

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO COUNTY, STATE OF FLORIDA
CRIMINAL DIVISION

STATE OF FLORIDA,
Plaintiff,

Case No: CRC-1400216CFAES

vs.

CURTIS J. REEVES,
Defendant.

Division: 1

spn 00683538

**RESPONSE IN OPPOSITION TO MOTION FOR PROTECTIVE ORDER REGARDING
DEPOSITION OF COLONEL JEFF HARRINGTON**

Defendant, CURTIS J. REEVES, by and through the undersigned attorney, files this Response in Opposition to Motion for Protective Order Regarding Deposition of Colonel Jeff Harrington, requesting that the Court deny Colonel Harrington's motion, for good cause shown, as follows:

1. In his motion, Colonel Harrington alleges that the Office of the State Attorney has not listed Colonel Harrington as a witness in this case and that the State does not intend to call Colonel Harrington at the trial in this matter. However, on February 3, 2014, the undersigned received the State's Witness List, which included then Major Jeff Harrington as a Category "A" Witness. (*See Copy of State's Witness List, attached*). The undersigned was not previously apprised of a change in the State's intent to call Colonel Harrington as a witness until after he had been served with a subpoena.

2. In his motion, Colonel Harrington also alleges that he has no first hand knowledge of the facts forming the basis of any of the criminal charges in this case. However, it is undisputed that Colonel Harrington was on the scene of the alleged crime on January 13, 2014. Indeed, Colonel

Harrington was originally listed as a Category “A” Witness under the purview of Fla. R. Crim. P. 3.220(b)(1)(A)(i), which requires the State to disclose all “investigating officers.” The Fla. R. Crim. P. 3.220 committee notes define an “investigating officer” as “an officer who has directed the collection of evidence, interviewed material witnesses, or who was assigned as the case investigator.” Colonel Harrington’s presence at the scene of the alleged crime and original listing as an “investigating officer” creates a conflict with Colonel Harrington’s present claim that he has no firsthand knowledge of the facts of this case. Unclear or conflicting evidence as to what information a witness may have about a crime or a defendant’s presence and participation in a crime is insufficient to sustain a protective order barring the defense from access to the witness, particularly where, as in the present matter, the “existence and identity of the witness originated with the state’s disclosure of [the] name to the [defendant] as a witness who was present at the scene of the crime.” *Fuller v. State*, 485 So.2d 35, 35 (Fla. 4th DCA 1986).

3. Colonel Harrington’s reliance on *In re United States of America*, 985 F.2d 510 (11th Cir. 1993), *Horne v. School Board of Miami-Dade*, 901 So.2d 238 (Fla. 1st DCA 2005), and *State, HRS v. Brooke*, 573 So.2d 363 (Fla. 1st DCA 1991) is misplaced. These cases rely on an assumption that there is no relevancy to calling the “head of an agency.” *See, e.g., Dept. of Agriculture v. Broward*, 810 So.2d 1056, 1058 (Fla. 1st DCA 2002) (“To hold otherwise would...subject agency heads to being deposed in virtually every...proceeding.”). Here, the relevance of Colonel Harrington’s testimony is *prima facie* established by virtue of his presence at the scene of the alleged crime. *See, generally, Fuller*, 485 So.2d at 35. Further, the cases relied on by Colonel Harrington caution against seeking relevant testimony from an agency head where that testimony would arise from their status as the head of an agency alone. The testimony sought from Colonel Harrington

concerns his eye-witness observations and actions taken at the scene of the alleged crime, and is not based on his status as Colonel for the Pasco Sheriff's Office. *Id.* The *Fuller* Court found that an "alleged claim of danger to the witness [which] was totally unconnected to the case against the defendant...[was] insufficient to excuse the presence of the witness." *Id.* The argument offered by Colonel Harrington that he should be exempt from deposition because of his status as a "head of agency" is analogously "unconnected to the case against defendant" in this matter. *Id.* In sum, the transition of a witness into a head of agency cannot be used as a cloak under which one may conceal relevant testimony.

