goes to the individual parties that  
11 consented to the third-party transfer. One to you. One  
12 to him.

13 Q. Okay. And so the only thing you retain is a  
14 photograph that you take that you forward to counsel.

15 A. Correct. Yes.

16 Q. Did you take photographs of the firearms and  
17 the ammunition?

18 A. No. Detective Jerrado took some photographs  
19 of those items.

20 Q. Okay. And if we wanted copies of those  
21 photos, how would we go about getting those?

22 A. I don't know your regular procedures on this I  
23 mean.

24 Q. Well, presumably if we contacted Detective  
25 Jerrado, he could probably tell us how to get copies of

1 the photos I would imagine.

2 A. Probably, yes.

3 Q. Okay. Do you recall when we were at the jail  
4 on I believe it was March 28th, 2023 if there was any  
5 discussion with Tom Kosowski about the suppressors and  
6 the status of the suppressors?

7 A. I don't recall. There may have been, but I  
8 just don't remember.

9 Q. You don't recall.

10 Do you specific -- I know you've indicated that  
11 it's your understanding that the suppressors are  
12 firearms and that therefore they have to be seized  
13 pursuant to the risk protection order.

14 Do you know the legal authority that that's based  
15 on or is it something that you're relying on on just  
16 being told by your supervisors that suppressors are  
17 considered firearms?

18 A. Yeah. I mean I don't know the statute or  
19 what, but it's my understanding that the ATF classifies  
20 them as being a firearm. That's all I know about it.

21 Plus we could not -- like I think I discussed, we  
22 couldn't do a third-party transfer of those items just  
23 because of the stamp requirements.

24 Q. Right. Does the RPO specifically mention  
25 suppressors or only firearms and ammunition?



1           A.    It just states firearms and ammunition.

2           Q.    Do you have -- I may have asked you this, but  
3 just to be sure.

4           Do you know whether or not ATF provided any  
5 guidance as it related to the seizure of the various  
6 firearms, ammunitions or suppressors on March 28 when  
7 they were present at the home of Tom Kosowski?

8           A.    No, they didn't.

9           Q.    That you know of.

10          A.    That I know of, correct.

11          Q.    The photo that you took of the third-party  
12 transfer paperwork, do you still have those photos in  
13 your phone or do you delete them?

14          A.    I think I got a new phone and they weren't  
15 transferred over. They are part of the case file. I  
16 attached them to the report here so they are available.

17          Q.    Could you possibly resend those to  
18 Mr. Vonderheide; would that be okay?

19          A.    Yeah. Yeah, I can. I'm assuming that's the  
20 State Attorney.

21          Q.    Yes, the prosecutor. I'm sorry.

22          A.    Okay. Okay. Yeah, I mean we can get those.  
23 That's not a problem.

24          Q.    Okay. Thank you. Once you have taken the  
25 suppressors into custody and you have forwarded the

1 third-party transfer document to legal counsel, do you  
2 have any involvement in decisions as to what to do and  
3 what not to do with the suppressors once they're in the  
4 sheriff's custody?

5 A. Yeah. We usually don't make that  
6 determination what happens to them.

7 Q. Who makes that determination?

8 A. I'm not sure about the suppressors again.

9 Q. Okay.

10 A. Regular firearms and ammunition property, once  
11 the risk protection order expires --

12 Q. Right.

13 A. -- or is vacated or whatever it may be, a  
14 letter is sent to the owners of the firearms and  
15 ammunition that, hey, they're here, you can come pick  
16 them up, schedule an appointment, and that's when I come  
17 down to -- well, no, they're just released at that  
18 point to them through property, but again, the  
19 suppressors, I'm not sure about.

20 Q. Do you know if the risk protection order that  
21 was entered in this case has now expired?

22 A. It should have been.

23 Q. Okay.

24 A. As far as I know.

25 Q. Do you guys ever deliver firearms and

1       ammunition back to the people that it was taken from  
2       pursuant to a risk protection order?

3           A.     Do we physically take them back to them?

4           Q.     Right.

5           A.     No.

6           Q.     Okay.

7           A.     No.

8           Q.     Did you have any involvement in discussions  
9       about potentially transferring the suppressors to a  
10      federal firearms dealer?

11          A.     No.

12          Q.     And do you have any knowledge of an attempt to  
13      transfer those to a local federal firearms dealer during  
14      the pendency of this past year?

15          A.     No. I don't recall anything about that.

16          Q.     Okay. If there was an attempt to transfer it  
17      and paperwork was being prepared, is that something that  
18      you would normally do or someone else within the  
19      department?

20          A.     Yeah. That wouldn't -- I don't believe I'd be  
21      involved in any of that.

22          Q.     Who do you think would be involved in that?

23          A.     Our property and evidence section for one.

24      Yeah. I wouldn't know. I'm sorry. I don't know.

25          Q.     That's okay.

1 A. Yeah.

2 Q. Did you have any communications with Tom  
3 Kosowski other than on March 28th, 2023 when you and I  
4 met with him at the jail?

