

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA IN AND FOR PASCO COUNTY  
2014CF000216CFAXES-1

STATE OF FLORIDA

V.

CURTIS JUDSON REEVES

FILED FOR COURT  
PASCO COUNTY, FLORIDA  
2021 NOV 23 PM 12:01  
NINA ALBERTSON  
CLERK & COMPTROLLER  
PASCO COUNTY, FLORIDA

**STATE'S RESPONSE TO DEFENDANT'S MOTION  
TO DESIGNATE NICOLE OULSON AS A WITNESS IDENTIFIED  
WITH AN ADVERSE PARTY UNDER §90.612(3), AND TO ALLOW  
THE DEFENSE TO QUESTION HER WITH LEADING QUESTIONS**

COMES NOW, Bruce Bartlett, State Attorney, for the Sixth Judicial Circuit in and for Pasco County, Florida, by and through the undersigned Assistant State Attorney hereby responds to the *DEFENDANT'S MOTION TO DESIGNATE NICOLE OULSON AS A WITNESS IDENTIFIED WITH AN ADVERSE PARTY UNDER §90.612(3), AND TO ALLOW THE DEFENSE TO QUESTION HER WITH LEADING QUESTIONS* as follows:

**State's Position**

The victims in a criminal are not an adverse party as contemplated by §90.612(3).

The automatic designation of a victim in a criminal case is not contemplated by §90.612(3).

**Factual Basis**

The Defendant is charged with 2° Murder for the death of Chad Oulson and Aggravated Battery for shooting Nicole Oulson in the hand.

At the immunity hearing in the above-styled case, Nicole Oulson was asked if she currently had a civil suit pending against Cobb Theater. (Immunity Hearing transcript, Volume VII, page 840) (See attached Exhibit #1)

Argument

Defendant has not cited case law supporting his position that Nicole Oulson, the victim of an aggravated battery with a firearm in the above-styled cause, should be automatically designated as an adverse witness when she testifies at trial.

A Final Disposition Form was filed on December 17, 2020 in *Nicole Oulson, Plaintiff vs. Thomas Peck, Cobb Theaters III, LLC d/b/a Cobb Grove 16 & Cinebistro and Oakley Grove Development, LLC, Defendants.* (See attached, Exhibit #2)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing *STATE'S RESPONSE TO DEFENDANT'S MOTION TO DESIGNATE NICOLE OULSON AS A WITNESS IDENTIFIED WITH AN ADVERSE PARTY UNDER §90.612(3), AND TO ALLOW THE DEFENSE TO QUESTION HER WITH LEADING QUESTIONS.* was furnished to Richard Escobar, Esq., Attorney for the Defendant, at 2917 West Kennedy Blvd., Suite 100, Tampa, FL 33609-3163, by U.S. Mail, Personal Service or Email at rescobar@escobarlaw.com this 29<sup>th</sup> day of November 2021.

BRUCE BARTLETT, State Attorney  
Sixth Judicial Circuit of Florida

By: 

Glen L. Martin, Jr.  
Assistant State Attorney  
Bar No. 435988

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT OF  
THE STATE FLORIDA, IN AND FOR PASCO COUNTY  
CASE NO. CRC14-0216CFAES

STATE OF FLORIDA,

Plaintiff,

vs.

VOLUME VII

CURTIS J. REEVES,

Defendant.

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PROCEEDINGS: Stand Your Ground Motion

DATE: February 23, 2017

BEFORE: The Honorable Susan Barthle  
Circuit Court Judge

PLACE: Robert D. Sumner Judicial Center  
38053 Live Oak Avenue  
Dade City, Florida 33523

REPORTED BY: Charlene M. Eannel, RPR  
Court Reporter  
PAGES 781 -

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

2

3 APPEARING ON BEHALF OF  
4 THE STATE OF FLORIDA:

4

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12 Dade City, Florida 33523

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12 APPEARING ON BEHALF OF  
13 THE DEFENDANT: CURTIS REEVES

13 Richard Escobar, Esquire  
14 Dino Michaels, Esquire  
15 Rupak Shah, Esquire  
16 ESCOBAR & ASSOCIATES  
17 2917 W. Kennedy Blvd.  
18 Suite 100  
19 Tampa, Florida

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**INDEX OF EXHIBITS**

**(No Exhibits Entered in this Volume.)**

1 Q. You have no idea, like we said, he's down low,  
2 knee in the seat, his body up against the chair, you  
3 don't know his position from here to here?

4 A. No, I don't.

5 Q. The only thing that you know is when you  
6 reached over and the shot was fired, you were struck with  
7 the same bullet that went into his chest and killed him,  
8 right?

