

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: SERGEANT MICHAEL VIGENSKI

DATE TAKEN: April 9, 2024

TIME: 10:29 a.m. to 11:56 a.m.

PLACE: Via Zoom videoconference

STENOGRAPHICALLY REPORTED BY:

Lori A. Seiden, RPR, FPR-C

Notary Public, State of Florida at Large

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(Exhibits A and B were not provided to the
court reporter to attach to the transcript.)

1 The deposition of SERGEANT MICHAEL VIGENSKI was
2 taken pursuant to notice by counsel for the Defendant
3 on the 9th day of April, 2024, commencing at
4 10:29 a.m., via Zoom videoconference. Said deposition
5 was stenographically reported by Lori A. Seiden, RPR,
6 FPR-C, Notary Public, State of Florida at Large.

7 - - - - -

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

11 THE WITNESS: I do.

12 DIRECT EXAMINATION

13 BY MR. BRUNVAND:

14 Q. My name is Bjorn Brunvand. I represent Tomasz
15 Kosowski. We're here on State of Florida vs. Tomasz
16 Kosowski.

17 If you could, please state your full name.

18 A. It's Sergeant Michael VigenSKI.

19 Q. And how are you employed?

20 A. I'm a sergeant with the Largo Police
21 Department.

22 Q. And how long have you been with the Largo
23 Police Department?

24 A. I've been here for -- since 2007.

25 Q. Any other law enforcement prior to that?

1 A. No, sir.

2 Q. All right. And how long have you been a
3 sergeant?

4 A. Oh. I've been promoted for four years now.

5 Q. Okay. And -- all right. Are you assigned to a
6 particular division at the Largo Police Department?

7 A. I am. I'm in our investigative service
8 division, and I supervise the crimes against persons
9 section.

10 Q. Okay. How long have you been doing that?

11 A. Since March of '23.

12 Q. Okay.

13 A. And I was previously up here as a detective
14 prior to being promoted.

15 Q. All right. Okay. So looks like I just
16 received the other day additional supplemental reports
17 that were prepared by yourself.

18 A. That's correct.

19 Q. And let me just look through them to itemize
20 them and make sure these are all the reports that you
21 authored in this case.

22 So the first one I have is -- starts out
23 describing events on March 27th, 2023. It's a one-page
24 report?

25 A. That's correct.

1 Q. Okay. The second one I have is a one-page
2 report describing events starting on March 28th, 2023?

3 A. That's correct.

4 Q. The next one I have is a two-paragraph report
5 starting on March 30th, 2023?

6 A. That's correct.

7 Q. The next one I have, looks like it's two pages,
8 although there's not a lot on the second page, and that
9 starts on March 31st, 2023?

10 A. That's correct.

11 Q. The next one I have is a -- is also a two-page
12 report with very little on the second page, and that
13 starts on April 1st, 2023?

14 A. That's correct.

15 Q. And the next one I have is a two-page report
16 starting on April 2nd, 2023?

17 A. That's correct.

18 Q. All right. Is that correct?

19 A. Yes, sir.

20 Q. All right. The next one I have is a two-page
21 report starting on April 3rd, 2023?

22 A. That's correct.

23 Q. The -- have you had a chance to review these
24 reports?

25 A. I have.

1 Q. Did they detail your involvement in this case?

2 A. They do.

3 Q. Are they complete and accurate?

4 A. They are.

5 Q. If there are statements throughout these
6 reports attributed to a witness that are not in
7 quotation marks, can I assume that those are summaries
8 of what those people told you?

9 A. That's correct.

10 Q. And, likewise, if there are statements
11 attributed to witnesses that are in quotation marks, can
12 I assume that those are quotes?

13 A. Yes, sir.

14 Q. Okay. It might seem like a silly question, but
15 I actually had an officer years ago tell me the
16 contrary. So that's why I always ask that question.

17 A. Understood.

18 Q. Tell us -- tell us your initial involvement in
19 this case.

20 A. So I was initially out of the country for the
21 first week of the investigation. I returned on Monday
22 the 27th.

23 Q. Okay.

24 A. I was briefed in by Detective Bolton and would
25 have been Acting Sergeant Hunt at that time.

1 Q. All right.

2 A. So at that point, they had already executed the
3 initial search warrant at the Kosowski residence in
4 Tarpon Springs and -- I apologize, Tomasz's residence in
5 Tarpon Springs, as well as made the physical arrest for
6 first degree murder.

7 Q. Okay. All right. So it's indicated here in
8 your report, it says, "After the briefing, multiple
9 investigators continued to work on the case actively."
10 And it appears that the first thing that comes up is
11 this residence in Miami. Tell me about that.

12 A. That's correct. Detective Allred had listened
13 to some jail phone calls and had become aware of a
14 residence in Miami. That residence was linked to
15 Tomasz, and myself and Detective Sinni started to Miami
16 while Detective Bolton worked with John Grossman from
17 Miami-Dade PD's cold case unit to draft a search warrant
18 for that house.

19 Q. Okay. Were you in Miami for the execution of
20 the search warrant?

21 A. I was.

22 Q. Tell us about that.

23 A. I arrived to Miami late that afternoon.
24 Miami-Dade PD had already set up surveillance on that
25 residence. Their SRP team, or SWAT team, executed the

1 actual initial entry into the home, secured the
2 residence, and then turned that over to Miami-Dade PD
3 homicide section as well as their forensics unit. So
4 once that house was secured, I believe it was
5 photographed and videoed by CSI crews, and then we did a
6 walk-through with Detective Grossman.

7 Q. All right. And what did you find when you --
8 when you did the walk-through?

9 A. House was very sparsely furnished. Not a lot
10 of items in there. There were three small dogs that
11 were also in the house at the time. There was a back
12 left bedroom that had been freshly mopped and there was
13 a mop and bucket in that room. That room was later
14 processed with Bluestar chemical by their CSI unit and
15 the mop head had a positive reaction to that chemical.

16 Q. What does that mean, if anything?

17 A. They also indicated that the forensics of
18 chemicals used commonly to clean may have some reaction
19 to that chemical, but it could have been that or the
20 presence of blood that was giving us that reaction.

21 Q. Okay. In order to conclude whether or not it
22 was blood, additional testing had to be conducted;
23 right?

24 A. That's correct.

25 Q. Okay. Do you know if any such additional

1 testing was conducted?

2 A. The head was collected, dried back here at the
3 police department, and it's in our property and
4 evidence. I don't believe it's been out to the lab yet.

5 Q. Okay. You said that there were three dogs at
6 the residence?

7 A. There were.

8 Q. All right. Prior to your arrival at the
9 residence, were you aware of the fact that there would
10 be likely three dogs at the residence?