4. Fla. R. Crim. P. 3.220(h) does not prohibit a defendant from taking a deposition of a witness that was initially listed by the prosecution. To interpret Rule 3.220(h) otherwise would be to violate the spirit and purpose of discovery, which should be broadly and liberally permitted to guarantee a defendant the right to a fair trial. *See State v. Brock*, 106 So.2d 607, 610 (Fla. 1st DCA 1958) ("Discovery processes are available to persons charged with crime by which they may obtain such details de hors the information or indictment as are proper and necessary to [their] defense."). Rule 3.220(h) must be interpreted to support the policy behind discovery. *See, generally, Carnivale v. State*, 271 So.2d 793, 795 (Fla. 3d DCA 1973). Further, under the principle of lenity, ambiguity or doubts in the meaning of a criminal rule should be resolved in favor of the defendant. *See, generally, Key v. State*, 837 So.2d 535 (Fla. 2d DCA 2003). Accordingly, any doubt as to whether a deposition of Colonel Harrington is authorized under Fla. R. Crim. P. 3.220(h) should be resolved in favor of Mr. Reeves. Finally, *Fuller* suggests a strong disapproval of the State alerting the defendant to the existence of a Category "A" Witness, only for the State to later prevent that witness's deposition. *Fuller*, 485 So.2d at 35. Rule 3.220(h)'s silence on a defendant's ability to

depose a witness originally listed as a Category “A” Witness by the State cannot be interpreted to prohibit a defendant from deposing such a witness where public policy, the principle of lenity, and case law clearly favors broad and liberal discovery.

5. In the event the State or Sheriff’s Office argues that Colonel Harrington is a Category “B” Witness, Mr. Reeves would still be entitled to take his deposition. Under Fla. R. Crim. P. 3.220(b)(1)(A)(ii), a Category “B” Witness is any witness not otherwise listed as Category “A” or “C.” Under Fla. R. Crim. P. 3.220(h)(1)(B), a party may take the deposition of a Category “B” Witness upon leave of court with good cause shown. In determining if good cause has been shown, a court must consider: (1) the consequences to the defendant; (2) the complexities of the issues involved; (3) the complexity of the testimony of the witness; and (4) other opportunities available to the defendant to discover the information sought by deposition. For the reasons already stated above, and in conjunction with those discussed below, Mr. Reeves has shown good cause for taking the deposition of Colonel Harrington:

A. Consequences to the Defendant

Mr. Reeves will be deeply prejudiced if he is prohibited from taking the deposition of Colonel Harrington. As described above, it is undisputed that Colonel Harrington responded to the scene of the alleged crime. It is clear that the State identified Colonel Harrington as an “investigating officer,” which comes with duties to direct the collection of evidence, interview witness, or otherwise investigate a crime. Considering Colonel Harrington’s rank at the time, he and other ranking officers would have been responsible for directing an immediate investigation and deciding whether an arrest was appropriate. Indeed, in explaining to Mr. Reeves the decision to arrest him, Investigator Allen Proctor stated, “I’m gonna have to arrest you on a second degree... I’ve

talked it over with the state, and uh, my **command staff and everybody's in agreement...**" (*See*, Police Report, p. 83) (emphasis added). Further, it is axiomatic that in determining whether to arrest Mr. Reeves, Colonel Harrington and other commanding officers would have considered whether Mr. Reeves acted in self-defense. In fact, statements made by Sheriff Nocco to the press reflect this very procedure: "I remember very clearly that we stood outside the movie theater, got all the detectives over and said, 'what do we think we've got here? Is this a Stand Your Ground case?' Everyone said, no way, this is not Stand Your Ground." What Colonel Harrington observed and considered with regards to Mr. Reeves' self-defense, including participation in the discussions described by Sheriff Nocco, is not only relevant, but may prove critical. If Mr. Reeves is deprived of the opportunity to depose Colonel Harrington on his role in the investigation and the ultimate decision to effect an arrest, Mr. Reeves will face the very serious consequence of being unable to fully develop his theory of defense.

B. Complexities of the Issues Involved

This is a highly complex case that may require application of justifiable use of force under Florida Statutes 782.02 and 776.012. Parsing out proper application of these statutes will require presentation of all relevant evidence, including the observations and decisions of Colonel Harrington.

C. The Complexity of the Testimony of the Witness

The complexity of Colonel Harrington's testimony has yet to be determined. If he swears, under oath, that he has no first-hand knowledge of this case, then his testimony may not prove very complex. If, on the hand, Colonel Harrington can offer his observations, the role he took in the investigation, and insight into any decisions he made, his testimony may prove fairly complex.

D. Other Opportunities Available to Discover the Information Sought by Deposition

Only Colonel Harrington can testify as to his own observations and any decisions he made based on them. There is no other opportunity available to discover this information.

