

1 IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT
2 IN AND FOR WALTON COUNTY, FLORIDA

3 STATE OF FLORIDA,

4 vs. CASE NO.: 662025CF000122CFAXMX
5 CASE NO.: 25CF123

6 QUINN MCCOY ROBERTSON
7 AND JOSEPH TURNER,

8 Defendants.
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VIDEO-TELECONFERENCE
DEPOSITION OF KEITH RIDDICK
(Taken on behalf of the Defendants)

DATE TAKEN: November 4, 2025
TIME: 2:30 p.m. - 4:54 p.m.
PLACE: Zoom

Examination of the witness taken before:

JESSICA RENCHEN, Court Reporter
On Behalf of
For The Record Reporting

1 APPEARANCES OF COUNSEL:

2 On behalf of State of Florida:

3 ANGELA LILES, ESQ.
4 State Attorney's Office
5 524 E Nelson Ave
6 Defuniak Springs, FL 32433-1301
7 Phone: 850-892-8080
8 E-mail: Aliles@osa1.org

9 On behalf of Defendants:

10 STEPHEN G. WEBSTER, ESQ.
11 Webster + Baptiste
12 Attorneys At Law, PLLC
13 1785 Thomasville Road
14 Tallahassee, Florida 32303
15 Phone: (850) 597-7142
16 E-mail: Sw@websterandbaptiste.com
17 E-mail: Jw@websterandbaptiste.com

18 KATHLEEN BOGENSCHUTZ, ESQ.
19 Bogenschutz, PLLC
20 521 N Adams Street
21 Tallahassee, Florida 32301
22 Phone: 850-273-8327
23 E-mail: Katie@bogenschutzpllc.com

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25

INDEX OF WITNESS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

WITNESS PAGE

KEITH RIDDICK
Examination by Ms. Bogenschutz 04
Examination by Mr. Webster 55

CERTIFICATE OF OATH 100
REPORTER'S PAGE 101
READ & SIGN LETTER 102
ERRATA SHEET 103

UNOFFICIAL
DOCUMENT

D E P O S I T I O N

1
2 THE COURT REPORTER: Please raise your right
3 hand.

4 Do you swear or affirm that the testimony
5 you're about to give will be the truth, the whole
6 truth and nothing but the truth?

7 THE WITNESS: Yes, ma'am.

8 THE COURT REPORTER: Thank you.

9 Whereupon,

10 KEITH RIDDICK,

11 Was called as a witness, having been first
12 duly sworn to speak the truth, the whole truth, and
13 nothing but the truth, was examined and testified as
14 follows:

EXAMINATION

15 BY MS. BOGENSCHUTZ:

16 Q. Investigator Riddick, my name is Kathleen
17 Bogenschutz, B-O-G-E-N-S-C-H-U-T-Z. I'm here on
18 behalf of Mr. Joseph Turner, one of the two defendants
19 in this case. Also present is Mr. Stephen with a P-H,
20 Webster, W-E-B-S-T-E-R. And filling in for Mr.
21 Mitchell is Angela Liles, L-I-L-E-S, who is also an
22 assistant state attorney?
23

24 I take it this is not your first deposition,
25 right?

1 A. No, ma'am.

2 Q. Okay.

3 A. I'm old.

4 Q. Well, I mean, fair to say double digits at
5 least of depos?

6 A. Yes, ma'am.

7 Q. Okay. Can you -- and your last name is, as
8 spelled on the screen, R-I-D-D-I-C-K?

9 A. Yes, ma'am.

10 Q. Okay. My understanding is you're employed by
11 FDLE, right?

12 A. Yes, ma'am.

13 MS. BOGENSCHUTZ: Okay. Can we swear in Mr.
14 Riddick?

15 THE COURT REPORTER: I did swear him in.

16 MS. BOGENSCHUTZ: Oh, you did? I'm sorry.

17 THE COURT REPORTER: Yes, ma'am.

18 MS. BOGENSCHUTZ: I always -- I think I
19 blanked out there.

20 BY MS. BOGENSCHUTZ:

21 Q. Okay. Investigator Riddick, how long have
22 you worked for FDLE?

23 A. For FDLE, since July 1st of 2011. Yeah.
24 Approximately 14 years.

25 Q. Okay. And were you working for a law

1 enforcement agency prior to that?

2 A. Do you have a few minutes?

3 Q. Sure.

4 A. I have 47 years of experience. I've been in
5 law enforcement since 1980. I started with the
6 Palatka Police Department, went from there to the
7 University of Florida Police Department, then to the
8 Putnam County Sheriff's Office, where I stayed for
9 about 23 years. Retired from them in 2009, then went
10 to work for the Attorney General's Office Cybercrime
11 Unit, and then we were merged with FDLE in 2011, our
12 Cybercrime Unit was. So that is my law enforcement
13 history.

14 Q. Okay. And when you say you were with the
15 Cybercrime Unit, does that mean that you were doing,
16 you know, the typical CP-type stuff or CSAM as it's
17 called these days?

18 A. Yes, ma'am. Yeah, changed it all on me.

19 Q. So, and the entire time that you've been --
20 you said you had 47 years as law enforcement. Are you
21 still sworn law enforcement today?

22 A. Yes, ma'am. I am now the Chief of
23 Investigations for Florida Department of Law
24 Enforcement Office of Executive Investigations.

25 Q. Okay. What does that do? Can you give us a

1 little --

2 A. I am -- I'm the supervisor. We have two
3 units in what we call EI. We have a Public Corruption
4 Unit and we have an Elections Unit. I am the
5 supervisor of those two units with two supervisors
6 under me that are direct supervisors. I am the
7 assistant -- also, it's -- the other name for it is
8 Assistant Special Agent in Charge of the Office of
9 Executive Investigations.

10 I was dumb enough to say yes, I would stay
11 when I was going to retire in March of last year.

12 Q. That's how they get you.

13 A. Yeah.

14 Q. So, what is your current retirement timeline?

15 A. I'm hoping next year, maybe. I promised the
16 Commissioner I'd stay two years and I've already got
17 about eight months of that under me.

18 Q. Okay.

19 A. So, '26, maybe early '27.

20 Q. Okay. So, we'll try to be a little bit
21 cognizant of that.

22 How did you get assigned this case?

23 A. Well, at the time I was an inspector in the
24 Public Corruption Unit. Okay. An inspector is just
25 what you think it is. It's another name for

1 investigator. And my supervisor at the time -- we
2 received a complaint into EI and my supervisor said,
3 "Here, go work it." So, basically, at that time,
4 there were four of us in this office and it was my
5 turn, I guess I'd say.

6 Q. Okay. So, it's a rotating basis, I guess, as
7 to who's up for the next case, I guess?

8 A. I wouldn't say that as much as it is the
9 caseload someone has. Because, you know, if I'm
10 sitting there with like two, maybe three light cases
11 and somebody else has a ton, just because it's their
12 turn, it's not fair. So, there's really no rhyme or
13 reason. It depends on the caseload more than
14 anything.

15 Q. Okay. And were you kind of of the
16 understanding that you were taking this case over from
17 the Walton Sheriff's Office?

18 A. Oh, yes. Yes. Well, let me back up for you,
19 because I actually had my own component of a Walton
20 County investigation prior to this. If you've noticed
21 in my e-book, as we call it, but my reports and
22 everything, I first got a complaint involving Mr.
23 Robertson and some other members of Walton County
24 government back in December of last year. Supposedly,
25 they had gone to the golf club there owned by the

1 county, had some drinks, and it was -- you know,
2 that's what I originally got. And there was an
3 allegation that somebody had falsified a public
4 records response. So, I actually started that in
5 December.

6 Q. Would that be December of '23?

7 A. December 14th of '23, to be exact.

8 And just so you all know, I have my reports
9 up on my other screen because I can't remember, you
10 know --

11 Q. No, I appreciate that.

12 A. Yeah. I will be referring to that if I have
13 to. Hopefully, I won't have to.

14 Q. Sure.

15 A. So, I had gotten that, was working with that
16 when this came along. So, that's probably more the
17 reason I got it, because I already had the Walton
18 County part.

19 But so -- and then in, I think it was January
20 of that, of '24, we had a meeting with the sheriff's
21 office over there to tell them what I was doing,
22 because we don't go into anybody's jurisdiction
23 without letting them know unless we're investigating
24 them, which we do a lot.

25 But so, we went and met with the sheriff's

1 office, found out they had that component involving
2 Mr. Robertson, Mr. Turner, and the e-mails. I
3 presented them what I was investigating, and at that
4 time we went our separate ways to, you know, they were
5 going to keep working their component, and I was going
6 to work my component.

7 Q. Who was present at that meeting? I take it
8 it was an in-person meeting, right?

9 A. Yes, ma'am.

10 Q. Who was the meeting with?

11 A. Give me just a second, I can tell you, or at
12 least part of them, because I honestly didn't get
13 everybody's name. Mr. Mitchell was there, Sheriff
14 Atkinson, the CID or Criminal Investigation Bureau
15 Chief, Dustin Cosson. I don't know if I'm pronouncing
16 that right. It's C-O-S-S-O-N. The Walton County
17 Investigator, Myles Marthinsen; that's
18 M-A-R-T-H-I-N-S-E-N.

19 And I don't have the names of the others, but
20 I know their general counsel was there. There were --
21 I think there was at least another supervisor with CID
22 there, and I can't recall his name.

23 Q. Whose general counsel? The Sheriff's Office
24 general counsel?

25 A. Yes, ma'am.

1 Q. Okay, gotcha.

2 A. Yes, ma'am.

3 Q. The purpose of this meeting, then, would be
4 to make them aware that you were doing this public
5 records request -- or I'm sorry, public records --

6 A. Investigation.

7 Q. -- investigation. And did they make you
8 aware that there was a co-occurring investigation on
9 their end?

10 A. Yes, ma'am.

11 Q. Okay.

12 A. And I don't recall exactly how it all went
13 down, why we -- I mean, we needed to tell them what we
14 had, and they decided to tell us what they had. But
15 they didn't ask us for help at that time.

16 Q. Okay. Do you happen to know when this
17 occurred in January?

18 A. January the 19th, 2024.

19 Q. Okay. And as of January 19th of 2024, do you
20 know if Josh Mitchell had met with the defendants
21 personally?

22 A. I do not.

23 Q. Okay.

24 A. I didn't know he did, honestly.

25 Q. Oh, yeah. So, I mean, you didn't know that

1 occurred, so you don't know if anybody else was
2 present or whether it was recorded, I guess?

3 A. No. If they had a meeting, no, ma'am, I do
4 not know anything about it.

5 Q. Okay. So, no knowledge as to dates and times
6 of that meeting, what was discussed?

7 A. Their meeting or my meeting?

8 Q. Their meeting.

9 A. No, ma'am.

10 Q. And fair to say that you never discussed that
11 with Mr. Mitchell, his personally meeting with both of
12 the defendants in this case?

13 A. Yes, ma'am, that is fair to say.

14 Q. Okay. Would that be something that would
15 have stuck out in your mind and you wouldn't have just
16 kind of like relegated it to the handwritten notes?

17 A. No, ma'am. No, that would have -- no, that
18 would have stuck out.

19 Q. It would have stuck out because that's pretty
20 unusual for a prosecutor to personally meet with
21 somebody who's under investigation, right?

22 A. Yes. In short, yes, ma'am, it is.

23 Q. Okay.

24 A. I've got it going on in another case right
25 now. One of my guys are working on it, and it was

1 just as unusual.

2 Q. Yeah. Not up here, but I was a prosecutor
3 for 12 years, so.

4 A. Okay, cool.

5 Q. I can count on one hand.

6 So how did you end up taking over this
7 secondary portion of the case?

8 A. Let me give you the date because I know
9 you're going to want to know. I ended up getting a
10 phone call from the chief deputy, who I guess he still
11 is, Donald Clark, Walton County Chief Deputy. And on
12 February 12th, I got an e-mail from them asking if
13 they could turn that case over to us, the case of the
14 e-mails over to us. And honestly, it was because they
15 had found out that one of their county commissioners
16 may have been involved in it, and sheriffs don't like
17 investigating the people that vote on their money.

18 Q. Which county commissioner was it?

19 A. Donna Johns.

20 Q. Okay.

21 A. Donna Johns. Because she had stood up in the
22 meeting and read the e-mails, and apparently when that
23 all happened, I guess they had met themselves and
24 decided to see if we'd take it. So I took it. I say
25 I took it. We took it.

1 Q. Is that why you had the original public
2 records case because there was a suspicion that one of
3 the county commissioners had some involvement in it?

4 A. In the original one? No, ma'am. The
5 original one really was focused on the alleged false
6 public records reply and that the employees were on
7 duty and had drank and that they had driven a state
8 vehicle and all of that. So that came to us directly
9 from a citizen, an anonymous citizen, and it went
10 through my commissioner to EI.

11 Q. How would that implicate FDLE's jurisdiction?

12 A. We investigate any offense involving public
13 officials, and since it was a public record response,
14 it was supposedly a lie. We do official misconduct
15 investigations all the time. We get assigned stuff
16 from multiple areas that -- you know, we don't have --
17 I guess the short answer is we do all kinds of things.
18 Just because FDLE is what it is, Office of Executive
19 Investigations, we are there for those type things.
20 And the allegations were made, and I didn't ask. I
21 was assigned.

22 Q. Okay.

23 A. Yeah. At the time, I don't recall any
24 allegations that any of the county commissioners were
25 involved in that.

1 Q. Okay.

2 A. Not that I can recall anyway.

3 Q. Okay. And so Donna Johns would have read
4 these letters into the public record sometime in
5 December, right?

6 A. Yes, ma'am.

7 Q. And then the Walton Sheriff's Office went
8 ahead and investigated it for how many months before
9 they decided that she had actually read those letters
10 in December?

11 A. Well, she read them in December, and I got
12 the case, like I said, February 12th. I actually went
13 and picked up the documents and stuff on February
14 26th. So officially it was turned over to us the
15 12th, but I didn't get a chance to go see Mr.
16 Marthinsen and pick up his reports and stuff until the
17 26th of February. So, you know, what, three months.

18 Q. Do you have any idea why it took them from
19 the middle of December until the middle of February to
20 realize that Donna Johns had read these e-mails over a
21 live stream and that was a good reason to conflict
22 off?

23 A. That's a question you have to ask them,
24 ma'am.

25 Q. Okay. Do you know if there were any other

1 reasons for them to conflict off?

2 A. Not that I -- I mean, the reason I got it was
3 because of Donna Johns.

4 Q. Okay.

5 A. Like I said, we get those all the time.
6 My job was to investigate Ms. Johns' involvement in
7 this matter.

8 Q. Okay. Any idea why they continued the
9 investigation to the extent of taking statements from
10 people throughout the month of January, end of
11 December?

12 A. No, ma'am. I mean, I was not told why they
13 kept working or anything. They had the right to do
14 it. It's their county. We do not go in and take over
15 an active investigation unless we're asked to. And in
16 this one, we were asked there again in January -- or
17 February.

18 Q. February.

19 A. Yeah.

20 Q. Any thoughts as to -- so nobody ever gave you
21 any clear-cut response on that and you never really
22 looked into it or bothered yourself with it? You were
23 just being asked to take it over?

24 A. Yes, ma'am. No, my job was to investigate
25 Ms. Johns. Their reason for keeping it was not part

1 of an investigation. It's not criminal. I'll do my
2 job to investigate criminal in that nature of the
3 complaint. But why they did what they did, you'd have
4 to ask them.

5 Q. When you take over from an individual
6 sheriff's office, is it common for them to have
7 already made a conclusion that there were criminal
8 acts that were committed?

9 A. Not like this, no, ma'am. And that's what's
10 so unique about this case is, there again, I was
11 investigating Ms. Johns, but they had already
12 completed the investigation into Mr. Robertson and Mr.
13 Turner. Actually, I'll be honest, tied my hands a
14 little bit because Mr. Turner and Mr. Robertson had
15 both been invoked, so I could not attempt an interview
16 with them on Ms. Johns. So all I could rely on was
17 trying to do some cyber investigation, some
18 interviews, but I couldn't speak to them about it.

19 Q. I'm familiar with this letter that I think
20 was written by the chief deputy asking FDLE to get
21 involved in this case. It doesn't seem -- is Donna
22 Johns mentioned in that letter?