9 A. Yes.

10 MR. MARTIN: No further questions. Thank you.

11 THE COURT: Thank you.

12 MR. MICHAELS: May I, Judge?

13 THE COURT: You may.

14 REDIRECT EXAMINATION

15 BY MR. MICHAELS:

16 Q. We can agree that currently you have a civil  
17 suit pending against Cobb Theater?

18 A. Yes.

19 MR. MICHAELS: Thank you.

20 Nothing else, Judge.

21 THE COURT: May this witness be released?

22 MR. MARTIN: No, Your Honor. She will remain  
23 under State subpoena.

24 MR. ESCOBAR: The same with Defense subpoena.

25 THE COURT: All right. She is welcome to

Form 1.998

**FINAL DISPOSITION FORM**

This form is required for the use of the Clerk of Court for the purpose of reporting judicial workload data pursuant to Florida Statute 25.075.

I.  
IN THE CIRCUIT COURT OF THE  
SIXTH JUDICIAL CIRCUIT IN AND  
FOR PASCO COUNTY, FLORIDA  
CASE NO: 2016-CA-000040

NICOLE OULSON, Individually, and NICOLE  
OULSON as Personal Representative of the  
Estate of CHAD OULSON, deceased,

Plaintiffs,

-v-

THOMAS PECK, COBB THEATERS III, LLC,  
d/b/a COBB GROVE 16 & CINEBISTRO and  
OAKLEY GROVE DEVELOPMENT, LLC,

Defendants.

II. MEANS OF DISPOSITION (Place an "X" on one line only)

\_\_\_\_\_ Dismissed Before Hearing  
\_\_\_\_\_ Dismissed After Hearing

\_\_\_\_\_ Disposed by Default

\_\_\_\_\_ Disposed by Judge

\_\_\_\_\_ Disposed by Non-Jury Trial

\_\_\_\_\_ Disposed by Jury Trial

  X   Other (Settlement)

DATED 12/17/20

SIGNATURE OF ATTORNEY  
FOR PREVAILING PARTY

[Redacted Signature]

TJ Grimaldi, Esquire



IN THE CIRCUIT COURT OF THE  
SIXTH JUDICIAL CIRCUIT IN AND  
FOR PASCO COUNTY, FLORIDA  
CASE NO: 2016-CA-000040

NICOLE OULSON, Individually, and NICOLE  
OULSON as Personal Representative of the  
Estate of CHAD OULSON, deceased,

Plaintiffs,

-v-

THOMAS PECK, COBB THEATERS III, LLC,  
d/b/a COBB GROVE 16 & CINEBISTRO and  
OAKLEY GROVE DEVELOPMENT, LLC,

Defendants.

**STIPULATION FOR ORDER OF DISMISSAL**

It is hereby stipulated and agreed by and between the respective attorneys for the parties to this cause that the same has been amicably settled and may be dismissed with prejudice to the Plaintiff(s), with the parties to bear their respective costs.

Dated this 17 day of Dec, 2020.

LAW OFFICE OF GLENN G. GOMER

MCINTYRE THANASIDES BRINGGOLD  
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IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA IN AND FOR PASCO COUNTY  
2014CF000216CFAXES-1

Filed For Record  
Pasco County, Florida  
2021 NOV 23 PM 12:01  
Mimi Alvarez-Soriano  
Clerk & Comptroller  
Pasco County, Florida

STATE OF FLORIDA

V.

CURTIS JUDSON REEVES

**STATE'S SUPPLEMENT NO.2 TO STATE'S MOTION IN LIMINE TO  
EXCLUDE THE TESTIMONY OF JENNIFER SHAW REGARDING  
THE DEFENDANT'S CHARACTER AND TO REQUIRE A PROOFER OF  
DEFENDANT'S CHARACTER EVIDENCE OUTSIDE THE PRESENCE OF THE JURY**

COMES NOW, BRUCE BARTLETT, State Attorney, for the Sixth Judicial Circuit in and for Pasco County, Florida, by and through the undersigned Assistant State Attorney hereby files this *State's Supplement No.2 to State's Motion In Limine To Exclude The Testimony Of Jennifer Shaw Regarding The Defendant's Character And To Require A Proofer Of Defendant's Character Evidence Outside The Presence Of The Jury*, as follows:

**Supplement Case Authority**

**Louviere v. State, 306 So.3d 394 (Fla. 1<sup>st</sup> DCA 2020)**

“Under the Florida Evidence Code, when evidence of a person’s character is admissible, it may be proven by testimony about that person’s reputation. *See* § 90.405(1), Fla. Stat. (2017). But before reputation evidence may be introduced, the party offering the testimony must show that the witness is aware of the person’s general reputation in the community. *See* § 90.803(21), Fla. Stat. (2017) (establishing a hearsay exception for “[e]vidence of reputation of a person’s character among associates or in the community”); *Pitts v. State*, 263 So. 3d 834, 840 (Fla. 1st DCA 2019) (affirming on preservation grounds the trial court’s exclusion of evidence on the defendant’s reputation for sexual non-violence because counsel never proffered evidence of a witness who could testify about that reputation). And “the community must be sufficiently broad to provide adequate knowledge and a reliable assessment.” *Ibar v. State*, 938 So. 2d 451, 469 (Fla. 2006).” *Id.*  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing *State's Supplement No. 2 To State's Motion in Limine to Exclude the*