6. Finally, the State and the Sheriff's Department should be foreclosed from arguing that Colonel Harrington is a Category "C" Witness. A Category "C" Witness is any "witness who performed only ministerial functions or whom the prosecutor does not intend to call at trial **and** whose involvement with and knowledge of the case is fully set out in a police report or other statement furnished to the defense." Fla. R. Crim. P. 3.220(b)(1)(A)(iii) (emphasis added). It is clear that Colonel Harrington is not a witness that "performed only ministerial acts." Further, even if the State does not intend to call Colonel Harrington, it must still be true that Colonel Harrington's involvement with and knowledge of the case be fully set out in a police report or other statement for Colonel Harrington to be a Category "C" Witness. However, the Police Report merely lists "J. Harrington" as an "assisting officer," and does not at all explain Colonel Harrington's involvement in the investigation. No other statement has been provided to the defense that otherwise explains Colonel Harrington's involvement with, and knowledge of, this case.

WHEREFORE, Mr. Reeves respectfully requests that this Honorable Court find that Colonel Harrington has not established a proper predicate or good cause for a protective order and that Mr. Reeves is entitled to take Colonel Harrington's deposition as scheduled, or, in the alternative, find that Mr. Reeves has shown good cause for deposing Colonel Harrington as a Category "B" Witness, together with such further relief as justice demands.

/s/ Dino M. Michaels
Dino M. Michaels, Esquire
Escobar & Associates, P.A.
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Tampa, Florida 33609
Tel: (813) 875-5100
Fax: (813) 877-6590
Florida Bar No. 0526290
Email: dmichaels@escobarlaw.com
Attorney for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Hand Delivery to the Office of the State Attorney, Dade City, Florida, to Pasco County Sheriff's Office, this 13th day of August, 2014.

/s/ Dino M. Michaels
Dino M. Michaels, Esquire
Escobar & Associates, P.A.
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Tampa, Florida 33609
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Email: dmichaels@escobarlaw.com
Attorney for Defendant

IN THE CIRCUIT COURT FOR PASCO COUNTY, FLORIDA

STATE OF FLORIDA CASE NO. CRC1400216CFAES SAX: MARSEE, LISA

VS LIST OF WITNESSES : ANSWER TO DEMAND FOR DISCOVERY

REEVES, CURTIS JUDSON
SPN 00683538

NAME	RESIDENCE	BUSINESS ADDRESS	PAGE
ABREU, NERIDA 00600117 WIP	3640 BALLASTONE DR LAND OLAKES FL 34638	NO BUSINESS ADDRESS	1
AGUILAR, ERIC 00684767 WIP	7638 QUAIL HOLLOW BLVD WESLEY CHAPEL FL 33544	NO BUSINESS ADDRESS	
AJAMAIN, ELAINE 00684792 WIP	22912 KILLINGTON BLVD LAND O LAKES FL 34369	NO BUSINESS ADDRESS	
ALEXANDER, ANDREW 00684786 WIP	NO RESIDENCE ADDRESS	3001 W DR MLK BLVD TAMPA FL 336	
ALLEE, SAMANTHA DEP 00331806 INO	NO RESIDENCE ADDRESS	PASCO COUNTY S.O. 8700 CITIZENS DRIVE NEW PORT RICHEY FL 346	
ANDREW, ERIC 00684812 WIP	COBB CINEBISTRO 1004 TOWN BLVD ATLANTA GA 30319	NO BUSINESS ADDRESS	
CARDONA, JOHN DEP 00584612 INO	NO RESIDENCE ADDRESS	PCSO 36409 SR 52 DADE CITY FL 335	
CHAMBERS, DELIA 00684821 WIP	COBB THEATERS 26423 WHIRLAWAY TER WESLEY CHAPEL FL 33544	NO BUSINESS ADDRESS	
COLELLO, ANTHONY 00684778 WIP	34352 PERFECT DRIVE DADE CITY FL 33525	NO BUSINESS ADDRESS	
COTTRAL, KRISTIE DR 00684761 WIE	NO RESIDENCE ADDRESS	FLORIDA HOSPITAL 2600 BRUCE B DOWNS BLV WESLEY CHAPEL FL 335	

I DO CERTIFY THAT COPY (COPIES) HEREOF HAVE BEEN FURNISHED TO ATTORNEY FOR

DEFENDANT, *Dino Michaelis, Esq.*
Richard Escobar, Esq. BY US mail

, THIS 3rd DAY OF Feb, 2014

BERNIE MCCABE, STATE ATTORNEY
SIXTH JUDICIAL CIRCUIT OF FLORI

BY *James J. Green*
ASSISTANT STATE ATTORNEY

ALL WITNESSES ARE
CATEGORY 'A' WITNESSES
(UNLESS OTHERWISE NOTED)