23 A. I don't think so.

24 Q. Okay.

25 A. But it was mentioned in person.

1 Q. Oh, okay.

2 A. Yeah. I was told that's why they were
3 conflicting out.

4 Q. So they put in writing that they had found
5 that these two had committed criminal offenses, but
6 they told you in person that the reason you were
7 assigned was for Donna Johns?

8 A. Well, they were told the reason they were
9 asking us to take over was because of a county
10 commissioner, they might have to investigate their
11 county commissioner, and I was told it was Donna Johns
12 is the one that stood up and read it.

13 Q. Okay.

14 A. And, of course, it's all in the report, too.

15 Q. And where was that discussion had, because
16 you said it was in person?

17 A. Well, that would have been on the phone, I'm
18 --

19 Q. Yeah, I mean a conversation --

20 A. Wait a minute. Let me back up. Let me
21 think. Yeah, because it didn't seem to -- I don't
22 recall it happening in that January meeting, or if it
23 did -- no, they probably -- they would have known by
24 then, so I'm sure they would have said something.

25 But I specifically could not, you know, under

1 oath say that they brought it up in that January
2 meeting. But I know for a fact that the Captain said
3 they wanted us to take it over because they were going
4 to have to investigate it, or it looked like they were
5 going to have to investigate a county commissioner.

6 Q. And which captain is that, just so we have a
7 clear record?

8 A. The one that called -- oh, no, not captain.
9 Chief Deputy Clark. I'm sorry.

10 Q. That's -- thank you for clarifying.

11 A. No, no, I apologize for calling -- for saying
12 captain. Don't tell him I did that.

13 Q. And your best recollection, though, is that
14 it was a verbal conversation?

15 A. Yes. Either way, it would have been verbal.

16 Q. Okay.

17 A. If it happened in the meeting, it would have
18 been verbal. If it happened on the phone, it would
19 have been verbal. And, of course, it's in the report,
20 Mr. Marthinsen's report.

21 Q. Okay. In general, does FDLE, when you're
22 presenting a case to a prosecuting authority, whether
23 it's the attorney general's office or an individual
24 state attorney's office or -- I mean, I would assume
25 that you've also done some presentations to the U.S.

1 Attorney's Office, right?

2 A. No, ma'am.

3 Q. No? Okay.

4 A. No, we -- the cases we work, if we do work in
5 conjunction with a federal agency, they usually do all
6 the presentations. But specifically me, no, ma'am.

7 Q. Okay. So I guess, between the state
8 attorney's office and the attorney general's office,
9 do you usually give them a recommendation as to what
10 ought to happen with the case?

11 A. No, ma'am. What we do is we list the
12 possible statutes, which, as you've already commented,
13 were already listed in the original report. We will
14 list what the possible statutes are, but as far as a
15 prosecutorial decision, we do not give them our
16 opinion on it. You know, not -- like I say, we think
17 they should be charged with this, no, ma'am. You'll
18 notice by the report, it's all turned over to them,
19 and the prosecutorial decision is up to either the
20 state or state prosecutor. We --

21 Q. Okay. Did you ever -- and again, I'm not
22 trying to suggest you did, but did you ever tell Mr.
23 Josh Mitchell that there was probable cause to arrest
24 in this case?

25 A. No, ma'am. I -- no.

1 Q. Or probable cause to charge?

2 A. Not that I recall. I honestly didn't think
3 it would go this -- go here. I mean, I can say it, in
4 my humble opinion, there probably is probable cause,
5 you know, but as to whether or not to charge an
6 information, I've never done that in 46 years. I've
7 made plenty of, you know, on-scene arrests and
8 everything else. Probable cause is my world, you
9 know, but beyond a reasonable doubt is not my world.

10 Q. Okay. So if Mr. Mitchell thought that you
11 had told him that there was probable cause in this
12 case or that the report had said there was probable
13 cause in the case, however he would have, I don't
14 know, absorbed that information from the report, that
15 was certainly not your intent to convey that?

16 A. No. Now, it's -- all that says that in the
17 Walton County report, but not in mine.

18 Q. Okay.

19 A. If I recall right because, you know --
20 where's the summary?

21 Q. Are you looking at the Walton County?

22 A. No, I'm looking for my --

23 Q. Oh, your report?

24 A. Yeah. It was a summary at the end. Yeah.
25 Let's see. Yeah, I mean, I don't know how he read it.

1 You know, as you can see in the investigative
2 findings, I did state per their admissions, Robertson
3 and Turner intentionally accessed, and per their
4 admissions, Robertson and Turner intentionally
5 disclosed to the other person the contents. And, of
6 course, that is based on the Walton County report.

7 I quite honestly did not investigate your
8 client or Mr. Webster's client at all. Mine was
9 focused on Donna Johns. But I had to send this to
10 them or to him because it is a -- you know, the Walton
11 County stuff had already been completed on Mr. Turner
12 and Mr. Robertson, and they obviously wanted it to be
13 reviewed also.

14 But let me go to the Walton County report.
15 I'm just looking at his -- the summary of his final
16 report, and it doesn't even say in it anywhere or
17 suggest PC existed. Not in that part.

18 Go to the end. But, you know, I don't recall
19 if Mr. Mitchell says that somebody suggested to him
20 there might be PC, it could have happened, but I don't
21 see how that is an issue. But, you know, that's just
22 me.

23 Q. I'm just recalling a scenario where he said
24 to me that his hands were tied because FDLE told him
25 there was PC. It's a little confusing to me.

1 A. We don't tie anybody's hands. I don't have
2 that power, ma'am. I know a couple sheriffs that
3 would have been arrested that I didn't get to arrest.
4 And this one was nowhere an investigation like those
5 investigations were.

6 Q. Gotcha.

7 A. We don't have that authority.

8 Q. Okay. Maybe he was confused.

9 So in the course of your -- so when you were
10 first turned over to this case, what did you do, or
11 what was your first move?

12 A. I sent out a public records request and a
13 preservation letter wanting all the e-mails that may
14 have had anything to do with this.

15 Let me back up, ma'am. On that, what we just
16 finished, I don't want to beat a dead horse, but I do
17 recall telling him I don't care what happens with the
18 case because this one -- the allegations with
19 Robertson and Turner, they've been terminated already,
20 so I didn't care what happened. So that would not
21 have happened unless that is the way he took our
22 authority. So, yeah. But I --

23 Q. I --

24 A. I'm sorry?

25 Q. Oh, no, I said I understand what you're

1 saying.

2 A. Yeah.

3 Q. So when you were assigned a case, your first
4 move was to do a public records request; that's where
5 you were.

6 A. Yeah, after I reviewed everything that
7 Marthinsen had given me.

8 Q. Okay.

9 A. Which --

10 Q. And --

11 A. Go ahead.

12 Q. Oh, and did you provide that public -- how
13 many e-mails did you get back? A billion?

14 A. I can't -- it was thousands, if I remember
15 correctly. And some of them, I never did get a full
16 response to my public records request.

17 Q. And was that to the county?

18 A. Yes, ma'am.

19 Q. Was that public records request turned over
20 to the state attorney's office?

21 A. Yes, ma'am.

22 Q. Okay. And was it -- well, I mean, I guess
23 you can't speak to whether it was turned over to the
24 defense as discovery?

25 A. No, ma'am, I cannot speak to it. I know that

1 it should have been.

2 Q. Okay. So you go through this document dump,
3 I guess?

4 A. Yes, ma'am. Yeah, it -- I'm trying to find
5 -- do you have a copy of the public records request?
6 Because if not, I can read into the record or have --
7 whatever you want.

8 MS. BOGENSCHUTZ: I mean, unless I'm missing
9 something huge, Stephen, I don't think we were
10 provided this. I'm seeing you shake your head.
11 You're on -- you muted yourself, I'm sure. But
12 I'm seeing him shake his head.

13 THE WITNESS: Okay. Well, I'll let you all
14 deal with that. But I did do a public records
15 request to them for --

16 BY MS. BOGENSCHUTZ:

17 Q. Yeah. What was the parameters of the search?

18 A. Yes, ma'am. I'll read it to you.

19 Q. Thanks.

20 And this would have been in February, I would
21 assume, of '24?

22 A. No, I was -- we had a lot going the first
23 part of '24.

24 Q. Later on, March or April, maybe?

25 A. I'm sorry. It was not a public records

1 request; it was a subpoena.

2 Q. Okay.

3 A. A Subpoena Duces Tecum. Any and all records,
4 documents, reports, interviews related to any internal
5 investigation of former Walton County employees Quinn
6 M. Robertson and Joseph Turner. Any and all e-mails
7 sent or received by all Walton County commissioners
8 and former Walton County employees Quinn M. Robertson
9 and Joseph Turner via their county e-mail addresses
10 for the period November 1, '23 to December 31, '23.
11 Excuse me. Any and all e-mails in which Walton County
12 government business was conducted by all county
13 commissioners on their personal e-mail addresses for
14 the period November 1, 2023 to December 31, 2023. Any
15 and all text, multimedia messages or other forms of
16 communications in which Walton County government
17 business was conducted by all county commissioners on
18 their county-issued or personal cellular telephones
19 for the period November 1, '23 to December 31, '23.
20 That was under the Subpoena Duces Tecum.

21 Let's see. I think -- all right. The
22 public -- actually the preservation letter I sent was
23 on December the 18th, and it was referenced the Eagle
24 Springs restaurant thing that I was investigating
25 originally.

1 Q. That would have been December of '23, yes?

2 A. Yes, December 18th of '23. That was all
3 asking for records, videos, anything to do with that
4 Eagle Springs event, I guess for lack of better words.

5 So I hope you have the Subpoena Duces Tecum,
6 but I'll leave that to you all.

7 Q. Okay. And so you go through that document
8 dump. Was there anything in there that was of
9 evidentiary value?

10 A. Well, the most important thing to my
11 investigation was an e-mail where a citizen -- let me
12 find it -- Suzanne Harris, from Suzanne Harris to Ms.
13 Johns, that had an attachment of all the text messages
14 that were released and read into the record by Ms.
15 Johns during that December '23 County Commissioner
16 meeting.

17 Q. Okay. And so that was from Suzanne Harris to
18 Donna Johns?

19 A. Yes, ma'am.

20 Q. Okay. And why was that of note to you?

21 A. Because that proved to me that Donna Johns
22 did not get them from -- I found nothing that showed
23 that Donna Johns got them from Robertson or Turner or
24 that she was involved in the actual downloading of it
25 or at least indicated that she was not a firsthand

1 recipient of it, which basically shot my case, or
2 shouldn't say shot my case, absolved her of any
3 probable criminal activity.

4 Q. What were the topics of these text messages?

5 A. Honestly, ma'am, I can't recall them all.
6 That was an e-mail. That was not a text.

7 Q. But there were -- it was screenshots of the
8 text attached, right?

9 A. Okay. Oh, yeah. You're talking about the
10 text that -- between -- yeah -- what is his name?

11 Q. Galloway?

12 A. Yeah, his and Lowery's.

13 Q. Uh-huh.

14 A. I mean, I can look them up and read them to
15 you, ma'am, but honestly, I don't recall. They were
16 personal. I think they were complaining about county
17 business, county people.

18 Q. What's your understanding about
19 communications that need to be preserved as public
20 records?

21 A. Anything that has to do with -- anything
22 communicated in the course of business that has to do
23 with the business.

24 Q. Okay. Now, Ms. Lowery was an aide to one of
25 the commissioners, right?

1 A. Yes, ma'am.

2 Q. Why would these text messages about county
3 business not be a public record?

4 A. I don't know as much as they were about
5 county businesses other than complaining about county
6 business. I'd have to go back and look at them, and
7 you'd honestly need to ask a public records expert on
8 that. That's why I have a whole office of attorneys
9 over here to deal with public records.

10 Q. In order to figure out if they were a public
11 record, you'd have to read them, though, right?

12 A. Oh, yeah.

13 Q. Okay.

14 A. I just don't recall them because it's been so
15 long.

16 Q. So, like, if I'm an assistant state attorney
17 and I'm texting a defense attorney about a case on my
18 personal cell phone, that could be a public record,
19 right?

20 A. Yes, ma'am.

21 Q. And it doesn't matter that it's on my
22 personal cell phone?

23 A. Correct. That's why I carry two phones.

24 Q. Yeah, no, that's what the smart people do,
25 right?

1 A. Yeah.

2 Q. So, if a commissioner's aide is texting a
3 political operative about things that are going on in
4 the county commission during business hours, is there
5 a pretty high likelihood that that could be considered
6 a public record?

7 A. I'm just going to say it's possible. There
8 again, I don't have, I guess, the expertise enough to
9 say it. I would think, since it's going from a county
10 aide on her personal phone, I'd have to go back and
11 see specifically what they're saying. I mean, if --
12 and I'm just going to give you a for instance, and I
13 can't recall what it is, but if it's -- if Ms. Lowery
14 was complaining about Ms. Johns, I don't know, just in
15 general, no. If she's talking about, yeah, we've got
16 this bid coming up, or we've got this coming before
17 the county commission, then yeah, I can see what
18 you're saying.

19 Q. What about the travel arrangements for
20 certain county commissioners going to meetings that
21 were county business or retreats that are --

22 A. I would think that would be a public record,
23 yes, ma'am.

24 Q. Okay. Did you ever download the full
25 contents of this iPad?

1 A. We did a forensic examination of it, our own,
2 which would have included a, we used to call them
3 mirror images, they don't call them that anymore, but
4 a forensic image of the iPad. So yes, I didn't do it,
5 but I have people that do that stuff.

6 Q. Why would it be called a limited forensic
7 extraction?

8 A. That is the Walton County one. I think
9 they -- they only looked at maybe e-mails and stuff.
10 Hold on just a second, I'm sorry. Let me go back to
11 mine. Yeah, that is theirs. Ours was a -- we did
12 a -- we converted their initial Graykey extraction to
13 something I could read, and then I asked Patty to do a
14 complete -- to re-examine it, to make sure we didn't
15 miss anything because they had done a limited --

16 Q. Who's Patty?

17 A. I'm sorry, Patty Aylesbury,
18 A-Y-L-E-S-B-U-R-Y. It's on Investigative Report
19 Number 6 --

20 Q. Thanks.

21 A. -- where I talk about that, having all that
22 done.

23 Q. Okay. And I take it you -- is it like
24 similar to a Cellebrite extraction?

25 A. That's exactly what it is. Since it's an

1 iPad, it works just like a phone. The iPad does, so
2 they use Cellebrite on iPads.

3 Q. And you provided that extraction to the state
4 attorney's office?

5 A. Yes, ma'am.

6 Q. And so that would have had all of the
7 iMessages from this iPad on it?

8 A. Yes, ma'am.

9 Q. Okay. And all the pictures?

10 A. Yes, ma'am.

11 Q. All the videos?

12 A. Yes, ma'am, if they were recoverable.

13 Q. And you certainly didn't have anything
14 flagged as -- like, my background is crimes against
15 children. I did that for about eight years. So,
16 like, you know, we're certainly not going to copy that
17 stuff, right? But nothing was flagged as something
18 that could potentially be, like, child sexual abuse
19 material or anything?

20 A. I did not -- no, ma'am, nothing popped up as
21 that. There was some nudity on a couple of videos,
22 but they all appeared to be adults.

23 Q. Yeah, that's where I was going with that.
24 They were clearly adults? Okay.

25 A. Yes, ma'am.

1 Q. Okay. And now, in order to do this
2 extraction, you had some interactions with a guy named
3 Jason Cook, right?

4 A. Oh, yes, the IT director in Walton County.

5 Q. What happened with him? Can you kind of go
6 through your interactions with Jason Cook?

7 A. I'll have to look, honestly. I had to get
8 ahold of him to find out that -- to make sure it
9 really was their iPad, confirm that. And we had to
10 get permission -- I had to ask -- get permission to
11 forensically examine it, because they didn't want to
12 do a search warrant.

13 So once we confirmed it was theirs, I had to
14 get consent to search, and that actually came from
15 Stan Sunday, who is a, I think -- honestly, I don't
16 know what he was at the time, he may have been the
17 current manager or something else, but he was -- he's
18 who signed off on the consent to search.

19 Q. Consent for you to extract everything in the
20 iPad, including all of those messages and videos and
21 photos?

22 A. Yes, ma'am.

23 Q. Okay. Who decided that Stan Sunday should be
24 the one who signed that consent to search form?

25 A. I do not know. I know it took him several

1 days to get it back to me. That would have to be a
2 question for Mr. Cook or Mr. Sunday, because I
3 honestly, do not know, ma'am.