11 A. I believe that there were dogs in question and
12 no one knew their whereabouts. I don't recall whether
13 we knew for certain they were there or not.

14 Q. Okay. Do you know whether or not you or anyone
15 else -- who else went to Miami from Largo?

16 A. It was myself, Detective Sinni, and Detective
17 Bolton.

18 Q. Okay. Do you know whether or not -- was
19 Detective Bolton lead on the case?

20 A. He was.

21 Q. Okay. Do you know whether or not Detective
22 Bolton had been advised by anyone that there were people
23 that were concerned about the well-being of the dogs?

24 A. I don't know. I don't recall off the top of my
25 head, no, sir.

1 Q. Okay. Were you present when a friend -- family
2 friend of Tomasz Kosowski was seeking to take the dogs
3 and provide safekeeping for the dogs?

4 A. At the Miami residence?

5 Q. Right.

6 A. I don't recall anyone being there to take
7 possession of the dogs.

8 Q. I guess I should take that back.

9 Do you know whether or not -- do you know
10 whether or not it was communicated to Bolton or anyone
11 else that there was a responsible adult that was willing
12 to take custody of the dogs prior to the search?

13 A. I don't recall, sir.

14 Q. Okay. All right. Do you know whether or not
15 the dogs were taken into protective custody by animal
16 services in Miami?

17 A. Yes, sir. They were turned over to animal
18 services that evening. There was some trace lift that
19 had been on the dogs, because there were some potential
20 hair located earlier on in the investigation with the
21 vehicle trunks for later comparisons.

22 Q. Okay. All right. Do you know anything about
23 whether or not any of the circumstances surrounding the
24 release of the dogs from the animal shelter to someone
25 who would take care of the dogs?

1 A. I do not.

2 Q. Okay. Were there any concerns about the health
3 or well-being of the dogs?

4 A. No, sir. They all appeared to be healthy at
5 the time we left and turned them over to animal
6 services.

7 Q. Okay. Very good.

8 The -- who actually did the search of the Miami
9 residence?

10 A. Miami-Dade PD.

11 Q. Okay. Is there a requirement that when you're
12 searching a residence that it has to be the law
13 enforcement within that jurisdiction that conducts the
14 search?

15 A. Yes, sir.

16 Q. Okay. Does that apply in searching a vehicle
17 in a similar jurisdiction or only to residences, or do
18 you know?

19 A. I believe it's going to be subject to all
20 searches, but I would defer to our legal State
21 Attorney's Office on that.

22 Q. Okay. All right. Is there an inventory of the
23 things that were seized from -- during the search of the
24 property in Miami?

25 A. There should have been from Miami-Dade PD.

1 Q. Okay. All right. It's not one that you would
2 have prepared?

3 A. That's correct.

4 Q. Did Detective Bolton arrive after the search
5 had started in the Miami residence?

6 A. He did.

7 Q. Okay. All right. How much later did he
8 arrive?

9 A. It was pretty much at the conclusion.

10 Q. Okay. And how long would you say you were
11 there searching that residence?

12 A. Several hours.

13 Q. Okay. And how many people were there during
14 the actual search? It was yourself, and who else from
15 Largo?

16 A. It would have been myself, Detective Sinni, and
17 then Detective Bolton from Largo.

18 Q. But Bolton doesn't get there until basically
19 the conclusion of the search?

20 A. Much later in the evening, yes, sir.

21 Q. All right. And who was there from Miami, if
22 you know?

23 A. Detective Grossman was our point of contact. I
24 know that his, I believe, sergeant and lieutenant were
25 also there as well as several members of their

1 Miami-Dade PD cold case unit and I believe the street
2 crimes unit, but I don't have their names specifically.

3 Q. Okay. Anything else as it relates to
4 March 27th in the search of that house in Miami?

5 A. No, sir.

6 Q. Okay. So March 28th, what do you do?

7 A. March 28th, several of the detectives that were
8 down there traveled to the surgery centers that Tomasz
9 worked at. There was two. I was responsible for
10 consulting an area canvass of the neighborhood.

11 Q. Okay.

12 A. Specifically going door-to-door.

13 Q. All right. And then what do you find when you
14 go door-to-door?

15 A. There was nobody of evidentiary value that had
16 surveillance cameras or eyewitness testimony specific to
17 our incident. In the course of doing that, there was a
18 house two doors down that was involved in a plastic
19 surgery human trafficking incident. So that all
20 unfolded while we were out there.

21 Q. But that had nothing to do with --

22 A. Completely unrelated, but it took up a large
23 portion of that time and was quite involved with several
24 members of Miami-Dade PD.

25 Q. Okay. What kind of plastic surgery?

1 A. My understanding, it was people that were
2 having kind of off-the-books plastic surgery from
3 foreign countries --

4 Q. Okay.

5 A. -- and being housed in these residential
6 places. These people were being kept kind of against
7 their will while they recovered before going back to
8 their home country.

9 Q. Okay. All right.

10 The BOLO that's referenced that was placed on
11 Facebook, could you describe that to me?

12 A. I believe it was a BOLO which included a
13 picture of both the victim and the offender as well as
14 the red Toyota Corolla in question.

15 Q. Okay. And you indicated in your report that
16 that information led Christian Beltran to contact Largo
17 Police Department?

18 A. Yeah, so he had contacted our communications
19 center that evening, I believe after a news story had
20 run down in Central Florida or South Florida and he had
21 saw that story. I don't know if the BOLO specifically
22 or the story as a whole is what ultimately led him to
23 contact the communication center here in Largo.

24 Q. Okay. And so tell me about your conversation
25 with Mr. --

1 A. So Mr. Beltran, I contact him that evening. He
2 states that Tomasz had contacted him on 3/21 from
3 (321) 663-0128, and stated that he was leaving home and
4 had some items he would like him to hold. Beltran
5 agreed to hold those items. And he stated that on 3/22,
6 Tomasz arrived at his residence in Miami to drop those
7 items off. So he was not home at the time, but his wife
8 was and collected those items. She also stated that
9 Tomasz was driving that red Toyota Corolla at the time
10 in question.

11 Q. Okay. And what were the items that he was
12 being asked to hold?

13 A. So he described those items to us, and it was
14 several large cases. He believed they were rifle cases
15 as well as plastic totes. He did not look in them and
16 he was instructed not to at the time. I had passed this
17 information on to Detective Grossman, who was our point
18 of contact at Miami-Dade PD, and this address was in
19 their jurisdiction. So they worked to draft a second
20 search warrant for that address.