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REEVES, CURTIS JUDSON
SPN 00683538

NAME	RESIDENCE	BUSINESS PAGE 2
CUMMINGS, ALEXANDER 00684785 WIP	4604 BRAESGATE CT LAND O LAKES FL 34639	NO BUSINESS ADDRESS
CUMMINGS, CHARLES JAMES 00684784 WIP	4604 BRAESGATE CT LAND O LAKES FL 34639	NO BUSINESS ADDRESS
DEJESUS, MANUEL 00611580 INO	NO RESIDENCE ADDRESS	PCSO 36409 SR 52 DADE CITY FL 335
DEMAS, DEP CHRISTINA 00319076 INO	NO RESIDENCE ADDRESS	PASCO COUNTY S.O. 8700 CITIZENS DRIVE NEW PORT RICHEY FL 346
DIXON, JAMIRA 00684805 WIP	6435 SUSHI CT WESLEY CHAPEL FL 33545	NO BUSINESS ADDRESS
DIXON, MICHAEL CARLOS 00684811 WIP	6435 SUSHI CT WESLEY CHAPEL FL 33545	NO BUSINESS ADDRESS
DUFF, DAVID DEP 00495106 INO	NO RESIDENCE ADDRESS	PCSO 36409 STATE ROAD 52 DADE CITY FL 335
DUVALL, ANDREW 00684814 WIP	5011 CULPEPPER PLACE WESLEY CHAPEL FL 33545	NO BUSINESS ADDRESS
EASTMOND, STEVEN DEP 00120284 INO	NO RESIDENCE ADDRESS	PCSO 644 36409 STATE ROAD 52 DADE CITY FL 335
ELAM, ERIN M 00684813 WIP	COBB THEATER 6809 BOULDER RUN LP ZEPHYRHILLS FL 33545	NO BUSINESS ADDRESS

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BERNIE MCCABE, STATE ATTORNEY
SIXTH JUDICIAL CIRCUIT OF FLORIDA
BY *[Signature]*
ASSISTANT STATE ATTORNEY

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NAME	RESIDENCE	BUSINESS PAGE
ELDERS, ELISSA DEP 00556638 INO	36409 STATE ROAD 52 DADE CITY FL 33525	3 PCSO 20101 CENTRAL BLVD LAND O LAKES FL 336
FEDERICO, PETE DET 00287678 INO	NO RESIDENCE ADDRESS	PCSO 8700 CITIZENS DR NEW PORT RICHEY FL 346
FIELDS, LUBY SGT 00338052 INO	NO RESIDENCE ADDRESS	PCSO 8700 CITIZENS DRIVE NEW PORT RICHEY FL 346
FOLSOM, GENNIS DEP 00347533 INO	PCSO 8700 CITIZENS DRIVE NEW PORT RICHEY FL 34654	PCSO 8700 CITIZENS DRIVE NEW PORT RICHEY FL 346
FRIEDHOFF, DEREK 00684781 WIP	32141 BROOKSTONE DR WESLEY CHAPEL FL 33545	NO BUSINESS ADDRESS
GARD, GARY 00684772 WIP	7649 TALLOWTREE DRIVE WESLEY CHAPEL FL 33544	NO BUSINESS ADDRESS
GARIEPY, JAMES DET 00185495 INO	NO RESIDENCE ADDRESS	PCSO 8700 CITIZENS DRIVE NEW PORT RICHEY FL 346
GARLOCK, JASON 00567269 INO	2571 RANCHSIDE TER NEW PORT RICHEY FL 34655	NO BUSINESS ADDRESS
GARRISON, JENNY TECH 00359791 WIR	PCSO 8700 CITIZENS DRIVE NEW PORT RICHEY FL 34654	PCSO 8700 CITIZENS DRIVE NEW PORT RICHEY FL 346
GILLOTTE, JESSICA 00354113 INO	NO RESIDENCE ADDRESS	36409 STATE ROAD 52 DADE CITY FL 355

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DEFENDANT, *Dino Michaels, Esq.* BY *US Mail*, THIS 3rd DAY OF *Feb.*, 2014
Richard Escobar, Esq.