4 Q. Are you aware that Stan Sunday was --
5 actually took over Mr. Robertson's position?

6 A. I think so. That sounds correct, because
7 that -- to me, that would be logically who could
8 authorize the search of a county piece of property
9 would be the county manager.

10 Q. Or a county -- I think county administrator
11 is what they --

12 A. Yeah.

13 Q. Yeah.

14 A. That would be --

15 Q. So, if --

16 A. Go ahead, I'm sorry.

17 Q. If Stan Sunday could authorize you to go
18 through the entire iPad, then why wasn't Quinn
19 Robertson allowed to go through the entire iPad?

20 A. I do not know that, ma'am. Well, I was doing
21 it for a criminal investigation, and that's why I have
22 the authority to do it. He didn't go through it.
23 He authorized it. I mean, that would be my argument,
24 is that Mr. Robertson didn't have the authority to
25 review it per se, and neither did Stan, but Stan had

1 the authority to let law enforcement review it for the
2 matter of a criminal investigation. But I see your
3 point.

4 Q. I mean, are you -- is this a legal principle
5 you're talking about that, like, maybe I can permit
6 somebody to search Mr. Webster's office, but I'm not
7 allowed to go to Mr. Webster's office?

8 A. I don't think it's -- I think --

9 Q. I'm just trying to understand the --

10 A. Yeah, that's a little --

11 Q. -- thought process here.

12 A. -- a little too broad. This is -- this is a
13 county piece of property. I would -- you know, I
14 think that's a good argument, actually. I'm just
15 speaking out loud here. Yeah.

16 Q. A good argument that maybe if you're
17 accepting the county administrator's signature, that
18 the prior county administrator probably had authority
19 to search that entire device if he was allowed to --
20 if his -- and I'll try to say this, if his successor
21 county administrator was allowed to sign off on
22 letting FDLE extract the whole device, then certainly
23 Quinn Robertson was allowed to search the entire
24 device and authorize someone else, like Joe Turner, to
25 search the entire device?

1 A. I don't disagree with you.

2 Q. Why are we here?

3 A. Because the prosecutor filed charges.

4 Q. Yeah, but I mean, I had a real yikes moment
5 when I went through the discovery and saw that.

6 I will move on. Have you ever met Mr.
7 Galloway before?

8 A. Not until this -- the interview, no, ma'am.

9 Q. The interview that you had with him, did he
10 seem like somebody who might have benefited from a
11 stay in rehab?

12 A. I don't know about that. I can't say whether
13 or not he would have benefited from it, ma'am.

14 Q. Okay.

15 A. Yeah. Do you want to ask a more direct
16 question?

17 Q. Sure.

18 Are you aware that he was under prosecution
19 for a DUI at the time that you interviewed him?

20 A. Yes. I knew he'd had some issues. I don't
21 recall a DUI, and honestly, that does not surprise me.

22 Q. Okay. I mean, anybody can get a DUI. I'm
23 not trying to say that everybody who gets a DUI needs
24 to go to rehab.

25 Do you know who prosecuted him for that DUI?

1 A. No, ma'am.

2 Q. Did you know whether he was also under
3 prosecution for a criminal mischief situation where he
4 was -- it's actually -- I'm sure in retrospect it's
5 funnier than it was at the time, but he was like
6 punching campaign signs?

7 A. I do recall reading that somewhere or hearing
8 that somehow.

9 Q. Do you know who authored the plea agreement
10 on his punching the campaign signs case?

11 A. No, ma'am, I do not.

12 Q. Because that's -- I think there's like a
13 little tangential election relation there. You had no
14 involvement in Mr. Mitchell's making him a plea deal
15 right around the time that these two turned themselves
16 in, right?

17 A. No, ma'am, I didn't.

18 Q. No FDLE fingerprints on that campaign signs
19 case?

20 A. No, ma'am.

21 Q. Okay. I wasn't sure if the signs or anything
22 like that might somehow get y'all involved.

23 Did Chaz ever sign -- has Charles Galloway
24 ever signed a consent to search form for the iPad?

25 A. No, ma'am.

1 Q. Why not?

2 A. It was not his.

3 Q. Good answer.

4 How about Teresa Lowery?

5 A. No, ma'am.

6 Q. And for the same reason, it did not belong to
7 her?

8 A. Yes, ma'am.

9 Q. Okay. Did you ever ask Chaz, or Charles
10 Galloway, if he gave his password to anyone?

11 A. I do not recall asking him that, no, ma'am.
12 I recall apparently it was already in there or
13 something; that's how they could get in there, get
14 into it. But I do not recall asking him that, ma'am.
15 If it's in the interview, it's in the inter- -- you
16 know, in there.

17 Q. Or like if he's one of these people that it
18 drives -- my mother does it, it drives me crazy that,
19 like, you know, every single password is like the name
20 of her dog, it's 1950?

21 A. No, I do not recall asking -- I do not recall
22 asking about his password. But there again, I don't
23 recall. I mean, that was a long interview with him.

24 Q. No, no, that's fair. I just wasn't sure if
25 there was like a discussion off the record about

1 internet security.

2 A. No, ma'am, no. I try and abstain from doing
3 too much off the record with that kind of thing.

4 Q. Okay. So, based on our conversation here
5 today, you kind of expected this to be no-info'd,
6 right?

7 A. Yes, ma'am. No two ways about it. I even
8 told -- honestly, I told Mr. Mitchell that I didn't
9 see it going anywhere. And I know we talked about it
10 here, but I did not see it going anywhere. I thought
11 it had been dealt with, you know, sufficiently, in my
12 humble opinion. Actually, let me throw that in
13 because it's a piece of my mind.

14 Q. Yeah, you're not a judge, you're not the
15 prosecutor.

16 A. I'm not a judge, I'm not a prosecutor. I
17 don't have to deal with what they do. But I've
18 also -- I've worked enough cases in my years that I
19 know that those that are prosecute-worthy, I guess I
20 should say, and I just -- you know, other than the
21 fact that Walton County had, you know, got them
22 admitting to, you know, what they had all done, that,
23 you know, I had no feelings on that either way. I
24 just didn't think it would go this far. There's no --
25 you know, I'm not going to deny that.

1 Q. So have you ever been involved in -- and I'm
2 saying ever in your law enforcement career, because I
3 understand that'll be a lot of different agencies,
4 ever been involved in, like, transporting a prisoner
5 from either one state to another or one county to
6 another?

7 A. Yes, ma'am.

8 Q. When was that?

9 A. Oh, God. I remember -- well, if you're
10 talking about one jurisdiction to another, back in
11 probably '81 or '82, I made a DUI arrest outside the
12 city limits. So that's one jurisdiction to another.

13 Q. Sure.

14 A. I lost that one because of that part of the
15 statute that -- because of the time. Never mind.

16 Q. Yeah, the mutual aid agreements and all that
17 nonsense.

18 A. Yeah, yeah. And then I -- back in probably
19 the 90s, myself and another investigator with the
20 Sheriff's Office went to South Carolina and picked up
21 a homicide suspect and brought him back. But that was
22 with an extradition.

23 Q. With a warrant?

24 A. Yeah. Well, actually, I think he waived.

25 Q. Oh, okay.

1 A. It was through legal process, let's put it
2 that way. As far as --

3 Q. Like --

4 A. Go ahead.

5 Q. I understand that would have been in the 90s,
6 so some rules may have changed in the interim.

7 A. I haven't been on the road -- yeah, I haven't
8 been on the road, ma'am, since 1989.

9 Q. Okay.

10 A. So, yeah.

11 Q. So both Mr. -- you're aware Mr. Turner, I
12 think his primary residence is in Kansas, and Mr.
13 Robertson, his primary residence is in Virginia?

14 A. Somewhere in Virginia, yes, ma'am.

15 Q. Right.

16 Is there a reason that you didn't go pick
17 them up on this arrest?

18 A. No, ma'am. Well, number one, we don't
19 normally do that, very seldom, unless it's a very
20 high-profile case.

21 Q. When you say, "we," you mean FDLE?

22 A. FDLE, yes, ma'am.

23 Q. Okay.

24 A. FDLE does not do that. We get a warrant
25 that's left with the sheriff's office to execute

1 however they do, to deal with.

2 Q. They usually get the marshals involved,
3 right?

4 A. No, no, the -- oh, us to transport --

5 Q. To do out-of-state transport?

6 A. No, no, there again, the few times I know of
7 FDLE having gone to pick somebody up out-of-state,
8 number one, it's a very high-profile. Number two,
9 it's been our people that have done it. But usually,
10 yeah, that's how FDLE does it. Other than that, if we
11 issue -- like right now, one of my elections
12 investigators has got a warrant for a guy. He got
13 arrested in California somewhere, so they're going
14 through the extradition. They're trying to get a
15 governor's warrant on that right now. But we'll leave
16 it with the sheriff's office to bring him back,
17 because that's one of the functions of the sheriff's
18 office.

19 Q. And usually -- you were saying a governor's
20 warrant, something to extradite the person from the
21 other state?

22 A. Right, if they don't waive.

23 Q. Okay.

24 A. Or if there's not a nationwide pickup.

25 Q. Okay. Do you have any idea why Walton County

1 Sheriff's Office would have sent a bailiff to go pick
2 up Mr. Robertson after detaining him in custody for a
3 week in Virginia?

4 A. No, ma'am.

5 Q. Did you know that happened?

6 A. I know they went and picked him up. I don't
7 know -- didn't know who did or what did or how it
8 happened.

9 Q. Or that he was in custody for a week and
10 flown back in handcuffs?

11 A. I'm pretty sure I knew he had been in jail up
12 there for a few days. I didn't know -- and to be
13 flown back in handcuffs, that's logical.

14 Q. Okay. Any idea about trying to execute an
15 arrest on Mr. Turner in Kansas, getting the Kansas
16 authorities involved in that?

17 A. I was not -- yeah. I didn't know anything
18 about it. I knew they were arrested after they were
19 arrested.

20 Q. Okay. Did you know that they had filed the
21 case? When were you advised that Mr. Mitchell had
22 decided to file this case?

23 A. I think I actually have that documented. I
24 found out on February 1st when I got an e-mail from
25 Mr. Mitchell.

1 Q. Okay. Did he tell you that he never had a
2 judge sign anything?

3 A. No, ma'am.

4 Q. Or that the not-in-custody capias was not
5 signed by a judge?

6 A. No, ma'am.

7 Q. Or that the capias that was issued for Mr.
8 Robertson was never signed by a judge? It was only
9 signed by Josh Mitchell?

10 A. No, ma'am. I did not know that.

11 Q. Do you have any knowledge about procedures
12 for extraditing somebody from out of state just based
13 on a prosecutor's signature?

14 A. No, ma'am. It's got to be authorized by a
15 judge is what I understand. Every warrant I've ever
16 gotten has only been done by a judge or signed --
17 authorized by a judge.

18 Q. Yeah, that's kind of the thing that's been
19 nagging at us a little. I'm assuming there's a
20 reason. I just haven't figured it out yet.

21 A. I can't help you there, ma'am.

22 Q. The Pollyanna version of me wants to believe
23 that there's a good reason. And maybe I'm showing my
24 age by using that reference.

25 A. Don't go there.

1 Q. Yeah, probably not.

2 So, do you have any knowledge about -- so, I
3 did a public records request of Walton County or of
4 the county itself, and I had asked for any e-mails
5 sent between Chaz Galloway and the commissioners. And
6 one of his e-mails was really -- well, I mean, several
7 of his e-mails were really questionable, but one of
8 them had to do with you. And --

9 A. (Indiscernible) week it was.

10 Q. Yeah, I think it was the summer of 2024. And
11 I think I'd be a little derelict if I didn't ask you
12 about it. Hang on, I'm pulling it up because he's
13 kind of a prolific writer.

14 A. That's one word.

15 Q. Yeah. Well, so am I, but mine are -- my
16 screeds are usually a little less.

17 Anyway, so let me -- so, he says in this
18 e-mail in the summer of 2024 that he had had some kind
19 of a meeting with you. I'm assuming it's either on
20 the phone or in person?

21 A. The only time I ever met with him was when we
22 interviewed him.

23 Q. Okay. Is that about right, that it would
24 have been in the summer of 2024?

25 A. Hmm. I mean, it would have been -- I can

1 give you the exact date in just a minute.

2 Q. Sure.

3 A. July 26, 2024.

4 Q. Okay. During your, I guess, conversation
5 with him, did you ever -- well, I mean, so the summer
6 of 2024, these guys have not been charged yet, right?

7 A. No, ma'am. No. What I just said, yeah.

8 Q. Yeah, you hadn't presented anything to the
9 state attorney's office, you hadn't concluded an
10 investigation, anything like that?

11 A. No, ma'am.

12 Q. Any idea why he would be writing that you
13 told him that both of these guys were going to plead
14 guilty to two felonies?

15 A. I recall that e-mail, and it was also on
16 his -- one of his vlogs, his video logs.

17 Q. Yeah.

18 A. And I would never tell anyone that. I
19 actually brought that up to my supervisor at the time.
20 Because, actually, at the time, my supervisor was the
21 other one that sat in on the interview with me. And
22 we do not -- I had never told him that.

23 Q. So somebody else was present, I guess, during
24 --

25 A. Yeah.

1 Q. -- the time frame before you hit record and
2 the time frame after you hit record?

3 A. Yes, ma'am.

4 Q. So that he or she would be able to say, no,
5 he didn't just off the record give him this
6 explanation?

7 A. I can tell you it never happened, ma'am.
8 When I saw that, I was not happy. I didn't do
9 anything about it, because I just chalked it up to Mr.
10 Galloway.

11 Q. Did you tell Mr. Mitchell about it, that
12 either Mr. Galloway has hallucinated this conversation
13 that I had with him, or Mr. Galloway is outright
14 fabricating this conversation I had with him about
15 facts that have to do with this case, even?

16 A. No, I did not talk to Mr. Mitchell about it.
17 Like I said, you can look at his vlogs and all that,
18 and you can assume the same thing that I do. He likes
19 to talk.

20 Q. Yeah. Well, what I'm saying is this isn't
21 like me telling my child that Santa Claus is coming
22 down the chimney and everybody knows that we're all
23 like, you know, winking and nod that this is not --
24 you know, nobody's ever going to ask me -- don't
25 perjure my -- I'm never going to be accused of perjury

1 for that. But this is like something that an
2 investigator told me about this specific investigation
3 that he's lying about.

4 A. No, but I didn't see any reason to bring it
5 up to Mr. Mitchell. I don't think I talked to him
6 about it. But it just -- you know, Mr. Galloway, as
7 you said, may have some issues.

8 Q. Well, I mean, if he's -- so given the fact
9 that Mr. Mitchell filed a case based on Mr.
10 Galloway's, I guess, statements or truthfulness that
11 rely on what he said to be true, you didn't feel like
12 you needed to say, hey, he's told demonstrative
13 falsehoods about this case. Now, he could be
14 completely insane, and that's a different kind of
15 untruthfulness. But, you know, like we've got --
16 we've got issues, man, with this guy's credibility.

17 A. No, I didn't -- like I said, I did not
18 discuss that with anybody other than my boss. And
19 actually, I think I got it from -- somebody may have
20 sent it to me from Walton County, so whatever. But
21 it -- yeah, I just let it roll because it's Chaz. You
22 know, Mr. Galloway -- or Mr. Mitchell was still doing
23 what he was doing. He didn't even have the case yet.
24 I don't recall mentioning it to him. I may have, but
25 I can't say for sure.

1 Q. My -- my concern is that that might be
2 something that -- and I mean, of course, I discovered
3 it after having done a public records request. It's
4 certainly something that someone could try to say is
5 Brady, right?

6 A. On my part?

7 Q. Well, I mean, if you didn't bring it to the
8 prosecutor, you didn't disclose it, that, you know,
9 there's something about that that bears on his
10 credibility. He's certainly lying about a portion of
11 the investigation. You know that not to be true. And
12 --

13 A. That's a good point.

14 Q. Is there anything else that is similar to
15 that that you have not disclosed?

16 A. No, ma'am, not that I know of. Mr. Galloway,
17 as you know, is Mr. Galloway. I took his statement
18 because, you know, that is what we do. Took his
19 statement. His charges to me weren't -- to me, aren't
20 based on his statement. They're based on Walton
21 County's investigation and admissions. But I can see
22 your point. And there again, I may have told Josh, I
23 just don't remember.