21 Q. Okay. And did ATF become involved in that?

22 A. They did. My understanding is multiple
23 firearms were located as well as suppressors. Those
24 items were ultimately turned over to, I believe -- I
25 don't know if it was an agent or a task force agent from

1 Miami-Dade PD, and then they opened a federal case based
2 on the items located in the residence.

3 Q. Okay. And do you have the details about what
4 was ultimately found as far as the firearms and what
5 have you?

6 A. I don't have the specifics. It's all outlined,
7 I believe, in that ATF case number, and it's
8 764020230060.

9 Q. Okay.

10 A. But I wasn't privy to the items specifically
11 located for that case.

12 Q. Do you know if Largo PD has been given access
13 to any of the reports from ATF that's set forth under
14 that case number?

15 A. Not to my knowledge.

16 Q. Okay. Anything else on March 28th and 29th?

17 A. No, sir.

18 Q. Okay. March 30th, what do you do?

19 A. So the 30th, Detective Moore, who is a cyber
20 crimes detective and works specifically with our digital
21 forensics, had indicated that he located some LPR
22 information as well as some information from the cell
23 phones belonging to Tomasz indicating that he had
24 travelled to a very remote section of Loop Road and
25 U.S. 41, Tamiami Trail. So at that point, Detective

1 Moore and I made the decision to travel to that location
2 to learn more about that spot.

3 Q. Okay. When you say "very remote," what do you
4 mean?

5 A. U.S. 41 and Tamiami Trail basically runs to
6 Miami. There is very little on that road. It's
7 basically in the middle of the Everglades. So Monroe
8 Station, my understanding, used to be a stopping point
9 between Collier County and Miami-Dade. It's since been
10 abandoned and it's unmanned, and it's essentially just a
11 large parking lot out between those two counties.

12 Q. How far is it from Alligator Alley, the main
13 thoroughfare?

14 A. Without looking at a map, it's my
15 understanding --

16 Q. I mean, roughly. I mean, as far as time-wise.
17 If we're by car, are we talking ten minutes? Are we
18 talking an hour?

19 A. No, it's probably much further than that. You
20 know, because it's a thoroughfare that runs between
21 those two, and Alligator Alley is the much more modern,
22 more well-traveled route for destination between those
23 two points.

24 Q. Okay. All right. But U.S. 41, even though
25 it's sort of the less-traveled path, it's still a

1 functioning and operating road; right -- highway?

2 A. Absolutely.

3 Q. Okay. And so, then, the U.S. 41 and Loop Road
4 Monroe Station, that's right off U.S. 41; right?

5 A. That's correct.

6 Q. Okay. All right. Tell me about this
7 large-scale search.

8 A. So we had coordinated with --

9 Q. Let me stop you for a second. Anything else on
10 the 30th? I see the reference to doing the large-scale
11 search the next day. Anything else on the 30th?

12 A. Yes, Detective Moore and I both arrived there
13 at dusk to Monroe Station and basically surveyed the
14 scene. We walked it on foot from Monroe Station back to
15 the first -- there's a camp on the left-hand side of the
16 road. Immediately upon getting there, we observed the
17 dumpster that's later in question. We both looked in
18 the dumpster, didn't see or smell anything that was
19 indicative of human remains or that was immediately
20 apparent as evidence in the case.

21 And then we had walked that portion of Loop
22 Road, which is a dirt, unpaved highway that later
23 connects back to U.S. 41, surrounded by canals. There
24 was multiple alligators out there that evening, but
25 very, very desolate.

1 Q. Okay. All right. Anything else on March 30th?

2 A. No, sir.

3 Q. All right. So on March 31st is when you do
4 this large-scale search; right?

5 A. That's correct.

6 Q. Okay. Tell us about that.

7 A. So we had coordinated with the Collier County
8 Sheriff's Office being that it's in their direction --
9 their jurisdiction, but the National Park Service was
10 the lead agency for the search. So Sasha Herron
11 basically led up the search and organized the search
12 parties.

13 In addition to Collier and the National Park
14 Service, the Florida Wildlife Commission, FWC, was out
15 there as well, as well as the Miccosukee Tribal Police
16 as there are several portions of that area that are
17 their jurisdiction as well. So we had Collier County's
18 command bus out there, drone operators, in addition to
19 Miami-Dade PD's cadaver dog.

20 Q. Okay.

21 A. So a briefing is held that morning with all the
22 participating parties. We had gone over the articles in
23 question. So the clothing specifically that Mr. Cozzi
24 was last seen wearing, the Gorilla cart that was seen in
25 the back of the Toyota pickup truck, the red blanket,

1 and then any other items of physical evidence that may
2 pertain to a homicide investigation were being searched
3 for.

4 Q. Okay. How big of an area are we talking about?

5 A. They ended up searching the entire Loop Road.
6 So the dirt road from where it connects to U.S. 41 all
7 the way back to where it ties back into U.S. 41 further,
8 I believe, east. And that was done by the National Park
9 Service. She coordinated -- Sasha -- that search. I
10 stood by at the command post with the lieutenant and
11 sergeant from Collier and where the dumpster was
12 located. We had established a crime scene there and
13 waited for Miami-Dade PD's cadaver dog to arrive.

14 Q. Okay. Then what happens?

15 A. So Officer Simons from Miami-Dade PD arrived
16 that morning. We had marked that dumpster and parking
17 lot off as a crime scene. He had deployed his partner
18 in the open field, and, ultimately, his dog was working
19 that open field when I observed the dog had a hard head
20 turn and went directly to that dumpster. And then
21 Officer Simons later stated that he had alerted on the
22 dumpster for the presence of human remains.

23 Q. What does that mean?

24 A. So, you know, I won't elaborate too much
25 because I'm not a K-9 handler, but I've watched several

1 of our dogs work here at the police department. And the
2 dog was working the field. You could see that there was
3 a clear behavioral change. He had a hard head turn
4 towards that dumpster and then moved directly to the
5 dumpster.

6 I was not able to see from where I was at -- I
7 was at the command post -- what was going on behind or
8 in proximity to the dumpster, but he later indicated
9 that the dog alerted on the dumpster itself for the
10 presence of human remains.

11 Q. Okay. Those are questions that may be better
12 asked of the handler of the dog as far as the details?

13 A. Absolutely.

14 Q. Okay.

15 A. I don't know how much help the dog will be, but
16 the handler.

17 Q. Right. Yeah.

18 What do you do next?

19 A. Based off that alert, the search continued on
20 Loop Road --

21 Q. We lost you.

22 (The deposition was paused due to technology
23 issues.)

24 MR. BRUNVAND: Now you're back. So, Lori --

25 THE COURT REPORTER: The last thing I heard --

1 go ahead.