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NAME	RESIDENCE	BUSINESS PAGE
GONDEK, DEP TRAVIS 00331255 INO	NO RESIDENCE ADDRESS	4 PASCO COUNTY S.O. 8700 CITIZENS DRIVE NEW PORT RICHEY FL 346
GONZALEZ, SANJUANITA 00550020 WIR	NO RESIDENCE ADDRESS	PCSO FORENSICS 36409 SR 52 DADE CITY FL 335
GREINER, STEVE SGT 00120568 INO	NO RESIDENCE ADDRESS	PASCO COUNTY SO 8700 CITIZEN DRIVE NEW PORT RICHEY FL 346
GRINNELL, LYNN 00684802 WIP	27808 SANTA ANITA BLVD WESLEY CHAPEL FL 33265	NO BUSINESS ADDRESS
GRINNELL, RICHARD 00684797 WIP	27808 SANTA ANITA BLVD WESLEY CHAPEL FL 33544	NO BUSINESS ADDRESS
HAMILTON, ALAN DET 00595666 WIP	NO RESIDENCE ADDRESS	SUMTER COUNTY S O 1010 NORTH MAIN ST BUSHNELL FL 335
HAMILTON, ANGELA 00684807 WIP	NO RESIDENCE ADDRESS	1010 NORTH MAIN ST BUSHNELL FL 335
HARRINGTON, JEFF MAJOR 00187035 INO	NO RESIDENCE ADDRESS	PSO 8700 CITIZENS DR NEW PORT RICHEY FL 346
HARTMAN, LEONARD 00538432 INO	19153 CAUSEWAY BLVD LAND O LAKES FL 34638	NO BUSINESS ADDRESS
HOUSTON, GARRY HERBERT 00684816 WIP	9608 ROLLING CIR SAN ANTONIO FL 33576	NO BUSINESS ADDRESS

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Richard Escobar, Esq.

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BERNIE MCCABE, STATE ATTORNEY
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ASSISTANT STATE ATTORNEY

IN THE CIRCUIT COURT FOR PASCO COUNTY, FLORIDA

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NAME	RESIDENCE	BUSINESS PAGE
HOUSTON, MARY 00684817 WIP	9608 ROLLING CIR SAN ANTONIO FL 33576	5 NO BUSINESS ADDRESS
JONES, ERIC DEP 00684762 INO	NO RESIDENCE ADDRESS	PASCO SHERIFFS OFC 8700 CITIZEN DRIVE NEW PORT RICHEY FL 346
KERR, ROBERT MILLER 00684806 WIP	27936 MILLER ROAD DADE CITY FL 33525	NO BUSINESS ADDRESS
KERR, SYLVIA 00684804 WIP	27936 MILLER ROAD DADE CITY FL 33525	NO BUSINESS ADDRESS
KING, MYRA 00684789 WIP	NO RESIDENCE ADDRESS	ST JOSEPHS HOSPITAL 3001 W DR MLK BLVD TAMPA FL 336
KITCHEN, THOMAS G 00684771 WIP	7601 TALLOWTREE DRIVE WESLEY CHAPEL FL 33544	NO BUSINESS ADDRESS
LAURIA, NICOLE ELIZABETH 00451761 WIP	37475 ACORN LOOP DADE CITY FL 33523	NO BUSINESS ADDRESS
MAGGIO, KENNETH 00684790 WIP	28505 TWINBROOK LANE WESLEY CHAPEL FL 33544	NO BUSINESS ADDRESS
MANERA, JENNIE 00684782 WIP	32141 BROOKSTONE DR WESLEY CHAPEL FL 33545	NO BUSINESS ADDRESS
MARCH, MICHELLE SGT 00446090 INO	8700 CITIZENS DR NEW PORT RICHEY FL 34654	NO BUSINESS ADDRESS

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DEFENDANT, *Dino Michaelson* BY *us mail* , THIS *3rd* DAY OF *Feb* , 2014
Richard Escobar, ESQ