24 Q. Okay.

25 A. I can definitely tell you I did not do it in

1 a formal --

2 Q. Right.

3 A. -- investigative report or anything like
4 that. I can tell you that.

5 Q. Okay.

6 A. I don't see -- my humble opinion, I don't see
7 it as Brady material, but that's just me.

8 Q. Well, if Mr. Galloway doesn't testify, there
9 is no case, fair?

10 A. Yeah, because he's going to have to be the
11 one to admit that those were his apps on there, yeah.

12 Q. And thus, his credibility is at issue. And
13 thus, anything bearing on his credibility would be
14 relevant, right?

15 A. And Mr. Mitchell knows Mr. Galloway and knows
16 Mr. Galloway's --

17 Q. Yeah, that's part of the reason that I'm
18 shocked we're here.

19 Do you know if there were any meetings with
20 Mr. Mitchell and maybe Ms. Bowden Madden about this
21 case prior to him filing it?

22 A. I'm sure there were, because it took -- it
23 was sent to Josh, and he kept telling us, "I've got to
24 get with my bosses." Whether it went all the way to
25 Ms. Bowden, I don't know. Or if it just went to the

1 chief. But I know that it went up from him.

2 Q. Isn't Josh the chief of -- or Mr. Mitchell
3 the chief of Walton County?

4 A. Of Walton County, yes.

5 Q. Okay. Is there a structure in this office
6 where there's another chief above him?

7 A. There would be an assistant state attorney
8 that runs the office, a chief of staff or something
9 like that, like in any state attorney's office.

10 Q. A chief assistant?

11 A. Yes, thank you.

12 Q. Were you involved in any meetings with this
13 chief assistant and Mr. Mitchell in deciding to file
14 this case?

15 A. No, ma'am.

16 Q. Do you know if anybody at the Walton
17 Sheriff's Office was?

18 A. I do not, no, ma'am.

19 Q. Now, you're saying that you're sure there
20 were some meetings just because of what Mr. Mitchell
21 --

22 A. Well, I'd --

23 Q. -- (indiscernible), right?

24 A. Yeah, but -- yes, that is -- he told me he
25 had to confer with his bosses.

1 Q. Okay. And when you were checking up on this
2 case and he was saying I need to confer with my
3 bosses, did you ever say to him, this should not be
4 filed?

5 A. No, ma'am. That's not my -- that is his --
6 other than originally what I said, but not after like
7 you're asking, no, ma'am.

8 Q. So when would you have said to him that this
9 is not going anywhere, that conversation?

10 A. When we first investigated it, when I first
11 talked to him about it, when we -- when I sent it to
12 him.

13 Q. When did you send it to him specifically?

14 A. November the 4th, '24.

15 Q. Okay. And were you reaching out to him via
16 e-mail, like just to say, hey, what's going on with
17 this? You know, still got this open case out there?

18 A. No, I would have called him.

19 Q. Called him? Okay.

20 A. More likely.

21 Q. Okay.

22 A. I may have e-mailed him some, but mostly
23 usually I just call.

24 Q. Okay. And at the time that you had kind of
25 exonerated Donna Johns in this, which is fairly early

1 on, is that fair?

2 A. Hmm.

3 Q. Or once you got those e-mails?

4 A. Well, after I did the interviews and I had --
5 no, not the e-mails, because I still had to go through
6 the computer, and that takes time, as you remember
7 from going through CSAM reports and, as they call
8 them, and Axiom and Cellebrite and all that. You
9 don't do that in 10 minutes.

10 Q. Right.

11 A. But it would have been after the interviews.
12 And honestly, I don't totally agree that I exonerated
13 her, but I did not think there was probable cause to
14 make an arrest on her or anything I could have proven
15 with her. But whether or not there was charge was up
16 to Mr. Mitchell.

17 Q. In your report, is she listed as a suspect?

18 A. No, ma'am. I need to find the summary again.

19 Q. Are you talking about, like, the summary at
20 the beginning?

21 A. No, the summary is the --

22 Q. The investigative summary?

23 A. Yeah. It would be there, whatever is listed
24 at the top.

25 Q. Okay. So it says, "Subjects Quinn McCoy

1 Robertson and Joseph James Turner."

2 A. Right.

3 Q. You didn't list Donna Johns as a subject,
4 even though that's the reason that got assigned to
5 you. Can you explain that to us?

6 A. Yes, ma'am, because, like I said, I did not
7 think there was PC to charge with anything or PC to --
8 I didn't list her as a suspect because I didn't have a
9 criminal charge against her.

10 Q. Now, earlier in this, you seemed to say that
11 you didn't think that either one of these guys should
12 have been charged, but you still listed them as
13 subjects.

14 A. Yes, ma'am. That's because Walton County's
15 report did, and that was forwarding their
16 investigative report. This is a hybrid of two
17 investigations.

18 Q. Okay.

19 A. It's Walton County's on those two and then
20 mine on Ms. Johns. So that's why it looks like it
21 does.

22 Q. Okay. It looks like it's just FDLE, I mean,
23 at least just from the heading on here. It says it's
24 Case Agent Inspector Keith Riddick. It doesn't say
25 Keith Riddick and Marthinsen from WCSO.

1 already answered. To your knowledge, did Mr. Galloway
2 receive any benefit on his pending criminal charges as
3 a result of his willingness to cooperate with your
4 investigation?

5 A. I do not know anything that happened with his
6 pending charges, sir.

7 Q. Okay. Now, I'm going to just share my screen
8 and go through some cases and stuff like that with you
9 just to see if I can kind of get an understanding of
10 maybe some of your thoughts. Can you see this on the
11 screen, sir?

12 A. Yes.

13 Q. Now, this is -- oh, shoot. Hold on a second.
14 Sorry, I've got to move stuff around on my screen
15 here.

16 Okay. Sir, I'm showing you a case. It's
17 *Adams v. State*, and it's 436 So. 2d 1132, 1983, Fifth
18 District Court of Appeal case. And here they're
19 talking about the application of 934, the intercept
20 eavesdrop statute that my client's been charged under.

21 A. Okay.

22 Q. And the Court down there notes here -- this
23 would be at the bottom of -- if I can figure out what
24 page this is -- 1133, first column -- it says, "We
25 find little to support his contention that he had a

1 reasonable expectation of privacy when transacting his
2 business in a place of business open to the public."

3 Did you do any sort of case law research as
4 you were kind of investigating these allegations
5 against clients?

6 A. No, sir.

7 Q. Did you seek any legal opinions from --

8 A. Yeah, let me clarify again. I was
9 investigating Ms. Johns. I was not investigating your
10 clients. That had already been done, is what this is
11 based off of. But no, sir, I did not do any case law
12 into what they're charged with.

13 Q. Okay. So you never investigated my client?

14 A. No, sir. I mean, they were part of my
15 investigation into Ms. Johns. But as far as what
16 they're charged with, that is based solely on what
17 Walton County investigated.

18 Q. Okay. So your understanding is that they
19 were going to be charged automatically after Walton
20 County had finished their investigation?

21 A. I don't understand what you're saying, but I
22 don't have any understanding on anybody that was going
23 to be charged. That is totally a mistake.

24 Q. Okay. So I don't understand your testimony.
25 So is it your testimony that your investigation and

1 your investigative report had no bearing whatsoever on
2 these criminal charges being filed against my client?

3 A. No, sir, I'm not saying that, because my
4 report covers -- it does include the Walton County
5 investigation, because it led into my Johns
6 investigation. So I can't say that. I'm just saying
7 that I do not assume that anybody was going to be
8 charged at the end of this. That is not a decision I
9 have ever made on a case, is that somebody was going
10 to be charged.

11 Q. Right, but you know, like, if you're going
12 out and investigating, let's say, an organized scheme
13 to defraud across counties. I mean, you don't
14 ultimately decide whether they're charged, but you
15 understand the offense that you're investigating, and
16 you understand the basic knowledge of, you know, what
17 the elements of the offense are, so you can develop
18 the evidence necessary to prosecute it if the state
19 decides to charge, right?

20 A. Yes, sir.

21 Q. Okay. But here, did it even get on your
22 radar screen at all that my client might have
23 committed an unlawful intercept pursuant to 934?

24 A. Sir, like I said, I did not look into whether
25 or not they violated that statute. I took their

1 investigation and looked at Ms. Johns. I already
2 admitted I didn't think it was going anywhere.

3 Q. Yes, sir.

4 A. But as far as reinvestigating what Walton
5 County had already done as far as their admissions,
6 what they had done with the computer, I did not look
7 into that at all, no, sir.

8 Q. You had Walton County Sheriff's Office
9 summary, correct?

10 A. Correct.

11 Q. The summary you -- okay.

12 And you're aware that they had, in the
13 summary of their investigative summary, they had a
14 finding that while investigating Robertson's and
15 Turner's allegations, it was learned that they
16 themselves potentially violated Florida State Statute
17 934.03, Interception and Disclosure of Electronic
18 Communications, when they together and intentionally,
19 blah, blah, blah, blah?

20 A. Yes, sir.

21 Q. So you had read that before you were doing
22 your investigation?

23 A. Yes, sir.

24 Q. Okay. But you didn't feel like you were
25 investigating them at all for that violation?

1 A. No, sir.

2 Q. Even though you were totally privy to all the
3 information that Walton County had amassed?

4 A. Yes, sir. But I was not reinvestigating
5 their investigation. I was investigating from the
6 point they decided they needed to conflict because Ms.
7 Johns might be involved.

8 Q. Okay. Okay. But you're familiar with the
9 letter that the Chief Deputy Donald Clark submitted to
10 FDLE requesting your investigation be initiated,
11 correct?

12 A. Yes, sir.

13 Q. All right. It was dated February 12, 2024.
14 Does that sound kind of consistent when you first, in
15 that time frame, got assigned?

16 A. Yes, sir.

17 Q. Okay. I mean, they straight up say in the
18 letter that they're asking you to investigate Quinn
19 Robertson and Joseph Turner, collectively, the
20 subjects.

21 A. I know they say that, sir, but I didn't do
22 it.

23 Q. Well, I guess why not?

24 A. Because my focus was on Donna Johns. They
25 had already --

1 Q. Well --

2 A. I'm sorry?

3 Q. Okay. Well, they say, "Following our cursory
4 investigation and upon consultation with the State
5 Attorney's Office, we have resolved that the actions
6 at issue require further investigation for the
7 determination of criminal liability and that such
8 inquiry could reasonably be believed to include the
9 interview of locally elected officials."

10 A. Correct.

11 Q. Because they told you they felt like they
12 only did a cursory investigation. They were asking
13 you to do a full investigation into Quinn Robertson
14 and Joseph Turner, the subjects, not Donna Johns.

15 A. No. They told us in person that they were
16 getting out of it because they might have to
17 investigate a county official, and that is why we took
18 it over. What they wrote is -- you know, you can ask
19 them why they wrote it, but I can tell you I did not
20 touch anything to do with Quinn Robertson or Joe
21 Turner. I investigated Donna Johns and any other
22 county official or county commissioner that might have
23 had something to do with it.

24 I mean, you can look at the report and see
25 that I did not attempt to re-interview them, did not

1 interview anybody, you know, related to them. That
2 was Walton County's investigation, and I shipped it to
3 the State Attorney as such.

4 Q. But you told us, I think you testified
5 earlier, that you don't do any investigations in any
6 jurisdiction unless you're asked to do so.

7 A. Yes, sir, and we were asked to do this.

8 Q. Well, you were asked to investigate Quinn
9 Robertson and Joseph Turner, not Donna Johns,
10 according to the sheriff's letter.

11 A. Well, sir, I can tell you according to my
12 conversation with them, I was asked to investigate the
13 possibility of a county commissioner being involved in
14 it.

15 Q. So I'm going to share my screen again. I'm
16 showing you the letter. This is like your assignment
17 letter.

18 A. I have seen the letter, sir. I have a copy
19 of it. I agree with you. It says what it says, but I
20 can tell you that I did not re-investigate Mr.
21 Robertson and Mr. Turner.

22 Q. Okay. But, I mean, where did you get the
23 authority to investigate Donna Johns?

24 A. I was verbally asked by the captain to --
25 that -- told that they may have a county commissioner

1 involved in this matter, and they wanted us to take
2 it. Not captain. Deputy chief, or whatever it was.
3 Chief deputy.

4 Q. So basically you just ignored your written
5 assignment and went with the verbal assignment?

6 A. It was not an assignment, sir. I do not take
7 assignments from the sheriff. I take assignments from
8 my office. It was a request by the sheriff to
9 investigate.

10 Why this was written like this, I don't know.
11 All I can tell you is the chief deputy asked -- or
12 told us that they don't want to investigate it any
13 further because Donna Johns, a county commissioner,
14 may be involved in it. We made the decision to
15 investigate just that part.

16 Q. You basically testified you just took two
17 seconds to look at it and know that Donna Johns hadn't
18 done anything wrong.

19 A. No, sir, I did not investigate --

20 Q. Well, essentially, so much so you didn't even
21 list her as a subject.

22 A. Yeah, but that doesn't mean I took two
23 seconds to investigate her, sir.

24 Q. Well, you didn't have to dig very far. You
25 didn't get far enough to even open a serial report

1 listing her as a subject and you already exonerated
2 her. Why couldn't the sheriff's office do the same
3 thing?

4 A. Ask them that, sir.

5 Q. Okay. But your testimony is -- I mean, is it
6 because you didn't believe that there was evidence
7 that Mr. Robertson and Mr. Turner committed a crime?

8 A. No, sir. I investigated Donna Johns because,
9 in my opinion, the county had already adequately
10 investigated Mr. Robertson and Mr. Turner -- or I say
11 adequately, had investigated it and they wanted us to
12 keep them from having to investigate a county
13 commissioner.

14 Q. In here, they say that they felt like it was
15 necessary to have an independent review and
16 determination. Right?

17 A. Yeah. Like I said, I have a copy of the
18 letter.

19 Q. Okay. But you didn't feel like my client
20 deserved an independent review?

21 A. I didn't feel like there was anything to gain
22 by reinvestigating your client when the fact was that
23 the county wanted us to investigate to see if a county
24 commissioner was involved.

25 Q. I mean, they clearly felt like he deserved an

1 independent review; is that right?

2 A. I don't know, sir. I don't know what they
3 thought.

4 Q. Well, they put that in the letter to you.
5 Right? I mean, the only way you have a jurisdiction
6 to investigate in that county is if the sheriff asked
7 you to do so, correct?

8 A. And they did.

9 Q. Right. My client, because they felt like he
10 needed an investigation and you didn't give him one.

11 A. That is how the letter is written, yes, sir.
12 But the sheriff's office asked us to investigate the
13 county commissioner so they wouldn't have to.

14 Q. Did they tell you to disregard the letter we
15 wrote? Did they tell you that verbally?

16 A. No, sir.

17 Q. Okay. You just chose to ignore the letter?

18 A. I chose to do what they asked me to do, sir,
19 verbally.

20 Q. That's not true. Okay, verbally.

21 But you ignored the written request?

22 A. I did not do what the written request said.

23 Q. So you ignored it?

24 A. No, sir. I just didn't do it. I read it.
25 You're talking semantics and so am I.

1 Q. I'm not. You are, I think, sir.

2 You didn't do what you were asked to do. And
3 a part of it was they felt like my client deserved --

4 A. I did what I was asked to do, sir, verbally.

5 Q. That's semantics. You didn't do what you
6 were asked to do in writing.

7 A. That's not semantics. That is not semantics.
8 No, I didn't do what is on the report. I did what I
9 was asked to do verbally.

10 Q. Not written, though? You didn't do what you
11 were asked in writing to do?

12 A. Yes, sir. I just said that.

13 Q. Okay. Then that's what I've said. You said
14 it was semantics. It's not. You did not do it. And
15 they felt like part of it was because my client
16 deserved an independent review, which they didn't feel
17 like their office could do. Why didn't you do an
18 independent investigation of my client?

19 A. Because I was asked to do -- asked and
20 answered, sir. I've done -- we can certify this if
21 you want, but I've already answered your question,
22 sir, why I didn't investigate your clients.