2 BY MR. BRUNVAND:

3 Q. All right.

4 A. Okay. So the search continued on Loop Road.
5 While we established that crime scene at the Monroe
6 Station with the dumpster in question, Collier County
7 forensics came out and processed that dumpster for us.
8 CSI Crank and two of her colleagues assisted with
9 processing the dumpster for all physical evidence,
10 latent prints, DNA, and photography.

11 Q. Okay. And do you know what the results were of
12 those?

13 A. So during the processing of the dumpster, she
14 indicated that she located an item which she believed
15 may be blood inside the dumpster. And then she did a
16 presumptive test, and it indicated that it was a
17 presumptive positive for blood.

18 Q. Okay.

19 A. So based on that information, I believe it was
20 Bolton and Sinni contacted Waste Management and spoke to
21 Rick Kuhls [phonetic] at Waste Management as well as the
22 plant manager, learning more about the truck that picked
23 up in question. So my understanding is the pick up of
24 that specific dumpster would have been on Thursday on
25 3/23, and it was dumped at the Collier County Landfill

1 that afternoon.

2 Q. Do you know if any confirmation testing was
3 done to make sure that what appeared to be blood was
4 blood or...

5 A. I'm not aware if that was the case.

6 Q. Okay. All right. All right. So what happens
7 next?

8 A. Based on that information, we continued the
9 search on Loop Road, but both -- I think I said Moore
10 and Bolton went to the Collier County Landfill, and they
11 were accompanied also by a second cadaver dog team from
12 Broward County Sheriff's Office. And they started to
13 attempt to isolate the area in which that truck was
14 dumped at the Collier County Landfill.

15 Q. Okay. Did they have any success?

16 A. They did. So in working with Rick with Waste
17 Management, they were able to isolate a stack that emits
18 methane gas, and then the entire operation is video
19 recorded. So they were able to isolate the truck in
20 question and then use that stack to coordinate a
21 specific location that they believed that that trash
22 would have been dumped in and then later pushed up the
23 pile.

24 Q. Okay. What do you do with that?

25 A. So the plan was the following morning we were

1 going to conclude or wrap up the search of Loop Road
2 just so we could definitively say that we had searched
3 that area and we were satisfied with the results there,
4 not just isolating on the dump. And then we would, if
5 the search had concluded at Loop, start the following
6 morning with the search of the dump.

7 Q. Okay. All right.

8 A. So -- and then that was communicated to
9 Collier, who assisted with additional resources for the
10 dump the following morning.

11 Q. Okay. And that would be set forth in your next
12 report; right?

13 A. That's correct.

14 Q. The April 1st. Anything else on March 31st
15 other than what we --

16 A. No, there was no items located of -- I'm sorry.

17 Q. Other than what's in your report and what we've
18 discussed, anything else we should know about
19 March 31st?

20 A. No. No, sir.

21 Q. Okay. All right. Let's go to April 1st.

22 A. So April 1st at approximately 6:00 a.m., we met
23 again with Rick to discuss the scope and scale of the
24 operation that day. There was over 50 first responders
25 that Collier County provided to assist with the search

1 as well as ten members of LPD. So it was five
2 detectives and five members of our search team. And we
3 had indicated or marked off an area 50 by 15, and then
4 Kuhls believed to be at approximately 17 feet deep.

5 So the plan was to use two pieces of heavy
6 equipment to basically remove a small layer of debris
7 and then to get on line and hand search that with hand
8 tools in addition to cadaver dogs. So the heavy
9 equipment would remove a thin layer and then it would be
10 hand searched by -- excuse me -- first responders, and
11 then a dog would also run the pile prior to moving on to
12 the next layer.

13 Q. Okay.

14 A. So we did this until about noon and had only
15 basically made three small swathes across that area. So
16 we basically at that point got with Rick and Mr. Barry
17 to discuss a different approach to speed the process up
18 while still being thorough. So the process we were
19 previously using we were only able to employ,
20 essentially, one of those pieces of heavy equipment at a
21 time. So we decided to be able use both pieces of heavy
22 equipment and maximize our manpower, that they would
23 remove a layer and use the bucket of their piece of
24 heavy equipment to manipulate trash and break it open,
25 and then basically spill that out in front of the sort

1 line so that people could hand sort it and the dogs
2 could run through that.

3 That was done independently, both pieces of
4 heavy equipment running with two teams simultaneously,
5 and we were able to do another seven swathes to get to
6 that essential depth that we're looking for.

7 Q. Okay.

8 A. So...

9 Q. And did you have any positive results?

10 A. There were several items that were collected,
11 but I don't think any of them were of evidentiary value.
12 It was later discovered.

13 Q. Okay. All right. Anything else on April 1st?

14 A. No, sir.

15 Q. Okay. April 2nd.

16 A. So there was less of a presence because we
17 could only run those two teams independently. We didn't
18 need all that manpower, so we scaled down Collier
19 County's involvement significantly. Their forensic
20 folks were still there as well as members of their major
21 crime bureau, but we don't have all the additional first
22 responders. So we basically worked two teams
23 independently using both pieces of heavy equipment and
24 just continued with the same process we did the day
25 before.

1 Before the day started, though, all members
2 attended a briefing. The same information that was
3 given on the first day was reiterated on this day, these
4 are the items of interest, and then worked pretty much
5 dusk -- I'm sorry, dawn till dusk that day as well.
6 There were several items that were collected but later
7 deemed not to be of evidentiary value.

8 Q. Okay. Anything else of significance on that
9 day?

10 A. No, sir.

11 Q. Then April 3rd.

12 A. So April 3rd starts much like the previous day.
13 We started at dawn; a briefing was given to all the
14 participating members. Again, it was CERT and members
15 of ISD that participated with the two heavy equipment
16 operators, Barry and Rick, and we continued with that
17 search in a similar fashion. So unearthing a large
18 area, hand sorting, and then using cadaver dogs to run
19 those piles.

20 Q. Okay. Anything of evidentiary value recovered
21 on that day?

22 A. No, sir.

23 Q. Give me one second.

24 A. Yep.

25 Q. Now, do I understand that you prepared your

1 reports detailing your involvement in this case that
2 we've gone through here today at some point, but for
3 some reason they were not uploaded into the system until
4 recently?

5 A. That's correct.

6 Q. Okay. Tell me about that. How does that work?

7 A. Basically I had created skeletons for these at
8 the time, and when I received your subpoena, we had a
9 murder, unfortunately, on Friday. I was preparing for
10 this and printed out the rather large case file and
11 noticed that my supplements weren't in there.

12 Q. Okay.

13 A. So to my dismay, I was a little panicked and
14 went back and looked, and I had never approved my own
15 supplements. I had approved all these other case
16 files --

17 Q. Okay.

18 A. -- but not my own, so...

19 Q. All right. I have -- let me just look through.
20 I have some other notes here I've got to look through.

21 So during this investigation, are you basically
22 the supervisor for all the detectives that were involved
23 in this case?