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BERNIE MCCABE, STATE ATTORNEY
SIXTH JUDICIAL CIRCUIT OF FLORI

BY *Bernie McCabe*
ASSISTANT STATE ATTORNEY

IN THE CIRCUIT COURT FOR PASCO COUNTY, FLORIDA

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NAME	RESIDENCE	BUSINESS PAGE
MATWIEJOW, VITORIA 00684747 WIP	7717 SEAFIELD LN WESLEY CHAPEL FL 33545	6 NO BUSINESS ADDRESS
MCCULLEN, MAJOR BRYANT JR 00684794 WIP	28600 BENNINGTON DR WESLEY CHAPEL FL 33544	NO BUSINESS ADDRESS
MCDONALD, KELLEY 00684791 WIP	3422 CHAPEL CREEK CIR WESLEY CHAPEL FL 33544	NO BUSINESS ADDRESS
MCFADDEN, EDWARD M 00684770 WIP	12410 PALM ST SAN ANTONIO FL 33576	NO BUSINESS ADDRESS
MCINNES, STEPHEN DEP 00426039 INO	NO RESIDENCE ADDRESS	PASCO SHERIFFS OFF 8700 CITIZENS DRIVE NEW PORT RICHEY FL 346
MEYERS, FRED 00684810 WIP	COBB CINEBISTRO 1004 TOWN BLVD ATLANTA GA 30319	NO BUSINESS ADDRESS
MICKLEY, JACE P 00684774 WIP	2667 MOSSER ST ALLENTOWN PA 18104	NO BUSINESS ADDRESS
MILLER, SUSAN TECH 00355608 WIR	NO RESIDENCE ADDRESS	PSO FORENSICS 20101 CENTRAL BLVD LAND O LAKES FL 346
MORRISON, MARK DET 00209909 INO	PCSO DADE CITY FL 33525	PCSO 36409 STATE RD 52 DADE CITY FL 335
MOYERS, RICHARDO 00684775 WIP	30534 LATOURETTE DRIVE WESLEY CHAPEL FL 33543	NO BUSINESS ADDRESS

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DEFENDANT, *Dino Michaels, Esq* BY US MAIL
Richard ESCOBAR, Esq

, THIS 3rd DAY OF FEB, 2014

BERNIE MCCABE, STATE ATTORNEY
SIXTH JUDICIAL CIRCUIT OF FLORI

BY *[Signature]*
ASSISTANT STATE ATTORNEY

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NAME	RESIDENCE	BUSINESS PAGE
MURPHY, ANNE 00684796 WIP	23831 CORAL RIDGE LANE LAND O LAKES FL 34639	7 NO BUSINESS ADDRESS
MURRAY, MARK DEP 00532081 INO	NO RESIDENCE ADDRESS	PASCO COUNTY SO 8700 CITIZENS DR NEW PORT RICHEY FL 346
MYERS, MATTHEW DEP 00365114 INO	NO RESIDENCE ADDRESS	PCSO 8700 CITIZENS DRIVE NEW PORT RICHEY FL 346
OULSON, NICOLE 00683650 WIV	8043 SEQUESTER LOOP LAND O LAKES FL 34637	NO BUSINESS ADDRESS
PARISH, AMY TECH 00466843 WIR	NO RESIDENCE ADDRESS	PASCO COUNTY S.O. 8700 CITIZENS DRIVE NEW PORT RICHEY FL 346
PECK, THOMAS 00684815 WIP	NO RESIDENCE ADDRESS	COBB THEATER 6333 WESLEY GROVE BLV WESLEY CHAPEL FL 335
PEREZ, GLADYS 00684809 WIP	10702 CORY LAKE DRIVE TAMPA FL 33647	NO BUSINESS ADDRESS
PEREZ, LUIS 00684808 WIP	10702 CORY LAKE DR TAMPA FL 33647	NO BUSINESS ADDRESS
PROCTOR, ALLEN DET 00072076 ARO	NO RESIDENCE ADDRESS	PASCO SHERIFFS OFF 8700 CITIZENS DRIVE NEW PORT RICHEY FL 346
QUINLAN, SGT DEAN 00138061 INO	NO RESIDENCE ADDRESS	PCSO #704 8700 CITIZEN DRIVE NEW PORT RICHEY FL 346

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DEFENDANT, *Dino Michaels, Esq*
Richard Escobar, Esq BY *us mail*

, THIS *3rd* DAY OF *Feb*, 2014

BERNIE MCCABE, STATE ATTORNEY
SIXTH JUDICIAL CIRCUIT OF FLORI

BY *[Signature]*
ASSISTANT STATE ATTORNEY

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REEVES, CURTIS JUDSON
SPN 00683538