23 Q. Yeah, because you said you did what you were
24 asked to do verbally. That's your answer?

25 A. Yes, sir.

1 Q. Okay. Why didn't you do what you were asked
2 to do in writing?

3 A. Because --

4 MS. LILES: I'm going to object; asked and
5 answered. Thank you.

6 MR. WEBSTER: Okay. So your objection is
7 noted. He has not answered my question.

8 THE WITNESS: Yes, I did.

9 BY MR. WEBSTER:

10 Q. No, you have not.

11 A. We decided not to investigate your clients
12 again, sir, because we were investigating the county
13 commissioner. The sheriff's office had already
14 investigated your client. That is what we were
15 verbally asked to do. What the sheriff wrote, I don't
16 know why he added all that stuff other than to cover
17 him.

18 Q. Is that the business we're in, is covering?
19 Or are we in the business of investigating?

20 A. And I did my investigation, sir.

21 Q. But not of my client?

22 A. No, sir, I did not.

23 Q. Okay. So you did not do an independent
24 investigation of my client, even though the sheriff
25 asked you in writing to do so?

1 A. I have answered that multiple times, sir.

2 Q. So who's we? You said, "we decided." Who's
3 we?

4 A. My supervisor, my director, my bosses.

5 Q. Who are they? Give me their names
6 specifically.

7 A. John Feltgen, F-E-L-T-G-E-N. Actually, it
8 may have been Luis Negrete at that time, you know,
9 because they changed. L-U-I-S, excuse me, Negrete is
10 N-E-G-R-E-T-E. And my director is Scott McInerney, M-C
11 capital I-N-E-R-N-E-Y.

12 Q. Did anybody discuss this with Commissioner
13 Glass?

14 A. No, I don't know, sir.

15 Q. Okay.

16 A. I did not.

17 Q. So as you sit here today, to your knowledge,
18 an independent investigation of my client was never
19 conducted, correct?

20 A. Correct.

21 Q. Okay. All right. Now going back to the
22 Adams case, and here the Court noted that they found
23 little to support contention that this particular
24 defendant had a reasonable expectation of privacy when
25 transacting his business in a place of business open

1 to the public, correct?

2 A. That's what it says, yes, sir.

3 Q. Okay. You would agree that based upon, not
4 your investigation, but Walton County's investigation,
5 Mr. Galloway voluntarily synced his Apple account to a
6 county iPad?

7 A. Yes, sir.

8 Q. So he intentionally injected his
9 communications and data into a place that's open to
10 the public?

11 A. I don't know if I can say it's open to the
12 public. It's his issued iPad. It's subject to public
13 scrutiny, but I don't think the public can just walk
14 in and open it up.

15 Q. They could make a public record request for
16 any public records on the iPad, correct?

17 A. Correct.

18 Q. And then the custodian of records would have
19 a duty to go through that iPad and all of its
20 contents, including his Apple account data, to ensure
21 that all public records were preserved, correct?

22 A. Correct.

23 Q. Okay. Now, would that custodian of records,
24 in your opinion, be engaging in an unlawful intercept
25 of Mr. Galloway's data by reviewing the data to make

1 sure that all public records were preserved?

2 A. I do not think so, no.

3 Q. Okay. And I don't know that you did any
4 research on it or you're familiar with it all, but do
5 you have any information that contradicts the Court's
6 statement here that according to the Fourth Amendment
7 and the United States Constitution and its
8 interpretation by various federal courts, a citizen
9 has a significantly lower legitimate expectation of
10 privacy in a place of business open to the public than
11 he would have in his own home?

12 A. I agree that that is what that said. I don't
13 know if there was a question in there.

14 Q. Do you have any information that there's any
15 other law or authority that contradicts the Court's
16 holding here?

17 A. No, I don't. No, sir.

18 Q. I'm showing you now, sir, a case that's
19 *Crapps v. State, C-R-A-P-P-S v. State*, and it's cited
20 at 180 So. 3d 1125, 2015 case from the First District
21 Court of Appeal. And here, basically, the underlying
22 facts -- I don't know if you can see it under the
23 fonts. It's probably difficult to see. But in
24 essence, this case involves an allegation that a
25 boyfriend logged into his ex-girlfriend's Instagram

1 account and posted nude photographs of her, and he was
2 charged with violation of 815.06(1)(a), which is the
3 unauthorized access to a computer device statute my
4 client is currently charged with.

5 Here, the Court ultimately holds that --

6 A. I'm going to get a coke out of my
7 refrigerator.

8 Q. Go ahead. Go ahead.

9 Here, ultimately, the Court holds that the
10 plain language of the statute is that somebody
11 accesses a computer device or network or system that
12 they are not authorized to access. It's not the data.
13 It's the device itself.

14 Are you aware of any lawful authority that
15 would suggest my client, as the acting county
16 administrator, did not have the lawful authority to
17 access that county iPad that he accessed?

18 A. I do not. Okay.

19 Q. And would you agree, sitting here, that he
20 had the authority to review, to open up and
21 investigate and inspect a county iPad?

22 A. I would think he would, yes, sir.

23 Q. Okay. And, I mean, you're aware that in this
24 circumstance, it was actually the IT information, kind
25 of, manager who came to him and asked that he do it,

1 correct?

2 A. I think that's how it went down. I'd have to
3 look, sir, but, yes, that sounds correct.

4 Q. You're aware that in November of 2023, the
5 kind of media -- I think he's kind of a technology
6 director or something. He's not really IT. But he
7 came to Quinn Robertson, my client, as the county
8 administrator, and said that he believed there was an
9 iPad that had county business on it, correct?

10 A. Yes.

11 Q. Okay. And it would be reasonable at that
12 point for my client to believe if that iPad had county
13 business on it, that he would have a duty, ultimate
14 duty as a county administrator, to ensure that if it
15 contained any public records, they were identified and
16 preserved, correct?

17 A. Correct.

18 Q. All right. Now, do you think that the -- it
19 was Jason Cook that came to him. Do you think Mr.
20 Cook committed an unlawful intercept by reviewing the
21 data that was on the iPad?

22 A. I wouldn't think so, no.

23 Q. Okay. And, I mean, if he didn't commit an
24 unlawful intercept, then certainly my client, who is
25 his superior and had more authority to access, he

1 wouldn't have committed an unlawful intercept, would
2 he?

3 A. I would assume so, yes, sir.

4 Q. You would assume that he did commit an
5 unlawful intercept or he did not?

6 A. No, no, no, that he had the authority.

7 Q. Okay. Are you aware of any case law or
8 authority that contradicts the Court's opinion here
9 and holding here, that it's not the data on a device,
10 it's the device itself that somebody has to access
11 without authorization in order to violate 815.06?

12 A. I am not, sir.

13 Q. All right. I'm going to stop sharing for a
14 second here.

15 Sir, I'm showing you -- I'll get the cite in
16 the record here -- This is *McDade v. State*,
17 M-c-D-a-d-e. It's cited at 154 So. 3d 292. It's a
18 2014 case out of the Supreme Court of Florida.

19 Are you familiar with this case at all, sir?

20 A. No, sir.

21 Q. Okay. Essentially, this was in the Supreme
22 Court, Florida Supreme Court, evaluating Statute 934,
23 and it's the unlawful intercept statute my client's
24 been charged under Sub (1). And the Court held that
25 in order to unlawfully intercept some sort of oral

1 communication pursuant to Chapter 934, it has to be
2 established that that communication was uttered by a
3 person exhibiting an expectation that such
4 communication is not subject to interception under
5 circumstances justifying such expectation and does not
6 mean any public oral communication uttered at a public
7 meeting or any electronic communication.

8 All right, sir. Are you familiar that
9 pursuant to 934, that in order for a person to claim
10 that their communications have been illegally
11 intercepted, that they have to have made those
12 communications with a reasonable expectation of
13 privacy?

14 A. I am, from reading those, yes, sir.

15 Q. Okay. Are you also familiar that the
16 communication must be uttered in a form or a manner
17 that society would also recognize that the person
18 making the communication has a reasonable expectation
19 of privacy?

20 A. Sir, I mean, as far as what I'm reading, you
21 know, but as far as case law goes, I can't tell you
22 what case law is out there, sir. That's why I don't
23 make the charge.

24 Q. My question is, are you aware of any
25 information that rebuts this precedent, that there has

1 to be a subject of expectation of privacy and an
2 object of expectation of privacy?

3 A. Short answer to that is no, sir.

4 Q. Okay. All right. And you're aware that Mr.
5 Cook contacted Mr. Galloway three separate times in
6 May of 2023, asking him -- notifying him that his
7 Apple account was still synced with the county iPad
8 and that his data was being synced to the county's
9 iCloud and asking him to log out?

10 A. Yes, sir.

11 Q. And you're aware that Mr. Galloway took no
12 steps to log out his iCloud from the county -- or his
13 Apple account from the county iPad from May until
14 November -- or December?

15 A. I cannot say that Mr. Galloway took no steps
16 because I was not with Mr. Galloway during those
17 times. I will admit that it was not done.

18 Q. Do you have any information that he did take
19 steps?

20 A. No, sir. I have no information either way.

21 Q. All right. I'll come back to this.

22 Showing you now, sir, O'Brien, which is O
23 apostrophe capital B-R-I-E-N, v. O'Brien spelled the
24 same way, 899 So. 2d 1133, 2005. This is a Fifth
25 District Court of Appeal case from 2005. And it

1 involved, once again, 934.

2 And here the Court said, "The term intercept
3 is defined by the act as the aural -- that's
4 A-U-R-A-L -- or other acquisition of the contents of
5 any wire, electronic, or oral communication through
6 the use of any electronic, mechanical, or other
7 device." Okay. Went on to say that the federal
8 courts have consistently held that electronic
9 communications, in order to be intercepted, must be
10 acquired contemporaneously with transmission, and that
11 electronic communications are not intercepted within
12 the meaning of the federal wire tap act if they are
13 retrieved from storage.

14 What information -- are you aware of any
15 information, that Walton County Sheriff's, I guess,
16 biased investigation revealed that would suggest my
17 client took any steps to intercept Mr. Galloway's data
18 as it was being transmitted?

19 A. The only thing I would reference there is the
20 comment in Mr. Marthinsen's report that one of them
21 made the comment they were looking at live data. But
22 that is the only reference I can recall, sir.

23 Q. Okay. But once again, that would be through
24 the county iPad?

25 A. Yes, sir.

1 Q. He was authorized to be in and look at the
2 data on the iPad?

3 A. I would assume so, yes, sir.

4 Q. Okay. All right. And other than my client's
5 words that they reviewed some live information, what
6 independent evidence do you have to corroborate that?

7 A. I don't.

8 Q. Are you aware of any in the record? Anything
9 in the record -- I don't know, you know, they do all
10 these things with forensics where they can say, we
11 went back and we saw that he time-stamped, he was on
12 this page at this moment when this message was sent?

13 A. I do not have anything of that, sir.

14 Q. Other than his words?

15 A. I do not have that, sir.

16 Q. Other than the statement my client made in
17 that respect allegedly?

18 A. That's --

19 Q. Allegedly? I mean, that was Marthinsen, his
20 biased investigation that produced that alleged
21 evidence. Okay.

22 A. That's your opinion.

23 Q. Well, that's their opinion. That's why they
24 asked you to do an independent one, but you didn't.
25 But anyway.

1 Okay. All right. And then I think I have
2 one more case I want to talk about, and then I want to
3 go to the statute. *Willoughby v. State*, and it's
4 spelled W-I-L-L-O-U-G-H-B-Y, v. State, 84 So. 3d 1210.
5 It is a Third District Court of Appeal case from 2012.
6 And here they were discussing 934. It's a little bit
7 more in-depth than what we talked about earlier. I'm
8 sorry, the 815.06.

9 And the Court noted that Subsection (6) of
10 815.06 clarified that the section, quote, "does not
11 apply to any person who accesses his or his employer's
12 computer system when acting within the scope of his or
13 her lawful employment." Are you aware of any evidence
14 that Marthinsen uncovered during his non-independent
15 investigation that would suggest my client ever
16 accessed any computer or iPad with Mr. Galloway's data
17 on it that was not based through his employment?

18 A. No, sir.

19 Q. Okay. So it says, "Therefore, to prove his
20 offense, the State must show that, A, the defendant
21 willfully, knowingly, and without authorization,
22 accessed a computer system, and if the computer
23 system -- and if the employer's system, that defendant
24 acted outside the scope of his or her lawful
25 employment."

1 Are you aware of any evidence that would
2 support a contention that my client accessed that iPad
3 outside of his lawful employment?

4 A. No, sir.

5 Q. Okay. Sir, I'm showing you now Florida
6 Statute 934.03. This is the Interception and
7 Disclosure of Wire, Oral, or Electronic Communications
8 Prohibited Act. And my client is charged under
9 (1)(a), I highlighted it there. Let me zoom in.
10 According to the information, my client intentionally
11 intercepted, endeavored to intercept, or procured any
12 other person to intercept, or endeavored to intercept
13 any wire, oral, or electronic communication.

14 What evidence do you have that supports a
15 contention that my client violated that statute?

16 A. I don't.

17 Q. Okay. Did you observe any evidence in Mr.
18 Marthinsen's report that would support a conclusion my
19 client unlawfully intercepted somebody's wire, oral,
20 or electronic communications?

21 A. Beyond a reasonable doubt, I don't know, sir.
22 But that would be a question for the prosecutor.
23 I mean, he charged it, but I -- yeah.

24 Q. Well, having gone through the case law, what
25 communication can you point to that my client reviewed

1 that Mr. Galloway could say he had a reasonable
2 expectation of privacy over?

3 A. None that I can see.

4 Q. Okay. And if that case law is correct that I
5 showed you, and you're not aware of any alternative
6 case law, then you're not aware of any evidence my
7 client observed any communication -- any private
8 communication of Mr. Galloway's?

9 A. I am not independently, no, sir.

10 Q. Okay. And Marthinsen's investigation didn't
11 provide you any evidence of that either, correct?

12 A. Correct.

13 Q. Okay. Maybe I did mess up and put it on here
14 twice. Sorry.

15 All right. I'm showing you now 815.06,
16 Florida Statute, titled Offenses Against Users of
17 Computers, Computer Systems, Computer Networks, and
18 Electronic Devices.

19 Under Subsection (1), my client has --
20 according to the information, my client was -- he
21 violated the statute, Section (1)(a) of this statute.
22 It's not the information, actually. It's the direct
23 habeas. According to the direct habeas in this case,
24 my client allegedly violated Sub (1)(a). I don't
25 believe that's accurate. There is no (1)(a). I

1 believe that it's supposed to be (2)(a), but it says
2 -- because he's also charged with allegedly violating
3 Subsection (2)(b).

4 So according to the statute, the person
5 commits an offense against users of computers,
6 computer systems, computer networks, or other
7 electronic devices if he or she willfully, knowingly,
8 and without authorization or exceeding authorization
9 accesses or causes to be accessed any computer,
10 computer system, computer network, or electronic
11 device with knowledge that such access is unauthorized
12 or the manner of use exceeds authorization.

13 Given that my client had full authority to
14 access that iPad, are you aware of any evidence that
15 Mr. Marthinsen uncovered in his investigation that
16 would support a conclusion my client violated the
17 statute?

18 A. With what you have shown me today, no, sir.

19 Q. Okay. And then Sub B, which is specified in
20 the direct habeas -- quote/unquote, "direct habeas,"
21 it disrupts or denies or causes the denial of the
22 ability to transmit data to or from an authorized user
23 of a computer.

24 Are you aware of any information that Mr.
25 Marthinsen -- I can't remember his rank, so I'm not

1 trying to be disrespectful -- that Marthinsen
2 discovered that would support a conclusion that my
3 client ever did anything to disrupt or deny or cause
4 Mr. Galloway to be denied the ability to transmit data
5 to or from his computer?

6 A. No, sir.

7 Q. Okay. Same thing for his computer system,
8 computer network, or other electronic device?

9 A. Correct, sir.

10 Q. Okay. So as you sit here today, you really
11 can't offer us any insight as to the state's theory of
12 prosecution of our clients for these two charges,
13 correct?

14 A. Correct, sir.

15 Q. Okay. Okay. I'm going to do this now.
16 Okay. Let me go back. Okay. I'm going to go dark.

17 Okay. Sir, I'm going to show you what's
18 been, I guess, called a Direct Habeas of the State.
19 Have you ever had a chance to review this?