24 A. I would have been. I mean, we have two
25 supervisors in investigations, myself and then Thomas

1 Carvella. He runs the property crimes side. I run the
2 crimes with persons side. We have two, you know,
3 distinct sides. And he's in charge of supervising half
4 the detectives and then I have the additional six.

5 Q. Okay. And so, being a supervisor in your
6 capacity, what does that mean? What's your
7 responsibility?

8 A. Well, I'm responsible for a lot of the
9 logistics, manpower needs, making sure that the
10 day-to-day operations are sustainable, but not so much
11 for conducting the actual physical investigation itself.

12 Q. Okay. Is part of your responsibility to make
13 sure that the detectives are doing the work that they're
14 supposed be doing?

15 A. That's correct.

16 Q. Okay. And is it on you if something is not
17 done as it should be, or...

18 A. I would ultimately accept responsibility if
19 there's something in my purview that, you know, is not
20 being done. I certainly can't be everywhere all the
21 time.

22 Q. Sure. Sure.

23 And you were out of the country, I think you
24 said, up until when?

25 A. I believe I returned that Sunday.

1 Q. March 25th or 26th?

2 A. So I believe that Monday was the 27th.

3 Q. Okay.

4 A. So I'm pretty certain it would have been the
5 26th that I would have returned.

6 Q. Okay. As a supervisor, will you be the direct
7 supervisor for Detective Bolton?

8 A. I am.

9 Q. And for Detective Hunt?

10 A. I am.

11 Q. What do you know about, as a supervisor -- and
12 I realize that you were not in the country at the time,
13 but as a supervisor, what do you know about how long
14 Kosowski was detained in Tarpon Springs prior to his
15 arrest?

16 A. My understanding is there was a traffic stop
17 conducted. He was detained in the duration of that
18 traffic stop and then ultimately arrested for that first
19 degree murder charge, and a body warrant was executed to
20 collect his physical evidence from his person.

21 Q. Okay. But as far as when he's first stopped,
22 there was not a warrant for his arrest active; correct?

23 A. That is correct.

24 Q. And do you know how long he was actually
25 detained at the scene of the stop before he was actually

1 arrested?

2 A. I don't, sir.

3 Q. Okay. Do you know whether or not -- so what
4 was his status before he was arrested? He's detained,
5 there's an investigative detention. What's the status
6 of that detention?

7 A. Well, I wasn't there and I wasn't even in the
8 country at the time, so I don't know all of the -- or
9 didn't know at the time, obviously, all of the details
10 pertaining to what they had or didn't have, but my
11 understanding is they had probable cause for his arrest,
12 and the fact that he was back in Pinellas County, a
13 traffic stop was ultimately conducted and the decision
14 was made to arrest him under probable cause for the
15 first degree murder.

16 Q. Sure. Sure.

17 So I know you were out of the country, but did
18 you -- did you -- as a supervisor, did you approve the
19 reports of the various detectives that were involved in
20 the detention and arrest of Dr. Kosowski?

21 A. I did.

22 Q. Okay. And so, in reviewing those, did you note
23 there was a rather extensive time period from the time
24 that he was detained until he was actually arrested?

25 A. The reports, I don't believe, outlined the

1 amount or duration of time between the traffic stop
2 itself and then, you know, when he was physically, you
3 know, booked into jail or the ultimate decision was made
4 to arrest him, so...

5 Q. Okay. And I guess as a supervisor, my -- my
6 question would be if -- from your point of view, if you
7 know, is there a -- is there a limitation on how long
8 someone can be detained before probable cause is
9 developed to actually make an arrest?

10 A. I believe it's a reasonableness standard. I
11 think given the totality of the circumstances, they had
12 formulated and established probable cause much before he
13 was physically booked in the jail. The warrant process
14 here in Pinellas County takes hours to work through to
15 obtain that physical body warrant.

16 Like I said, I wasn't here for it, but I've
17 been a part of multiple warrants and it's not a quick
18 process.

19 Q. Now, when you talk about the physical body
20 warrant, that's a warrant to actually obtain, what,
21 bodily fluids and fingerprints?

22 A. Yeah. Fingernail scrapings, photographs,
23 collect clothing, all of those items.

24 Q. Sure.

25 But would you agree that that's a separate

1 issue from the issue of having probable cause to arrest
2 someone?

3 A. I would, yeah, but my understanding is, is
4 during the -- the purpose of the traffic stop was
5 because they believed they had probable cause for his
6 arrest, but I don't want to speculate because I wasn't
7 there and I don't know the order of events as to, you
8 know, whether they deemed they had probable cause or
9 not. My understanding was they had probable cause.

10 Q. When you've reviewed the reports that were
11 prepared during -- for events that took place during
12 your absence when you're on vacation, as a supervisor,
13 what are you reviewing it for?

14 A. Content. So making sure that the content is
15 correct, clerical errors, and then legality. So I'm
16 making sure, you know, what is written and the actions
17 taken were legal.

18 Q. Okay. Would -- in your opinion, as a
19 supervisor, would being handcuffed and in the back of
20 a -- behind his back in the back of the patrol vehicle
21 for ten hours prior to the actual arrest of
22 Dr. Kosowski, would that be a reasonable time period in
23 your estimation?

24 A. Well, is that basically what you're saying the
25 duration of that was?

1 Q. Right.

2 A. Okay. My understanding, there were several
3 things that took place in that ten-hour time frame. It
4 wasn't -- you know, they weren't delaying his
5 transportation out to county jail with the exception of
6 receiving and executing that body warrant.

7 Q. Right.

8 But he's basically sitting in the patrol car
9 with the exception, I think, they took him to the
10 bathroom in Tarpon Springs Police Department maybe once
11 or twice. But sitting in the back of that patrol car in
12 Tarpon Springs close to downtown that entire time
13 period.

14 A. Okay.

15 Q. I guess my question is: Do you think that's a
16 reasonable time period?

17 A. I think based on all the facts and
18 circumstances that are present, coupled with the fact of
19 the seriousness of the crime, that it's not
20 unreasonable.

21 Q. Okay. Regardless of whether or not there's
22 probable cause to arrest?

23 A. Well, my understanding was there was probable
24 cause to arrest.

25 Q. Okay. Is it your understanding there was

1 probable cause to arrest from -- from minute one or at
2 some point during the period of detention?

3 A. I wasn't there, and I can't speak or speculate
4 as to what their mindset as to whether they had probable
5 cause at the onset of that or prior to the traffic stop.