5 A. None.

6 Q. Do you have an immediate supervisor as it  
7 relates to the risk protection order and your  
8 involvement in that?

9 A. Yeah, I have a supervisor. Yes, sir.

10 Q. Who would that be?

11 A. Now it would be Randall Hart, Sergeant Randall  
12 Hart.

13 Q. And at the time on March 28th, 2023.

14 A. That was Sergeant Guy Habercom.

15 Q. Do you know if any of your supervisors spoke  
16 with ATF regarding the seizure of the firearms,  
17 ammunition, and suppressors pursuant to the risk  
18 protection order?

19 A. I'm sorry, could you repeat that?

20 Q. Do you know whether or not your supervisor at  
21 the time back in March of 2023 had any discussions with  
22 the ATF about the circumstances surrounding the seizure  
23 of the firearms, ammunition, and/or suppressors?

24 A. No. I don't recall anything that I'm aware  
25 of.

1 Q. Was your supervisor present at the scene?

2 A. Yes, he was.

3 Q. Okay. What else did you do in this case other  
4 than what we discussed?

5 A. That would be it.

6 MR. BRUNVAND: Okay. All right. I don't  
7 have any other questions, but if you could e-mail  
8 the --

9 MR. VONDERHEIDE: Those photos, I think  
10 there's, what, 51 of them?

11 DEPONENT: That sounds about right.

12 MR. VONDERHEIDE: All right. I'm downloading  
13 them now. I'll send them over to you, Bjorn.

14 MR. BRUNVAND: Okay. And, Nathan, I guess we  
15 need to make sure that that also includes the  
16 third-party transfer forms that he took photos of.

17 MR. VONDERHEIDE: Yes, it does. There's some  
18 PDFs in there.

19 MR. BRUNVAND: Yes. But I don't think that  
20 would be a PDF necessarily.

21 MR. VONDERHEIDE: Let's see. If it attached  
22 an AFIS, Deputy.

23 DEPONENT: Yes. Yes.

24 MR. VONDERHEIDE: So --

25 DEPONENT: I know there's a lot of them. I

1 was trying to go through them to try to print it  
2 out so I would have it here today, but I did see  
3 it in there.

4 MR. VONDERHEIDE: Okay. So, yes, it's in  
5 there.

6 MR. BRUNVAND: Okay. Nathan, any other  
7 questions?

8 MR. VONDERHEIDE: No. No questions.

9 MR. BRUNVAND: All right. Thank you, Deputy  
10 Nault. Do you want to read or waive if we  
11 transcribe this deposition?

12 DEPONENT: I'll waive.

13 MR. BRUNVAND: Okay. We'll put you down as a  
14 waive. You have a great day. Thank you so much  
15 for making yourself available.

16 DEPONENT: You bet. Thank you, sir.

17 MR. BRUNVAND: All right. Take care.

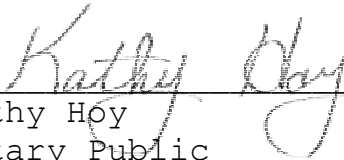
18 (The deposition was concluded at 1:32 p.m.)  
19  
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25

CERTIFICATE OF OATH

STATE OF FLORIDA                    )  
COUNTY OF PINELLAS                )

I, the undersigned authority, certify that  
CHRISTOPHER NAULT, personally appeared before me and was  
duly sworn on July 29, 2024 via Zoom Videoconference.

WITNESS my hand and official seal this 23rd day  
of December, 2024.

  
\_\_\_\_\_  
Kathy Hoy  
Notary Public  
State of Florida at Large  
My Commission No.: HH 578942  
Expires: September 23, 2028



## 1 CERTIFICATE OF REPORTER

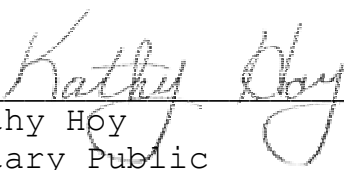
2 STATE OF FLORIDA )

3 COUNTY OF PINELLAS )

4  
5 I, Kathy Hoy, Court Reporter, certify  
6 that I was authorized to and did stenographically  
7 report the deposition of CHRISTOPHER NAULT; that a  
8 review of the transcript was not requested; and  
9 that the foregoing pages are a true record and complete  
10 record of my stenographic notes taken during said  
11 deposition.

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  
16 am I financially interested in the action.

17 Dated this 23rd day of December, 2024.

18  
19   
20 Kathy Hoy  
21 Notary Public  
22 State of Florida at Large  
23 My Commission No.: HH 578942  
24 Expires: September 23, 2028  
25