20 A. Not that, sir. I don't think so.

21 Q. I know you haven't been on the road in a
22 while, and I know you do executive investigations, but
23 do you still, from time to time, obtain warrants?

24 A. I don't, no, sir.

25 Q. Okay. But you have in the past?

1 A. Yes, sir.

2 Q. Okay. Have you ever had a state attorney
3 just sign a warrant and get it back to you and say,
4 "Go get 'em, tiger"?

5 A. As I frequently testified, no, sir.

6 Q. Okay. And I don't expect you to know the
7 rules of criminal procedure, but do you have any
8 reason to doubt that Rule 3.131, Florida Rules of
9 Criminal Procedure, specifies that judges have to
10 issue habeas upon the issuance of an indictment or an
11 information?

12 A. You're right, sir, I have no direct knowledge
13 of that rule, but that's the way it's always been done
14 with me, sir.

15 Q. That's consistent with your understanding and
16 experience, fair?

17 A. Yes, sir.

18 Q. Okay. Now, once again, is it also consistent
19 with your experience that, pursuant to the rule, the
20 judge is supposed to give consideration to any bond or
21 release, conditions of release when approving a
22 habeas, correct?

23 A. Yes, sir. That is true.

24 Q. And here on this, quote/unquote, "direct
25 habeas," it actually has a section for bond and

1 conditions of release, correct?

2 A. Yes, sir.

3 Q. And that would be consistent with your
4 experience; you would expect the judge to pass on that
5 one way or the other, either they deny it or they
6 grant it or they ROR, whatever the case may be,
7 correct?

8 A. Correct.

9 Q. All right. And the habeas we've been
10 provided does not have a signature from the judge,
11 correct? Do you see that?

12 A. Correct.

13 Q. It's empty?

14 A. Yes, sir.

15 Q. Now, here in kind of the certification, it
16 says, "Before me personally appeared the undersigned
17 designated assistant state attorney for the First
18 Judicial Circuit of Florida, being personally known to
19 me, and who first being duly sworn, says the
20 allegations set forth and the foregoing information
21 are based on facts that have been sworn as true and
22 which is true would constitute the offense there
23 charged. And that assistant state attorney has
24 received testimony under oath from a material witness
25 or witnesses for the offense, and that this

1 prosecution is instituted in good faith." Do you see
2 that, sir?

3 A. Yes, sir.

4 Q. Did I read that fairly and correctly?

5 A. Yes, sir.

6 Q. So, I mean, is it just me, or can you explain
7 to me why this says that the person appearing would be
8 an assistant state attorney, and then the same
9 assistant state attorney who allegedly appeared before
10 this person, unidentified person, ended up signing it
11 as if he appeared before himself, which would be
12 Joshua Mitchell? Does this make any sense to you at
13 all?

14 A. I cannot explain it, no, sir. I don't know.

15 Q. Based upon that, would you have expected a
16 judge to be signing down here?

17 A. Yes, sir.

18 Q. Okay. And I'm sorry, I know it seems like a
19 silly question, but I'm just trying to make sense of
20 the information --

21 A. I understand, sir. I was actually just
22 double checking to make sure I didn't have that, and I
23 don't.

24 Q. Okay. All right. Just here a second ago.
25 Here it is. All right. I'm going to go away from

1 that. I'm going to try to find a different section.

2 All right, sir. I'm going to probably move forward a
3 little bit here in this document.

4 Okay. I've opened up what was produced to
5 us. It's kind of -- it's called an E-Book. It's just
6 kind of the investigative summary and all the
7 materials. It's 50 pages long. Did you prepare this?
8 I can sense you did.

9 A. I prepared the report. I didn't prepare the
10 E-Book. I do not have that technical capability.

11 Q. Fair enough.

12 Okay. So if you weren't investigating my
13 client for interception, disclosure, and offenses
14 against users of computers, I guess why was that
15 listed by you or somebody as the allegation or
16 charges?

17 A. In hindsight, it probably shouldn't have
18 been, since I was just investigating Ms. Johns. But
19 that is the way our -- that's our format. And since I
20 was forwarding the Walton County investigation to
21 them, that's why it was done at that time. I don't
22 disagree that it's lacking.

23 Q. And the time scope allegedly that you were
24 investigating was from November 10th, '23 to December
25 20th, '23, correct?

1 A. That's -- yes, sir, because that's when they
2 were supposedly discovered. And the 23rd, I think,
3 may have been that meeting where Ms. Johns stood up
4 and read them.

5 Q. Now, if Mr. Galloway intended to maintain a
6 sense of privacy over his data, you would certainly
7 expect him at the very latest, on December 23rd, 2023,
8 to go in and make sure that his Apple account was no
9 longer synced to the county iPad; is that fair?

10 A. I would think so, yes, sir.

11 Q. Okay. And I don't know this information, and
12 I don't think it's in any of the materials we've
13 reviewed so far. Do you know when he finally did log
14 his iPad out?

15 A. I do not, sir.

16 Q. Okay. I am now on page 3 of 6 of the summary
17 report. I'm going to zoom in a little bit. A little
18 box blocks it.

19 Okay. Now, it's kind of a sequence of
20 events. This entry is dated -- I guess it's dated
21 January 17th, 2024. Can you tell me why it's January
22 17th, 2024? Is that the day that Marthinsen
23 interviewed Mr. Cook?

24 A. That may be a scrivener's error. It may have
25 been 23. Let me go look at his report.

1 Q. I guess, who prepared this? Did you draft
2 this, what I'm looking at here, which I'm sharing on
3 the screen right now?

4 A. Yes, sir. That is mine, that I wrote.

5 Q. You would agree with me that it's material to
6 this, on my case, my case that I'm dealing with,
7 whether or not Mr. Galloway was aware that his Apple
8 account was synced to the iPad, and he failed to take
9 steps to log it out.

10 A. I'm sorry, sir. Can you repeat that? I was
11 reading, and I'm sorry.

12 Q. It's kind of a long question, but I don't
13 have a short way to get to it.

14 Given that Mr. Galloway has a duty to protect
15 his data, right, and to maintain and preserve his
16 privacy, you would agree with me that anytime he was
17 placed on notice that his data was being synced to the
18 county iPad, that would be material to whether or not
19 he took reasonable steps to maintain a sense of
20 privacy?

21 A. Yes, sir.

22 Q. Okay.

23 A. And let me make one point: The date that
24 you're reading here, that is the date that is given in
25 Mr. Marthinsen's report.

1 Q. For when he interviewed Mr. Cook?

2 A. Yes, sir.

3 Q. Okay. And here's Mr. Cook's proper title:
4 Technology and Media Manager, Walton County?

5 A. Yes, sir.

6 Q. All right. Now, it's documented here that
7 prior to assigning the iPad to Jeremy Rowlands, it sat
8 unused in his office. And Rowlands is spelled
9 R-O-W-L-A-N-D-S. After assigning it to Rowlands,
10 Rowlands made Cook aware that Galloway's personal
11 Apple accounts were linked to the iPad. Rowlands kept
12 possession of the iPad. Cook attempted to contact
13 Galloway to have him delete his personal information
14 from the device, but Galloway never did so.

15 Okay. So did you draft this last language
16 here that's not in quotes?

17 A. I'm just making sure I didn't cut and paste
18 it from his.

19 Q. Thank you. You had it in incident report
20 number six, serial number six. You had it kind of
21 more in-depth.

22 A. Six?

23 Q. Yeah, well, I mean, it's not a whole lot more
24 in-depth.

25 A. No, it's not six. Let me -- yeah, I think

1 that is a -- if you're asking --

2 Q. Page 6 of Marthinsen's report, page 6.

3 A. Okay. Let's find that again.

4 Q. And I have my record's Bates stamped. This
5 is my Bates Stamp Number 878. It's in the record,
6 because I may want to provide this to the court
7 reporter to attach.

8 A. Yeah, this is Marthinsen's report, but I have
9 a quote there from what Cook told Marthinsen. But I
10 think that Cook attempted to contact Galloway to have
11 him delete his personal information from the device,
12 but Galloway never did so, came from somewhere else
13 other than 6.

14 Q. That's your language then, right?

15 A. That last sentence appears to be, yes, sir.

16 Q. Okay. All right. All right. Now, sir, the
17 sentence as I read it seems to suggest that Cook never
18 even contacted Galloway. He attempted, right?

19 A. Yes, sir. And that's what --

20 Q. That's not --

21 A. I'm sorry, go ahead.

22 Q. Well, I'd ask you to look at Marthinsen's
23 report. He specifically documents that Cook not only
24 attempted. He sent him three Facebook messages and
25 got a response. He sent the first one on May 24th,

1 the second one on May 25th, and then two times on May
2 26th. And there were four. And at one point,
3 Galloway had responded, requesting a date to meet.

4 So why did you write it that way? In your
5 report, it seems like maybe Galloway was never
6 affirmatively put on notice and given an opportunity
7 to log out of the county iPad.

8 A. Well, I don't know exactly what Cook told him
9 according to this. It says he never made face-to-face
10 contact with him. But, yes, you're right. He did
11 definitely attempt to get him to do something at least
12 four different times or e-mailed him four different
13 times, if you want to count those as contacts.

14 Q. Facebook messenger, and Galloway responded to
15 one.

16 A. To one, wanting to set a date to meet.

17 Q. Right. So that could count as contact?

18 A. It could, yes, sir.

19 Q. All right. So why did you write this? Were
20 you trying to mislead? Did it seem like perhaps --

21 A. No, sir. No, sir. Please do --

22 Q. Okay. I just want to make sure.

23 And as you sit here, you agree that it would
24 be much more fair to my client, and for purposes of
25 defending this, if your summary would affirmatively

1 state what happened, which was there were four
2 messages sent, and he responded to one in May of '23,
3 and didn't do anything to log out all the way until at
4 least December 23rd --

5 A. I could -- I could've (indiscernible) it on
6 here, yes, sir, but it's also in the Walton County
7 case, and the state had it all.

8 Q. And I agree with that. But if a judge was
9 going to review this, would you agree with me that it
10 would have been more fair to my -- I mean, not that a
11 judge did, because we don't do that, apparently, but
12 if a judge had reviewed this, you would agree it would
13 have been more fair to my client for the judge to know
14 exactly that, hey, it wasn't an attempt, I mean, it
15 was four contacts, and he responded to one in May?

16 A. Well, I can only assume that if this was
17 presented to a judge, sir, he would have been
18 presented with everything, my report, their report.
19 So, yeah, I cannot assume what the judge would have
20 thought, but, yeah, I see your point.

21 Q. Okay. Now, I'm going to page 5. I'm going
22 to try to go to page 5 of your summary, okay? And I
23 am going to focus on -- it's the third item I believe
24 you had subpoenaed. You sent a subpoena to Walton
25 County, correct?

1 A. Yes, sir.

2 Q. And the third item you asked for was any and
3 all e-mails in which Walton County government business
4 was conducted by all county commissioners on their
5 personal e-mail addresses for the period November 1st,
6 '23, through December 31st, '23, correct?

7 A. Correct.

8 Q. And, I mean, I think -- would you agree with
9 me that's a fairly narrow scope of time?

10 A. Yes, sir. Yes, sir. I tried to narrow it as
11 much as possible.

12 Q. And if my client was using his county device
13 for personal communications, you would have expected
14 the custodian of records to search his device and make
15 sure that his personal communications didn't have any
16 e-mails that would have been responsive to your
17 request here because they dealt with county business?

18 A. Correct.

19 Q. And my client wouldn't have had one iota
20 expectation of privacy to prevent the custodian of
21 records from doing their job, correct?

22 A. Excuse me, correct.

23 Q. Okay. All right. Now, according to your
24 report, on June 18, 2024, you were contacted by a
25 paralegal with Walton County, Kimberly Williams, who

1 works with the Office of the County Attorney. Do you
2 recall that?

3 A. Yes, sir.

4 Q. Okay. She provided you the responsive
5 records to 1, 2, and 4 on your subpoena, correct?

6 A. Correct.

7 Q. And then at that point, she communicated to
8 you that she was advised to inform you that Mr.
9 Atkinson wanted to discuss this request with you
10 because the county was under some sort of decree with
11 the Court that they weren't supposed to use personal
12 devices for county business, correct?

13 A. Correct.

14 Q. All right. And at some point, did you hear
15 from Mr. Atkinson?

16 A. He left a voice message. We're playing phone
17 tag.

18 Q. All right. And in essence, he informed you
19 on that voicemail, what I just kind of discussed, and
20 he asked you how you expected him to proceed, correct?

21 A. Correct.

22 Q. How did you respond?

23 A. I called him back and told him I expected a
24 truthful response from the Board of County
25 Commissioners.

1 Q. And as of the time you prepared this
2 investigative summary, the Board of County
3 Commissioners still had not provided the records you
4 subpoenaed under Item Number 3, right?

5 A. Correct.

6 Q. Did you ever receive them?

7 A. No, sir.

8 Q. All right. I mean, well, explain why. I
9 mean, this is a subpoena, right?

10 A. No, sir. I actually called Mr. Mitchell and
11 asked him if we needed to, you know, file a motion or,
12 you know, to get them to answer or anything, and he --
13 again, he said he had to talk to his people. But when
14 he got back with me, he said they weren't going to do
15 anything with it; that they were just going to leave
16 it like it is, not worry about it, something to that
17 effect.

18 Q. You felt like this information was pertinent
19 to your investigation, correct?

20 A. I did, sir.

21 Q. All right. So even if you wanted to do an
22 independent investigation, it appears as though you
23 weren't going to be allowed to do one, correct?

24 A. Well, I didn't get this information. I don't
25 know if it was intentional or -- I don't know why they

1 didn't answer it, sir, other than the fact, they
2 didn't.

3 Q. Have you ever had another case where you've
4 subpoenaed records you thought were relevant to an
5 investigation, the party refused to produce them, and
6 the state attorney said, "Oh, don't worry about it"?

7 A. No, sir.

8 Q. Okay. Okay. I think I'm almost through.

9 Sir, I'm (indiscernible), which is kind of a
10 summary, and I'm at page 4. We already talked about
11 it, but I just wanted to confirm that Rowlands brought
12 the iPad to Mr. Cook, saying that he believed there
13 were personal messages that may contain county
14 information. Do you see that?

15 A. Yes, sir.

16 Q. Okay. And then, based upon that, that
17 comment, Cook took possession of the iPad and then
18 gave it to my client, Robertson, correct?

19 A. Yes, sir.

20 Q. Okay. But as we've already discussed today,
21 there's no information in this record to support a
22 conclusion that my client didn't have the authority to
23 follow up on the information he received from Mr.
24 Cook?

25 A. Apparently so, yes, sir.

1 Q. Okay. Okay. Sir, do you know what the
2 elements are that the state would have to prove in
3 order to convict my client of a violation of 934.03?

4 A. I'd have to look them up, sir.

5 Q. Okay.

6 A. It's been ages, if ever.

7 Q. Okay. Sir, I'm showing you now the consent
8 to search form that was signed by Stan Sunday.
9 In the E-Book, it's page 33. This is the form that
10 you provided to Mr. Cook, correct?

11 A. Yes, sir.

12 Q. Okay. And does this refresh your
13 recollection as to who ultimately signed it?

14 A. Yes, sir. Like I previously described, Mr.
15 Sunday.

16 Q. Okay. And according to this consent to
17 search form, the person signing it, they have to
18 basically affirm that they have the right to refuse
19 consent to search of their property, correct?

20 A. Correct.

21 Q. All right. And a person can access their
22 property, correct?

23 A. Correct.

24 Q. All right. And that they also have the
25 authority to give consent with respect to any related

1 media found during the course of the search of the
2 device, correct?

3 A. Yes, sir.

4 Q. So that would be full access to anything and
5 everything on that iPad, correct?

6 A. Correct.

7 Q. All right. All right. And so, assuming you
8 can take my word for it, Mr. Sunday was the acting
9 county administrator and it was therefore considered
10 his property. The same principle must have held true
11 in my client, was the acting county administrator?

12 A. I do not disagree.

13 Q. Okay. And I'll just put up one more page.
14 This is -- I'm at page 34 in the E-Book. And this is
15 your subpoena, correct, sir?

16 A. Yes, sir.

17 Q. And you issued this May 22nd, 2024, correct?

18 A. Well, Mr. Mitchell signed it.

19 Q. Fair enough.

20 Okay. And this subsection here, I'm going to
21 try to circle this Subsection (3). This is the part
22 that basically the county refused to respond to?