6 Q. Right.

7 So I guess there's -- I guess there's -- I
8 guess my question would be: If there -- if there was
9 probable cause to arrest but an arrest was not, for
10 whatever reason, not -- did not occur for about ten
11 hours, is that reasonable?

12 And then I guess the follow -- the second
13 question would be: If they did not have probable cause,
14 do you think that there's circumstances that would make
15 it reasonable to detain someone for ten hours in that
16 fashion without probable cause to arrest?

17 A. Well, to speak -- yeah. To speak to your first
18 question, my understanding is they had probable cause.

19 Q. Okay.

20 A. So based on that, he was physically arrested,
21 and then we were actively applying and writing a body
22 warrant, and then working with the State Attorney's
23 Office to obtain that warrant and ultimately execute it.

24 Q. Okay. It seems to me that one of the BOLOs
25 that were created said -- indicated to detain but not

1 arrest. Do you know if that was done shortly before his
2 detention or what, if anything, would that mean?

3 A. Without having that -- without having that BOLO
4 in front of me and knowing when it was generated -- you
5 know, I know that we did not have an arrest warrant. So
6 an arrest outside of the county, obviously, would not be
7 possible without that physical arrest warrant.

8 Q. When you say out of -- okay.

9 If you have probable cause -- felony probable
10 cause to arrest, you say that that is only good within
11 the county without an actual physical warrant?

12 A. That's correct.

13 Q. Okay. Let's see. Let's see if I can pull up
14 the BOLO here.

15 Are you able to see that? Are you able to see
16 that, or no?

17 A. I am, yes, sir.

18 Q. And so, by looking at this, it looks like it's
19 a -- that this is a BOLO that was issued by Largo Police
20 Department?

21 A. Yes, sir.

22 Q. And it has a photograph of Tomasz Kosowski.
23 Looks like he's wearing an orange jail --

24 A. Yes, sir.

25 Q. Then a photo of Steve Cozzi?

1 A. That's correct.

2 Q. Then an actual photo of the Toyota Corolla in
3 question?

4 A. Yes, sir.

5 Q. And a stock photo of a red Toyota Corolla?

6 A. That's correct.

7 Q. Would this -- would this be the BOLO that was
8 discussed that was disseminated around the time period
9 that you were in Miami and potentially what resulted in
10 being contacted by Beltran?

11 A. Yes, sir.

12 Q. Okay. And, clearly, this one is prepared prior
13 to -- I mean, after Kosowski has already been
14 arrested; right?

15 A. That's correct.

16 Q. It says it was approved by yourself for
17 dissemination?

18 A. That's correct.

19 Q. How do we know the exact date that was created,
20 or is there a way of knowing that?

21 A. I don't believe so. I believe that was the
22 BOLO that was shared with Miami PD's PIO, Public
23 Information Office --

24 Q. Okay.

25 A. -- in reference to our investigation in South

1 Florida.

2 MR. BRUNVAND: Okay. All right. So I'm going
3 to make this Exhibit A to the deposition.

4 (Exhibit A was marked for identification.)

5 BY MR. BRUNVAND:

6 Q. Let me just see if I can find another BOLO
7 here.

8 So I'm going to show you -- one moment. I'm
9 going to attempt to show you another BOLO.

10 A. Okay.

11 Q. Let's see if I succeed or not.

12 You able to see that BOLO?

13 A. I am.

14 Q. This appears to have been prepared prior to the
15 stop and prior to the arrest of Kosowski, and it appears
16 that was prepared by Detective Bolton?

17 A. Yeah, based on the footer on there, that's
18 correct.

19 Q. Okay. It does not, like the last one, have
20 anything indicating that you had authorized it or
21 approved it.

22 Is there any way for you to tell us when this
23 particular BOLO -- and we'll make this Exhibit B to
24 the -- this deposition. Is there any way for you to
25 tell us whether this particular BOLO -- when it was

1 prepared and issued?

2 A. Based off just what you're showing me, no.

3 Q. Right.

4 (Exhibit B was marked for identification.)

5 THE WITNESS: So we could obviously go back and
6 see when that was disseminated and that would be --

7 BY MR. BRUNVAND:

8 Q. Where do we see that?

9 A. We would see when it was basically e-mailed out
10 to whatever e-mail groups it would have went to.

11 Q. Are you able to -- are you able to do that?

12 A. I -- I don't have those logs.

13 Q. Okay. Can you provide that to Mr. Vonderheide?

14 A. I can.

15 Q. Okay. All right. Could we agree, though, that
16 by reading the narrative, this was prepared after the
17 search warrant had been executed at the home owned by
18 Dr. Kosowski?

19 A. Based on the narrative, yes, sir.

20 Q. Okay. So the search of the home of
21 Dr. Kosowski, do you recall when that took place
22 compared to when he was detained in downtown Tarpon
23 Springs?

24 A. It was earlier in the week. I could obviously
25 go back through the report here and give you an exact

1 date.

2 Q. Yeah. Why don't you do that? Why don't you do
3 that?

4 A. So it looks like on the evening of 3/23, a
5 search warrant was obtained and executed at the
6 residence. So that would have been Thursday, 3/23.

7 Q. Okay. And when was he detained?

8 A. I believe it was the 25th -- Saturday the 25th.

9 Q. So as far as the search of the residence, you
10 said 3/22?

11 A. I believe it's Thursday, 3/23.

12 Q. About -- starting about midnight?

13 A. The report indicates on the evening of 3/23, a
14 search warrant was obtained and executed at that
15 residence.

16 Q. Okay. Do you know whether or not that search
17 at the residence lasted into the early morning hours of
18 the 24th?

19 A. I believe that it did.

20 Q. All right. And when I say "early morning
21 hours," pretty much all night?

22 A. That is my understanding.

23 Q. Okay. All right. So the BOLO that we're
24 looking at, Exhibit B, most likely would have been
25 drafted sometime at the earliest -- during the -- during

1 the day of the 24th -- Friday the 24th; right?

2 A. I would say that's probably accurate.

3 Q. Is that -- let me just make sure that I have
4 that right.

5 Right. Okay.

6 But beyond that, you can check and see when it
7 was actually disseminated?

8 A. I will. If you will e-mail me that or have --

9 Q. Yeah.

10 A. Just so I'm looking at the exact -- and we're
11 talking about Exhibit B?

12 Q. Yeah. What's your e-mail address?

13 A. So it's M as in Mike, V as in Victor,
14 e-g-e-n-s-k at Largo.com.

15 Q. Okay. So basically your first initial, last
16 name?

17 A. Everything but the I, sir.

18 Q. Everything but the I, @LargoPD.com?

19 A. Nope, just Largo.com.

20 Q. Largo.com. Okay.

21 Why did they cut the I out?

22 A. I guess they didn't want to pay for that extra
23 character.

24 Q. All right. We'll e-mail that to you.

25 Do you know whether or not there was ever any

1 consideration given to release Dr. Kosowski and not
2 arrest him after he had been detained?