NAME	RESIDENCE	BUSINESS PAGE 8
RAULERSON, GARY 00378944 INO	NO RESIDENCE ADDRESS	PCSO 36409 STATE ROAD 52 DADE CITY FL 335
REDFORD, JAMES VINCENT 00610535 WIP	28442 OLD MILL DR WESLEY CHAPEL FL 33544	NO BUSINESS ADDRESS
ROBARTS, DAVID DEP 00624216 INO	NO RESIDENCE ADDRESS	PASCO SHERIFFS OFF 8700 CITIZENS DRIVE NEW PORT RICHEY FL 346
ROY, JANE 00684780 WIP	24243 SATINWOOD CT LUTZ FL 33559	NO BUSINESS ADDRESS
ROY, MARK 00684777 WIP	24243 SATINWOOD CT LUTZ FL 33543	NO BUSINESS ADDRESS
SCHNECK, DAVID 00684803 WIP	34124 ESTATES LANE ZEPHYRHILLS FL 33543	NO BUSINESS ADDRESS
SCHULER, MONTE DET 00539429 INO	NO RESIDENCE ADDRESS	PASCO SHERIFFS OFF 8700 CITIZENS DRIVE NEW PORT RICHEY FL 346
SCILEX, RICHARD DET 00341067 INO	NO RESIDENCE ADDRESS	PASCO SHERIFFS OFF 36409 STATE ROAD 52 DADE CITY FL 335
SELTMAN, BRADFORD DEP 00234261 INO	NO RESIDENCE ADDRESS	PASCO COUNTY S.O. 8700 CITIZENS DRIVE NEW PORT RICHEY FL 346
SELTZER, ERIC SGT 00247686 INO	NO RESIDENCE ADDRESS	PCSO 8700 CITIZENS DRIVE NEW PORT RICHEY FL 346

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DEFENDANT, *Dino Michaels, Esq* BY *Richard Escobar, Esq* *us mail*

, THIS 3rd DAY OF Feb, 2014

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SPN 00683538

NAME	RESIDENCE	BUSINESS PAGE
SELWA, DANIEL 00684799 WIP	5100 LOCKHART ROAD BROOKSVILLE FL 34602	9 NO BUSINESS ADDRESS
SELWA, DENISE 00684800 WIP	5100 LOCKHART ROAD BROOKSVILLE FL 34602	NO BUSINESS ADDRESS
SESSA, JAMES SGT 00104547 INO	PCSO DADE CITY FL 33525	PCSO 8700 CITIZEN DRIVE NEW PORT RICHEY FL 346
SHORT, JOSHUA DEP 00579913 INO	NO RESIDENCE ADDRESS	PASCO SHERIFFS OFF 8700 CITIZENS DR NEW PORT RICHEY FL 346
SIKES, BRYAN DEP 00566995 INO	NO RESIDENCE ADDRESS	PCSO 8700 CITIZENS DR NEW PORT RICHEY FL 346
SMITH, AARON DEP 00607850 INO	NO RESIDENCE ADDRESS	PCSO 36409 SR 52 DADE CITY FL 335
SMITH, GENE DEP 00578772 INO	NO RESIDENCE ADDRESS	PASCO SHERIFFS OFF 8700 CITIZENS DRIVE NEW PORT RICHEY FL 346
SOTO, SERGIO DET 00503424 INO	NO RESIDENCE ADDRESS	PCSO 36409 SR 52 DADE CITY FL 335
SOUTO, GARY DET 00082903 INO	PCSO NEW PORT RICHEY FL 34654	PCSO 36409 STATE ROAD 52 DADE CITY FL 335
STOLMEIER, PETER 00684793 WIP	7907 TALLOWTREE DRIVE WESLEY CHAPEL FL 33544	NO BUSINESS ADDRESS

I DO CERTIFY THAT COPY (COPIES) HEREOF HAVE BEEN FURNISHED TO ATTORNEY FOR

DEFENDANT, *Dino Michaelis ESO* BY *us mail*, THIS *3rd* DAY OF *Feb.*, 2014
Richard ESO

BERNIE MCCABE, STATE ATTORNEY
SIXTH JUDICIAL CIRCUIT OF FLORI

BY *Manuel Garcia*
ASSISTANT STATE ATTORNEY

ALL WITNESSES ARE
CATEGORY 'A' WITNESSES
(UNLESS OTHERWISE NOTED)