23 A. They did not respond to it, yes, sir.

24 MR. WEBSTER: All right. I don't have
25 anything further. Thank you for your time,

1 Inspector Riddick.

2 THE WITNESS: You're welcome, sir.

3 MS. LILES: No questions. Thank you.

4 MS. BOGENSCHUTZ: I think somebody's supposed
5 to ask you if you read or waive.

6 THE COURT REPORTER: Yes.

7 MS. BOGENSCHUTZ: I can do that.

8 THE WITNESS: I would like to read, please.

9 THE COURT REPORTER: Okay, yes, sir.

10 (Discussion off the record.)

11 THE COURT REPORTER: Does anyone want to
12 order the transcript today?

13 MS. BOGENSCHUTZ: Yep.

14 MR. WEBSTER: Yes, ma'am.

15 (Whereupon, the deposition concluded at 4:54
16 p.m.)

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CERTIFICATE OF OATH

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STATE OF FLORIDA)
COUNTY OF LEON)

I, the undersigned authority, certify that KEITH RIDDICK, personally appeared before me and was duly sworn on the 4th day of November, 2025.

Signed this 4th day of November, 2025.

Jessica Renchen

JESSICA RENCHEN, Court Reporter
Notary Public - State of Florida

CERTIFICATE OF REPORTER

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STATE OF FLORIDA)
COUNTY OF LEON)

I, JESSICA RENCHEN, Registered Professional Reporter, certify that I was authorized to and did stenographically report the deposition of KEITH RIDDICK, pages 1 through 99; that a review of the transcript **WAS REQUESTED**; and that the transcript is a true and complete record of my stenographic notes.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED this 4th day of November, 2025.

Jessica Renchen

JESSICA RENCHEN, Court Reporter.

1 TO: KEITH RIDDICK
Phone: 850-410-8249
2 E-mail: KeithRiddick@FDLE.State.FL.US

3 IN RE: STATE OF FLORIDA VS QUINN MCCOY ROBERTSON AND
JOSEPH TURNER
4 CASE NO.: 662025CF000122CFAXMX
CASE NO.: 25CF123

5
6 Please take notice that on the 4th day of November,
2025, you gave a deposition in the above cause. At
7 that time, you did not waive your signature.

8 Please make arrangements with For The Record at
850-222-5491 to exercise your right to read and sign
9 the transcript.

10 If you do not read and sign the deposition within 30
days or at such other time as instructed by counsel,
11 the original, which has already been forwarded to the
ordering attorney, may be filed with the Clerk of the
12 Court and your reading and signing may be considered
waived.

13 If you wish to waive your signature now, please sign
your name in the blank at the bottom of this letter
14 and return it to the address listed below.

15 Very truly yours,

16 *Jessica Renchen*

JESSICA RENCHEN, Court Reporter

17 For The Record

18
19 I do hereby waive my signature.

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ERRATA SHEET

DO NOT WRITE ON TRANSCRIPT ~ ENTER CHANGES

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IN RE: STATE OF FLORIDA VS QUINN MCCOY ROBERTSON AND
JOSEPH TURNER
CASE NO.: 662025CF000122CFAXMX
CASE NO.: 25CF123
DATE TAKEN: November 4, 2025
DEPONENT: KEITH RIDDICK

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Under penalties of perjury, I declare that I have read
the foregoing document and that the facts stated in it
are true.

DATE _____ KEITH RIDDICK _____

	2	46 [1] - 21:6	8:19, 8:22, 9:3, 9:20,	70:18, 70:24, 71:3,
'23 [14] - 9:6, 9:7, 26:10, 26:19, 27:1, 27:2, 27:15, 86:24, 86:25, 92:2, 93:6	2 [1] - 94:5	47 [2] - 6:4, 6:20	9:24, 10:11, 11:8,	71:6, 71:11, 71:21,
'24 [4] - 9:20, 25:21, 25:23, 52:14	2(a) [1] - 81:1	4:54 [2] - 1:15, 99:15	12:3, 12:20, 13:2,	72:5, 72:13, 72:14,
'26 [1] - 7:19	2(b) [1] - 81:3	4th [5] - 52:14,	13:9, 14:2, 14:7, 14:9,	73:9, 73:13, 73:17,
'27 [1] - 7:19	2005 [2] - 75:24, 75:25	100:11, 100:13, 101:19, 102:5	14:13, 14:14, 15:15, 15:20, 15:21, 15:23, 17:7, 17:13, 18:9,	74:2, 74:6, 74:9, 74:12, 74:16, 74:18, 75:1, 75:24, 78:5, 78:6, 78:22, 79:2, 79:14, 79:18, 79:21,
'81 [1] - 40:11	2009 [1] - 6:9	5	18:19, 18:20, 19:2, 19:5, 19:6, 19:14, 19:22, 20:5, 20:9,	81:23, 82:2, 82:18, 82:19, 82:21, 83:2, 83:3, 83:21, 83:25, 84:10, 84:24, 85:15, 85:18, 85:24, 86:1, 86:2, 87:5, 87:17, 87:19, 87:24, 88:12, 88:13, 88:14, 88:19, 89:23, 90:1, 90:9, 90:25, 91:3, 91:16, 92:8, 92:10, 92:12, 92:17, 92:24, 93:9, 93:24, 94:16, 94:23, 95:9, 95:11, 96:9, 96:21, 97:3, 97:21, 101:9, 101:10, 101:13, 101:15, 102:6
'82 [1] - 40:11	2011 [2] - 5:23, 6:11	5 [2] - 92:21, 92:22	20:14, 21:9, 21:24, 22:10, 22:23, 22:25, 23:2, 23:12, 23:16, 24:3, 24:4, 24:15, 25:5, 25:14, 25:22, 25:25, 26:1, 26:3, 27:11, 27:25, 28:6, 29:3, 29:7, 29:8, 29:10, 29:17, 29:18, 30:2, 30:5, 30:6, 30:9, 30:12, 30:22, 31:1, 31:2, 31:4, 31:6, 31:10, 31:11, 31:12, 31:13, 31:15, 31:24, 32:1, 32:21, 33:2, 33:12, 33:15, 34:1, 34:8, 34:10, 34:21, 35:2, 35:4, 35:10, 35:12, 35:14, 36:4, 36:10, 36:15, 36:19, 36:21, 36:22, 36:23, 37:3, 37:12, 37:14, 37:24, 38:23, 38:25, 39:13, 39:14, 39:16, 40:3, 40:4, 40:11, 40:21, 40:23, 41:16, 41:19, 41:24, 42:8, 42:12, 42:14, 42:19, 42:24, 43:1, 43:2, 43:9, 43:12, 44:1, 44:5, 44:8, 44:13, 44:14, 44:16, 44:17, 44:19, 44:23, 45:3, 45:11, 45:13, 45:16, 45:19, 46:1, 48:9, 48:14, 49:3, 49:10, 49:13, 50:1, 51:5, 51:8, 53:17, 54:3, 54:8, 54:16, 55:24, 56:3, 56:13, 56:16, 56:25, 57:2, 57:23, 58:8, 58:9, 59:13, 61:12, 61:13, 61:17, 62:13, 62:18, 62:25, 63:8, 63:13, 63:21, 63:25, 64:1, 64:7, 64:12, 64:17, 64:23, 65:5, 66:3, 68:24, 68:25, 69:5, 69:9, 69:15, 69:19, 70:8, 70:9, 70:10, 70:13,	79:22, 80:1, 81:16, 81:23, 82:2, 82:18, 82:19, 82:21, 83:2, 83:3, 83:21, 83:25, 84:10, 84:24, 85:15, 85:18, 85:24, 86:1, 86:2, 87:5, 87:17, 87:19, 87:24, 88:12, 88:13, 88:14, 88:19, 89:23, 90:1, 90:9, 90:25, 91:3, 91:16, 92:8, 92:10, 92:12, 92:17, 92:24, 93:9, 93:24, 94:16, 94:23, 95:9, 95:11, 96:9, 96:21, 97:3, 97:21, 101:9, 101:10, 101:13, 101:15, 102:6
'em [1] - 83:4	2012 [1] - 78:5	50 [1] - 86:7	61:12, 61:13, 61:17, 62:13, 62:18, 62:25, 63:8, 63:13, 63:21, 63:25, 64:1, 64:7, 64:12, 64:17, 64:23, 65:5, 66:3, 68:24, 68:25, 69:5, 69:9, 69:15, 69:19, 70:8, 70:9, 70:10, 70:13,	A-Y-L-E-S-B-U-R-Y [1] - 31:18 ability [2] - 81:22, 82:4 able [1] - 47:4 about [53] - 4:5, 6:9, 7:17, 12:4, 17:10, 17:18, 28:9, 28:16, 28:18, 29:2, 29:4, 29:5, 29:17, 30:3, 30:14, 30:15, 30:19, 31:21, 32:15, 35:5, 36:12, 38:4, 38:22, 38:25, 39:7, 39:9, 40:10, 43:14, 43:18, 44:11, 45:2, 45:12, 45:23, 47:9, 47:11, 47:14, 47:16, 48:2, 48:3, 48:6, 48:13, 49:9, 49:10, 50:20, 52:11, 53:19, 55:4, 56:19, 78:2, 78:7, 95:16, 96:6, 96:10 above [2] - 51:6, 102:6 absolved [1] - 28:2 absorbed [1] - 21:14 abstain [1] - 39:2 abuse [1] - 32:18 accepting [1] - 35:17 access [9] - 71:3, 71:12, 71:17, 72:25, 73:10, 81:11, 81:14,
0	2014 [1] - 73:18	521 [1] - 2:13		
04 [1] - 3:4	2015 [1] - 70:20	524 [1] - 2:4		
1	2023 [5] - 26:14, 72:4, 75:6, 87:7	55 [1] - 3:5		
1 [6] - 26:10, 26:14, 26:19, 80:19, 94:5, 101:9	2024 [12] - 11:18, 11:19, 45:10, 45:18, 45:24, 46:3, 46:6, 60:13, 87:21, 87:22, 93:24, 98:17	597-7142 [1] - 2:10		
1 [1] - 73:24	2025 [6] - 1:14, 100:11, 100:13, 101:19, 102:6, 103:4	6	6 [6] - 31:19, 78:9, 87:16, 90:2, 90:13	
1(a) [2] - 79:9, 80:21	20th [1] - 86:25	662025CF000122	CFAXMX [3] - 1:4, 102:4, 103:3	
1(a) [2] - 80:24, 80:25	22nd [1] - 98:17	8	815.06 [4] - 73:11, 78:8, 78:10, 80:15	
10 [1] - 53:9	23 [2] - 6:9, 87:25	815.06(1)(a) [1] - 71:2	84 [1] - 78:4	
100 [1] - 3:7	23rd [3] - 87:2, 87:7, 92:4	850-222-5491 [1] - 102:8	850 [1] - 2:10	
101 [1] - 3:7	24th [1] - 90:25	850-273-8327 [1] - 2:14	850-222-5491 [1] - 102:8	
102 [1] - 3:8	25CF123 [3] - 1:5, 102:4, 103:4	850-410-8249 [1] - 102:1	850-892-8080 [1] - 2:5	
103 [1] - 3:8	25th [1] - 91:1	878 [1] - 90:5	899 [1] - 75:24	
10th [1] - 86:24	26 [1] - 46:3	9	90s [2] - 40:19, 41:5	
1125 [1] - 70:20	26th [3] - 15:14, 15:17, 91:2	934 [7] - 56:19, 58:23, 73:22, 74:1, 74:9, 76:1, 78:6	934.03 [3] - 59:17, 79:6, 97:3	
1132 [1] - 56:17	292 [1] - 73:17	99 [1] - 101:9		
1133 [2] - 56:24, 75:24	2:30 [1] - 1:15			
12 [2] - 13:3, 60:13	2d [2] - 56:17, 75:24	A	A [8] - 10:18, 24:13, 31:18, 35:16, 51:10, 78:20, 87:17, 89:9	
1210 [1] - 78:4	3	a [287] - 4:11, 4:20, 5:25, 6:2, 6:25, 7:3, 7:20, 8:2, 8:6, 8:11,		
12th [3] - 13:12, 15:12, 15:15	3 [2] - 87:16, 95:4			
14 [1] - 5:24	3 [1] - 98:21			
14th [1] - 9:7	3.131 [1] - 83:8			
154 [1] - 73:17	30 [1] - 102:9			
1785 [1] - 2:9	31 [3] - 26:10, 26:14, 26:19			
17th [2] - 87:21, 87:22	31st [1] - 93:6			
18 [1] - 93:24	32301 [1] - 2:13			
180 [1] - 70:20	32303 [1] - 2:9			
18th [2] - 26:23, 27:2	32433-1301 [1] - 2:4			
1950 [1] - 38:20	33 [1] - 97:9			
1980 [1] - 6:5	34 [1] - 98:14			
1983 [1] - 56:17	34d [3] - 70:20, 73:17, 78:4			
1989 [1] - 41:8	4			
19th [2] - 11:18, 11:19	4 [4] - 1:14, 94:5, 96:10, 103:4			
1st [3] - 5:23, 43:24, 93:5	436 [1] - 56:17			