3 A. Not from my knowledge.

4 Q. Okay. Do you know whether or not he was
5 advised by anyone that he was going to be released?

6 A. Not to my knowledge.

7 Q. Okay. Whose custody was he in when he's
8 sitting in the car in Tarpon Springs? Is he in the
9 custody of Largo Police Department or Tarpon Springs
10 Police Department or both?

11 A. So, I obviously wasn't there, so I don't want
12 to speculate as to the event or -- they created a
13 probable cause affidavit and he was ultimately arrested
14 by Tarpon, but I wasn't there, and so, I don't want to
15 speculate as to --

16 Q. Okay. Can -- do you know whether or not -- do
17 you know whether or not -- was it Detective Bolton that
18 ultimately made the decision to arrest?

19 A. That's my understanding, yes, sir.

20 Q. Okay. Do you know whether or not he made that
21 decision on his own or in consultation with the State
22 Attorney's Office?

23 A. I believe they were in talking to the State
24 Attorney's Office because they, obviously, had to get
25 that body warrant --

1 Q. Sure.

2 A. -- through the State. So -- but I don't,
3 again, know the order of operations or what the time
4 frame on any of that was.

5 Q. He wouldn't need to speak with them in order to
6 make a probable cause arrest in Pinellas County; right?

7 A. That's correct.

8 Q. Do you know who he was in communication with
9 with the State Attorney's Office?

10 A. I do not.

11 Q. Other than what might be set forth in reports
12 that you -- that you sign off on as a supervisor?

13 A. That's correct.

14 Q. Do you know if anyone beyond Detective Bolton
15 participated in the ultimate decision to arrest Kosowski
16 for murder?

17 A. Not to my knowledge.

18 Q. Do you know whether or not Kosowski requested
19 counsel while he was detained?

20 A. Not to my knowledge, sir. You'd have to go
21 back, and I'm sure it denotes in one of the reports
22 probably authored by Bolton. If you'd like, I can do
23 that.

24 Q. No, but if -- so you don't have any of your own
25 independent recollection and you would rely on whatever

1 is in the report?

2 A. That's correct.

3 Q. Okay. Maybe you can explain from your
4 perspective. If he did ask for a lawyer, what generally
5 would happen if someone asked for a lawyer while being
6 detained?

7 A. We would cease any questioning at that time.

8 Q. Okay.

9 A. And that would pretty much be -- it would
10 ultimately depend on whether they were in custody or
11 not. You know, obviously if they are not in custody,
12 they would be free to go, or not being detained --

13 Q. Right.

14 A. -- and it would be on them to provide said
15 counsel. If they were in custody, they would be
16 provided that counsel at either first appearance or
17 through a private attorney that they secured.

18 Q. Okay. Do you sometimes allow someone who has
19 been detained or arrested, if he wants to consult with a
20 lawyer, to actually reach out to a lawyer while they're
21 at the scene where they're being detained?

22 A. Well, if they're being detained and not free to
23 go and they are in handcuffs, it would not typically be
24 our practice to take them out of those handcuffs to
25 allow them to consult with an attorney.

1 Q. Okay. Has it happened in your experience where
2 you have someone who is under arrest and then you allow
3 them to consult with their lawyer?

4 A. In my tenure of investigations, no, sir.

5 Q. As it relates to the search of the Corolla --
6 the Toyota Corolla, and I recognize you were not here at
7 the time, but have you reviewed any of the body cam
8 videos surrounding the detention and the search of the
9 Corolla?

10 A. I have not.

11 Q. Okay. Do you know whether or not the Corolla
12 was searched by Largo Police Department or members of
13 Largo Police Department prior to them actually receiving
14 the search warrant?

15 A. I don't have any direct knowledge of that. I
16 can obviously refer back to the lengthy police report
17 and refer to the supplements that are in there, but I
18 wasn't there and I don't have any direct knowledge about
19 that.

20 Q. Okay. So if the supplements said, "We searched
21 the car before we had a search warrant," then that's
22 what they say. If they remain silent on the issue, then
23 you would not know based on the reports; right?

24 A. That's correct.

25 Q. Okay. Would it be appropriate, in your mind,

1 to search the Toyota Corolla if it's been secured and
2 you are awaiting for a search warrant? Would it be
3 appropriate to search it prior to having the search
4 warrant in hand?

5 A. If we're actively working with the State in
6 concert to obtain a warrant, I would hold off on
7 obtaining that warrant.

8 Q. Hold off on searching until you have the
9 warrant in hand?

10 A. That's correct.

11 Q. Okay. What are some of the circumstances that
12 might allow Largo Police Department detectives to search
13 the vehicle without the consent and without -- without a
14 search warrant?

15 A. Impound and inventory of the vehicle.

16 Q. Inventory?

17 A. Yes, sir.

18 Q. Okay. But that's generally because the vehicle
19 is being impounded and to make sure nothing is --

20 A. It's a caretaking function both for the person
21 in collection as well as for the police department.

22 Q. Right.

23 A. So if, in this circumstance, Tomasz was
24 arrested, his vehicle would obviously be impounded and
25 inventoried subject to that arrest so we don't leave it

1 out there unsecured at the scene. And then part of that
2 caretaking function is us inventorying the contents both
3 for his safety and the police department's. So it's a
4 caretaking function.

5 Q. But, generally, if -- if Kosowski has not yet
6 been arrested and the vehicle is in a safe place and
7 you're awaiting a search warrant, you generally wouldn't
8 do an inventory search under those circumstances? The
9 vehicle is with --

10 A. So I don't know --

11 Q. -- law enforcement and it's not going anywhere?

12 A. Right. Yeah. Again, I don't know the scope
13 and the nature of exactly all the circumstances that
14 were happening at the scene at the time, but if I was
15 acting in concert with the State Attorney to obtain a
16 warrant for the vehicle, I would hold off on doing
17 anything with the vehicle until that warrant were
18 obtained. That was the course of action that was deemed
19 to be what we were going to do that evening.

20 Q. Okay. Once you have the search warrant for the
21 vehicle, are you supposed to, then, read the search
22 warrant prior to the search?

23 A. So there's been a lot of back-and-forth in my
24 16 years of law enforcement as to whether we read or
25 don't read the warrant specifically to empty homes,

1 vehicles, areas to be searched. So we have gotten mixed
2 opinions as to the legality of that.