IN THE CIRCUIT COURT FOR PASCO COUNTY, FLORIDA

STATE OF FLORIDA CASE NO. CRC1400216CFAES SAX: MARSEE, LISA

VS LIST OF WITNESSES : ANSWER TO DEMAND FOR DISCOVERY

REEVES, CURTIS JUDSON
SPN 00683538

NAME	RESIDENCE	BUSINESS PAGE 10
SUMMERS, JAMES 00684764 WIP	1099 FOX CHAPEL DRIVE LUTZ FL 33549	NO BUSINESS ADDRESS
THAI, THUY 00684769 WIP	8313 PALMA VISTA LANE TAMPA FL 33614	NO BUSINESS ADDRESS
THOGMARTIN, JON DR 00370250 WIE	NO RESIDENCE ADDRESS	M E OFFICE 10900 ULMERTON ROAD LARGO FL 337
TITUS, STEPHEN DEP 00501367 INO	NO RESIDENCE ADDRESS	PASCO SHERIFFS OFF 8700 CITIZENS DRIVE NEW PORT RICHEY FL 346
TONER, DANIEL DET 00426576 INO	NO RESIDENCE ADDRESS	PASCO COUNTY SO 8700 CITIZENS DRIVE NEW PORT RICHEY FL 346
TROY, CHARLES DET 00430786 INO	NO RESIDENCE ADDRESS	PASCO COUNTY SO 8700 CITIZENS DRIVE NEW PORT RICHEY FL 346
TURNER, JOANNA 00684820 WIP	27440 MIST FLOWER DR WESLEY CHAPEL FL 33544	NO BUSINESS ADDRESS
TURNER, MARK 00684819 WIP	27440 MIST FLOWER DR WESLEY CHAPEL FL 33544	NO BUSINESS ADDRESS
WEIGAND, DENICE TECH 00262779 WIR	PSO FORENSICS 20101 CENTRAL BV LAND O LAKES FL 34637	PSO FORENSICS 20101 CENTRAL BLVD LAND O LAKES FL 346
WOLFE, ALLEN 00673748 WIP	34237 PARK SQUARE PLC RIDGE MANOR FL 33523	NO BUSINESS ADDRESS

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DEFENDANT, *Dino Michaels, ESO*
Richard Escobar, ESO BY US MAIL

, THIS 3rd DAY OF Feb, 2014

BERNIE MCCABE, STATE ATTORNEY
SIXTH JUDICIAL CIRCUIT OF FLORI

BY *Monica Marsee*
ASSISTANT STATE ATTORNEY

ALL WITNESSES ARE
CATEGORY "A" WITNESSES
(UNLESS OTHERWISE NOTED)

CASE SUPPLEMENTAL REPORT

Printed: 01/27/2014 14:21

Pasco Sheriff's Office

OCA: 14001529

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Case Status: *PENDING/ACTIVE*

Case Mng Status: *PENDING / ACTIVE*

Occurred: *01/13/2014*

Offense: *MURDER/HOMICIDE- NOT PREMEDITATED/FELONY OFFENSE*

PROCTOR: Because, Curtis, I'm sorry because I don't have a choice.

REEVES: Sure... (inaudible)

PROCTOR: Because, understand what's going on here, I've got somebody that I would resp, I, I respect a great deal.... you put your rear-end on the line a lot of days...

REEVES: That, that, that doesn't have anything to do with it man...

PROCTOR: Yeah it does..., it does, I've been a cop 30 years myself sir, so, I, I hate to do what I have to do sometimes, but I don't have a choice right now.

REEVES: I don't know what to say I... I'm sitting back here, I'm thinking to myself..... my life is ruined, his life is ruined, my family's life is ruined, his family's life is ruined.....

PROCTOR: Um... I'm gonna have to arrest you on a second degree... I've talked it over with the state, and uh, my command staff and everybody's in agreement.... You'll have a bond.... You know all the procedures. I'll make sure that they're aware you're law enforcement, they will treat you with respect just like if you, you know how, it's just like anybody else, they're gonna treat.... They will take care of you sir.

REEVES: Okay now.... my, my wife was sitting next to me, your saying she never saw that guy get that close to me and saw me push him back?

PROCTOR: No sir. She never saw a punch.

REEVES: Well I.. Okay.

PROCTOR: She said that he leans over...

REEVES: Okay.

PROCTOR: But you know, and I ask her point blank, did you ever see a punch? No, I never saw a punch.

REEVES: I never saw it either.

PROCTOR: Did it happen?

REEVES: I've been sitting back here second guessing myself. I got hit in the left side of my face and my temple, got my glasses knocked off. There was nobody else there man. There was nobody else there.

PROCTOR: Did you see, did your wife see your glasses knocked off?

REEVES: Now that you're gonna have to ask her.

PROCTOR: because she says no.