3 Q. Okay. Well, what about when it's a search
4 that's happening in the presence of the owner of the
5 vehicle who is sitting in the back of a patrol car in
6 the immediate vicinity of where the search is taking
7 place? Would you, under those circumstances, read the
8 warrant?

9 A. We typically would.

10 Q. Okay. And when you read the warrant, would you
11 read it in a place and in a manner, if it can be done,
12 where the owner would be able to actually hear the
13 reading of the warrant?

14 A. We typically would.

15 Q. Okay. Would you provide a copy of the search
16 warrant to the owner if he's detained?

17 A. Yes, sir.

18 Q. Yes? Okay.

19 A. Yes, sir.

20 Q. Other than what's in the supplemental -- or the
21 reports that you had signed off on as a supervisor, do
22 you know whether or not members of Largo Police
23 Department, specifically the detectives but really
24 anyone, conducted surveillance of 511 Seaview, the home
25 of Kosowski, in the days prior to obtaining the search

1 warrant?

2 A. I only know what's been documented in the
3 supplements.

4 Q. Okay. The -- are the detectives
5 issued department-issued smartphones to use in their
6 employment?

7 A. They are.

8 Q. And are those smartphones sometimes used to
9 take photographs that might be relevant to a case?

10 A. They are.

11 Q. Is there a policy within your department on
12 preservation of information in those phones?

13 A. There is.

14 Q. What's that policy?

15 A. I believe that the -- I have to look it up so I
16 don't give it to you inaccurately.

17 Q. Okay.

18 A. I apologize for my Internet going extremely
19 slow.

20 Q. Do you know if it's a written policy?

21 A. I believe it is.

22 Q. You know, if you could forward the policy via
23 e-mail to Mr. Vonderheide, that would be fine as well.

24 A. Okay.

25 Q. Presumably -- particularly if it relates to a

1 very serious offense, I would think that preservation of
2 information that was obtained during such an
3 investigation would be important. That make sense?

4 A. Yes.

5 Q. Meaning if -- for example, if photographs were
6 taken using a department-issued smartphone during the
7 investigation involving a murder -- murder that
8 ultimately becomes a murder investigation -- would
9 likely to not be deleted or discarded?

10 A. That's correct.

11 Q. Okay. Do you know whether or not -- are these
12 iPhones, or what kind of phones are they?

13 A. They're iPhones.

14 Q. iPhones? Okay.

15 And do you know whether or not --

16 A. They are.

17 Q. Okay. Do you know -- generally, if I take a
18 photo with an iPhone and then when I view the photo, I
19 can take my finger and I can sort of push up on the
20 photo and it will give me a bunch of metadata, like
21 location information, date information, time
22 information. Do you know if that is a feature that's
23 part of these phones?

24 A. I don't know if that feature is enabled or not.

25 Q. Okay. All right. Can you find out and let us

1 know via e-mail to Mr. Vonderheide as well?

2 A. So metadata --

3 Q. Yes.

4 A. -- for city phones.

5 Q. Yeah. You know what I'm talking about; right?

6 A. I do.

7 Q. All right. The -- if any of your detectives
8 were at the scene of my client's home at 511 Seaview in
9 the day prior to the search warrant being obtained,
10 would it be appropriate for them to enter, for example,
11 the backyard of my client's home if it's fenced in?

12 A. No.

13 Q. Okay. How about using a ladder or any type of
14 other device to get to a vantage point on the property
15 where you're looking inside the property? Like, in the
16 driveway, getting a ladder to look inside the garage
17 through a window that you couldn't see unless you had
18 the ladder to get up on. And if you don't know, you
19 don't know, but if you know --

20 A. Yeah, I'd have to -- I mean, I'm sure that's a
21 highly-contested item. I'd have to do some research on
22 that.

23 Q. Okay. That's fine.

24 After the completion of a search of a home, is
25 it required that you leave a copy of the search warrant?

1 A. It is.

2 Q. Okay. Does that include the affidavit or just
3 the search warrant itself?

4 A. I believe it's the affidavit.

5 Q. Including the affidavit? Okay.

6 A. Yes, sir.

7 Q. Would opening a door to a residence or opening
8 the garage door to a residence prior to having either
9 consent of the property owner or a search warrant be
10 appropriate?

11 A. No.

12 Q. Okay. Is there anything as we're sitting here
13 that you're thinking to yourself, I can't believe the
14 attorney didn't ask me this question?

15 A. No, sir.

16 Q. Okay. Anything I'm missing? Anything that we
17 haven't talked about that you've done in this case?

18 A. No, sir.

19 MR. BRUNVAND: All right. I don't have any
20 other questions. Let me stop sharing. Sorry about
21 that.

22 MR. VONDERHEIDE: I have no questions.

23 MR. BRUNVAND: No questions. Ms. Spadaro?

24 MS. SPADARO: No questions.

25 MR. BRUNVAND: No questions? Okay.

1 Would you like to read or waive if the
2 transcript -- and the transcript will be prepared.

3 THE WITNESS: I would love to read.

4 MR. BRUNVAND: Okay. I'm going to pause the
5 recording and then the court reporter will get your
6 contact information.

7 (At 11:56 a.m., no further questions were
8 propounded to this witness.)
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ERRATA SHEET

IN RE: STATE OF FLORIDA vs. TOMASZ KOSOWSKI
DEPOSITION OF: SERGEANT MICHAEL VIGENSKI
TAKEN: 04/09/2024

DO NOT WRITE ON TRANSCRIPT - ENTER CHANGES HERE

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

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

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

SIGNATURE OF DEPONENT: _____

DATE: _____

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF PINELLAS

I, Lori A. Seiden, RPR, FPR-C, Notary Public,
State of Florida, certify that SERGEANT MICHAEL
VIGENSKI virtually appeared before me on the 9th day of
April, 2024, and was duly sworn.

WITNESS my hand this 23rd day of September 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

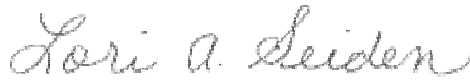
1 CERTIFICATE OF REPORTER

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 SERGEANT MICHAEL
9 VIGENSKI; 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 23rd day of September, 2024.

19
20 

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

September 23, 2024

SERGEANT MICHAEL VIGENSKI
mvigensk@largo.com

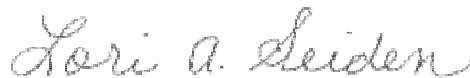
Dear Sergeant VigenSKI:

Your deposition taken in the case of State of Florida vs. Tomasz Kosowski on April 9, 2024, has been transcribed. Per your request to review the transcript, it is being held at our office at 728 South New York Avenue, Lakeland, Florida, until October 23, 2024.

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

Thank you for your prompt attention to this matter.

Sincerely,

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

Lori A. Seiden, RPR, FPR-C