97:21, 98:4
accessed [6] - 22:3, 71:17, 78:16, 78:22, 79:2, 81:9
accesses [3] - 71:11, 78:11, 81:9
Accounting [2] - 79:10, 80:23
according [8] - 62:10, 62:11, 70:6, 80:20, 81:4, 91:9, 93:23, 97:16
account [7] - 69:5, 69:20, 71:1, 75:7, 75:13, 87:8, 88:8
accounts [1] - 89:11
accurate [1] - 80:25
accused [1] - 47:25
acquired [1] - 76:10
acquisition [1] - 76:4
across [1] - 58:13
act [2] - 76:3, 76:12
Act [1] - 79:8
acted [1] - 78:24
acting [4] - 71:15, 78:12, 98:8, 98:11
action [2] - 101:16, 101:17
actions [1] - 61:5
active [1] - 16:15
activity [1] - 28:3
acts [1] - 17:8
actual [1] - 27:24
Actually [3] - 17:13, 39:12, 68:7
actually [19] - 8:19, 9:4, 15:9, 15:12, 26:22, 33:14, 34:5, 35:14, 37:4, 40:24, 43:23, 46:19, 46:20, 48:19, 71:24, 80:22, 83:25, 85:21, 95:10
Adams [3] - 2:13, 56:17, 68:22
added [1] - 67:16
address [1] - 102:14
addresses [3] - 26:9, 26:13, 93:5
adequately [2] - 64:9, 64:11
administrator [8] - 34:10, 35:18, 35:21, 71:16, 72:8, 72:14, 98:9, 98:11
administrator's [1] - 35:17
admissions [4] - 22:2, 22:4, 49:21, 59:5
admit [2] - 50:11, 75:17
admitted [1] - 59:2
admitting [1] - 39:22
adults [2] - 32:22, 32:24
advised [2] - 43:21, 94:8
affirm [2] - 4:4, 97:18
affirmatively [2] - 91:6, 91:25
after [9] - 24:6, 43:2, 43:18, 47:2, 49:3, 52:6, 53:4, 53:11, 57:19
After [1] - 89:9
afternoon [1] - 55:21
again [16] - 16:16, 17:10, 20:21, 30:8, 38:22, 42:6, 49:22, 53:18, 57:8, 62:15, 67:12, 76:1, 76:23, 83:18, 90:3, 95:13
against [6] - 32:14, 54:9, 57:5, 58:2, 81:5, 86:14
Against [1] - 80:16
age [1] - 44:24
agencies [1] - 40:3
agency [2] - 6:1, 20:5
Agent [2] - 7:8, 54:24
ages [1] - 97:6
ago [1] - 85:24
agree [12] - 53:12, 62:19, 69:3, 70:12, 71:19, 88:5, 88:16, 91:23, 92:8, 92:9, 92:12, 93:8
agreement [1] - 37:9
agreements [1] - 40:16
ahead [7] - 15:8, 24:11, 34:16, 41:4, 71:8, 90:21
ahold [1] - 33:8
aid [1] - 40:16
aide [3] - 28:24, 30:2, 30:10
aliles@osa1.org [1] - 2:5
all [58] - 6:18, 9:8, 11:12, 13:23, 14:8, 14:15, 14:17, 16:5, 17:16, 18:14, 20:5, 20:18, 21:16, 22:8, 23:13, 25:13, 26:3, 26:6, 26:7, 26:11, 26:12, 26:15, 26:17, 26:21, 27:2, 27:6, 27:13, 28:5, 31:21, 32:6, 32:9, 32:22, 33:20, 39:22, 40:16, 47:17, 47:22, 50:24, 53:8, 58:22, 59:7, 59:25, 60:2, 67:16, 69:19, 69:21, 70:1, 70:4, 73:19, 77:9, 84:9, 85:13, 86:6, 92:3, 92:7, 93:3, 93:4, 98:7
All [28] - 32:11, 60:13, 63:11, 68:21, 72:18, 73:13, 74:8, 75:4, 75:21, 77:4, 78:1, 80:15, 85:24, 85:25, 86:2, 89:6, 90:16, 91:19, 93:23, 94:14, 94:18, 95:8, 95:21, 97:21, 97:24, 98:7, 98:24
allegation [3] - 9:3, 70:24, 86:15
allegations [6] - 14:20, 14:24, 23:18, 57:4, 59:15, 84:20
alleged [2] - 14:5, 77:20
allegedly [6] - 77:17, 77:19, 80:24, 81:2, 85:9, 86:23
allowed [6] - 34:19, 35:7, 35:19, 35:21, 35:23, 95:23
almost [1] - 96:8
along [1] - 9:16
already [21] - 7:16, 9:17, 17:7, 17:11, 20:12, 20:13, 22:11, 23:19, 38:12, 56:1, 57:10, 59:1, 59:5, 60:25, 64:1, 64:9, 66:21, 67:13, 96:10, 96:20, 102:10
Also [1] - 4:20
also [13] - 4:22, 7:7, 19:25, 22:13, 37:2, 39:18, 46:15, 74:15, 74:17, 81:2, 83:18, 92:6, 97:24
alternative [1] - 80:5
always [2] - 5:18, 83:13
am [14] - 6:22, 7:2, 7:4, 7:6, 45:15, 65:25, 73:12, 74:14, 80:9, 87:16, 92:23, 101:13, 101:15, 101:16
amassed [1] - 60:3
Amendment [1] - 70:6
An [1] - 7:24
an [60] - 4:22, 7:4, 7:23, 9:2, 10:8, 13:12, 14:9, 16:15, 17:1, 17:5, 17:15, 19:23, 21:5, 22:21, 23:4, 27:11, 27:13, 28:6, 28:24, 29:16, 31:25, 40:22, 43:14, 43:24, 46:9, 48:1, 51:7, 53:14, 56:9, 58:12, 58:23, 63:6, 64:15, 64:20, 64:25, 65:10, 66:16, 66:17, 67:23, 68:18, 69:24, 70:24, 72:8, 72:20, 72:23, 73:1, 73:4, 74:3, 75:1, 77:24, 81:5, 81:22, 83:10, 85:8, 86:5, 91:6, 92:14, 95:21, 96:4
and [256] - 4:6, 4:12, 4:13, 5:7, 6:11, 6:19, 7:4, 7:16, 8:2, 8:4, 8:11, 8:21, 8:23, 9:1, 9:19, 9:25, 10:2, 10:3, 10:5, 10:22, 11:14, 12:5, 12:15, 12:25, 13:16, 13:22, 13:23, 14:6, 14:7, 14:8, 14:9, 14:13, 14:20, 15:8, 15:11, 15:13, 15:16, 15:21, 16:14, 16:21, 17:12, 17:14, 18:11, 18:12, 20:8, 20:19, 20:21, 21:7, 22:3, 22:4, 22:12, 22:16, 23:12, 23:19, 24:10, 24:12, 26:3, 26:6, 26:8, 26:9, 26:11, 26:15, 26:23, 27:14, 28:12, 28:14, 29:6, 29:17, 30:10, 30:12, 31:9, 31:13, 31:23, 33:14, 33:20, 34:21, 34:25, 35:20, 35:24, 36:5, 36:21, 39:2, 39:20, 40:1, 40:16, 40:19, 40:20, 40:21, 41:12, 43:6, 43:9, 43:12, 45:4, 45:5, 45:8, 46:15, 47:1, 47:17, 47:18, 47:22, 47:23, 48:14, 49:2, 49:21, 49:22, 50:15, 50:20, 50:23, 51:13, 52:2, 53:4, 53:6, 53:7, 53:8, 54:1, 54:15, 54:19, 54:25, 55:2, 55:5, 55:8, 56:8, 56:17, 57:25, 58:12, 58:15, 59:1, 59:14, 59:17, 59:18, 60:19, 61:4, 61:7, 61:14, 61:17, 61:21, 61:24, 62:2, 62:7, 62:9, 62:21, 63:1, 63:5, 63:17, 64:1, 64:7, 64:10, 64:11, 64:15, 65:10, 65:25, 66:19, 67:4, 68:22, 69:9, 69:14, 69:19, 70:7, 70:19, 71:1, 71:20, 71:21, 71:25, 72:8, 72:15, 72:25, 73:9, 73:23, 74:5, 75:1, 75:8, 75:9, 76:10, 77:1, 77:11, 78:2, 78:3, 78:21, 78:22, 78:23, 79:6, 80:5, 80:13, 80:17, 81:8, 82:22, 83:3, 83:15, 83:25, 84:19, 84:20, 84:21, 84:25, 85:4, 85:8, 85:22, 86:6, 86:13, 87:4, 87:8, 87:11, 88:8, 88:11, 88:15, 89:3, 89:4, 89:8, 89:17, 90:24, 91:1, 91:6, 91:14, 91:24, 92:2, 92:3, 92:7, 92:15, 93:2, 93:14, 94:5, 94:19, 94:23, 95:10, 95:12, 96:5, 96:10, 96:17, 98:4, 98:9, 100:10, 101:7, 101:10, 101:11, 102:8, 102:9, 102:11, 102:14, 103:22
And [125] - 4:21, 5:25, 6:14, 8:1, 8:15, 9:2, 9:8, 10:19, 11:7, 11:12, 11:19, 12:10, 13:11, 13:14, 14:20, 15:3, 15:7, 16:15, 17:9, 18:14, 18:15, 19:6, 19:13, 19:19, 22:5, 23:4, 24:15, 24:17, 24:22, 25:20, 27:7, 27:17, 27:20, 29:21, 32:3, 32:6, 32:9, 32:13, 33:1, 33:9, 38:6, 39:9, 40:18, 42:19, 44:23, 45:5, 45:10, 46:18, 46:21, 48:18, 49:11, 50:12, 50:15, 52:1, 52:15, 52:24, 53:12, 55:4, 55:6, 55:16, 56:18, 56:22, 59:12, 65:8, 66:2, 66:14,

67:20, 68:10, 69:18, 70:3, 70:21, 71:19, 71:23, 72:11, 72:23, 73:24, 75:4, 75:11, 75:25, 76:2, 77:4, 78:1, 78:6, 78:9, 79:8, 80:4, 80:10, 81:19, 83:6, 83:24, 84:3, 84:9, 84:23, 85:18, 86:19, 86:23, 87:2, 87:11, 88:23, 90:4, 90:19, 91:2, 91:23, 92:8, 92:22, 93:2, 93:8, 93:12, 93:19, 94:7, 94:14, 94:18, 95:1, 96:16, 97:12, 97:16, 97:21, 97:24, 98:7, 98:13, 98:14, 98:17, 98:20

AND [4] - 1:1, 1:6, 102:3, 103:2

ANGELA [1] - 2:3

Angela [1] - 4:22

anonymous [1] - 14:9

another [10] - 7:25, 10:21, 12:24, 40:5, 40:6, 40:10, 40:12, 40:19, 51:6, 96:3

answer [6] - 14:17, 38:3, 66:24, 75:3, 95:12, 96:1

answered [6] - 56:1, 66:20, 66:21, 67:5, 67:7, 68:1

Any [8] - 16:8, 16:20, 26:3, 26:6, 26:11, 26:14, 43:14, 46:12

any [67] - 14:12, 14:23, 14:24, 15:18, 15:25, 16:21, 26:4, 28:2, 42:25, 44:11, 45:2, 45:4, 48:4, 50:19, 51:9, 51:12, 56:2, 57:3, 57:7, 57:11, 57:22, 61:21, 62:5, 63:12, 69:16, 70:3, 70:5, 70:14, 71:14, 72:15, 73:7, 74:6, 74:7, 74:24, 75:18, 76:5, 76:6, 76:14, 76:17, 77:8, 78:11, 78:13, 78:16, 79:1, 79:11, 79:13, 79:17, 80:5, 80:6, 80:7, 80:11, 81:9, 81:14, 81:24, 82:11, 83:7, 83:20, 85:12, 87:12, 93:2, 93:15, 97:25, 101:14, 101:15

anybody [8] - 12:1, 36:22, 48:18, 51:16, 57:22, 58:7, 62:1, 68:12

anybody's [2] - 9:22, 23:1

anymore [1] - 31:3

anyone [3] - 38:10, 46:18, 99:11

Anything [2] - 28:21, 77:8

anything [32] - 8:14, 12:4, 16:13, 23:14, 27:3, 27:8, 28:21, 31:15, 32:13, 32:19, 37:21, 43:17, 44:2, 46:8, 46:10, 47:9, 49:14, 50:3, 50:13, 53:14, 54:7, 56:5, 61:20, 63:18, 64:21, 77:13, 82:3, 92:3, 95:12, 95:15, 98:4, 98:25

anytime [1] - 88:16

anyway [3] - 15:2, 45:17, 77:25

anywhere [5] - 22:16, 39:9, 39:10, 52:9, 59:2

apologize [1] - 19:11

apostrophe [1] - 75:23

apparently [3] - 13:22, 38:12, 92:11

Apparently [1] - 96:25

Appeal [4] - 56:18, 70:21, 75:25, 78:5

APPEARANCES [1] - 2:1

appeared [5] - 32:22, 84:16, 85:9, 85:11, 100:10

appearing [1] - 85:7

appears [2] - 90:15, 95:22

Apple [7] - 69:5, 69:20, 75:7, 75:13, 87:8, 88:7, 89:11

application [1] - 56:19

apply [1] - 78:11

appreciate [1] - 9:11

approving [1] - 83:21

Approximately [1] - 5:24

apps [1] - 50:11

April [1] - 25:24

Are [14] - 6:20, 21:21, 34:4, 36:18, 53:19, 71:14, 73:7, 73:19, 74:8, 74:15, 77:8, 78:13, 79:1, 81:24

are [25] - 7:6, 12:25, 14:19, 20:14, 30:3, 30:21, 35:4, 36:2, 39:19, 45:15, 45:16, 55:23, 58:17, 66:1, 67:19, 68:5, 71:12, 74:24, 76:11, 76:12, 76:14, 81:14, 84:21, 97:2, 103:23

areas [1] - 14:16

aren't [1] - 49:19

argument [3] - 34:23, 35:14, 35:16

around [3] - 37:15, 55:24, 56:14

arrangements [2] - 30:19, 102:7

arrest [6] - 20:23, 23:3, 40:11, 41:17, 43:15, 53:14

arrested [4] - 23:3, 42:13, 43:18, 43:19

arrests [1] - 21:7

as [73] - 4:11, 4:13, 5:7, 6:16, 6:20, 8:6, 8:8, 8:21, 11:19, 12:5, 13:1, 16:20, 20:9, 20:12, 20:14, 21:5, 22:1, 24:24, 28:19, 29:4, 32:14, 32:17, 32:20, 41:2, 48:6, 49:17, 50:7, 53:6, 53:7, 53:17, 54:3, 54:8, 54:12, 56:2, 57:3, 57:15, 59:4, 59:5, 62:3, 63:21, 64:1, 68:17, 71:15, 72:7, 72:14, 74:20, 74:21, 76:3, 76:18, 82:10, 82:11, 84:21, 85:11, 86:15, 90:17, 91:13, 91:17, 91:23, 93:10, 93:11, 95:1, 95:22, 96:20, 97:13, 102:10

As [2] - 41:2, 83:5

Ask [1] - 64:4

ask [13] - 11:15, 14:20, 15:23, 17:4, 29:7, 33:10, 36:15, 38:9, 45:11, 47:24, 61:18, 90:22, 99:5

asked [31] - 16:15, 16:16, 16:23, 31:13, 45:4, 62:6, 62:7, 62:8, 62:12, 62:24, 63:11, 65:6, 65:12, 65:18, 66:2, 66:4, 66:6, 66:9, 66:11, 66:19, 66:24, 67:1, 67:4, 67:15, 67:25, 71:25, 77:24, 93:2, 94:20, 95:11

asking [14] - 13:12, 17:20, 18:9, 27:3, 38:11, 38:14, 38:21, 38:22, 52:7, 60:18, 61:12, 75:6, 75:9, 90:1

assigned [7] - 7:22, 14:15, 14:21, 18:7, 24:3, 54:4, 60:15

assigning [2] - 89:7, 89:9

assignment [4] - 62:16, 63:5, 63:6

assignments [2] - 63:7

assistant [10] - 4:23, 7:7, 29:16, 51:7, 51:10, 51:13, 84:17, 84:23, 85:8, 85:9

Assistant [1] - 7:8

assume [9] - 19:24, 25:21, 47:18, 58:7, 73:3, 73:4, 77:3, 92:16, 92:19

assuming [3] - 44:19, 45:19, 98:7

At [2] - 2:8, 14:23

at [66] - 5:4, 7:23, 8:1, 8:3, 10:3, 10:7, 10:11, 10:21, 11:15, 21:21, 21:24, 22:8, 22:15, 27:25, 29:6, 31:9, 33:16, 36:19, 37:5, 44:19, 46:19, 46:20, 47:17, 50:12, 51:16, 52:24, 53:19, 53:24, 54:23, 55:14, 56:23, 58:8, 58:22, 59:1, 59:7, 59:25, 61:6, 61:24, 63:17, 68:8, 70:20, 72:11, 73:17, 73:19, 74:6, 76:21, 77:1, 77:12, 85:12, 86:21, 87:7, 87:25, 88:2, 90:22, 91:2, 91:11, 92:3, 94:7, 94:14, 96:10, 98:14, 99:15, 102:6, 102:7, 102:10, 102:13

Atkinson [3] - 10:14, 94:9, 94:15

attach [1] - 90:7

attached [1] - 28:8

attachment [1] - 27:13

attempt [4] - 17:15, 61:25, 91:11, 92:14

attempted [4] - 89:12, 90:10, 90:18, 90:24

Attorney [3] - 6:10, 62:3, 94:1

attorney [15] - 4:23, 19:23, 20:8, 29:16, 29:17, 51:7, 83:2, 84:17, 84:23, 85:8, 85:9, 96:6, 101:14, 101:16, 102:11

Attorney's [3] - 2:3, 20:1, 61:5

attorney's [6] - 19:24, 20:8, 24:20, 32:4, 46:9, 51:9

attorneys [1] - 29:8

Attorneys [1] - 2:8

audio [1] - 55:18

aural [1] - 76:3

AURAL [1] - 76:4

authored [1] - 37:9

authorities [1] - 43:16

authority [19] - 19:22, 23:7, 23:22, 34:22, 34:24, 35:1, 35:18, 62:23, 70:15, 71:14, 71:16, 71:20, 72:25, 73:6, 73:8, 81:13, 96:22, 97:25, 100:9

authorization [5] - 73:11, 78:21, 81:8, 81:12

authorize [3] - 34:8, 34:17, 35:24

authorized [7] - 34:23, 44:14, 44:17, 71:12, 77:1, 81:22, 101:7

automatically [1] - 57:19

Ave [1] - 2:4

aware [23] - 11:4, 11:8, 34:4, 36:18, 41:11, 59:12, 71:14, 71:23, 72:4, 73:7, 74:24, 75:4, 75:11, 76:14, 77:8, 78:13, 79:1, 80:5, 80:6, 81:14, 81:24, 88:7, 89:10

away [1] - 85:25

Axiom [1] - 53:8

Aylesbury [1] - 31:17

B

B^[4] - 4:18, 4:21, 31:18, 81:19
B-O-G-E-N-S-C-H-U
-T-Z^[1] - 4:18
back^[22] - 8:18, 8:24, 18:20, 23:15, 24:13, 29:6, 30:10, 31:10, 34:1, 40:10, 40:18, 40:21, 42:16, 43:10, 43:13, 68:21, 75:21, 77:11, 82:16, 83:3, 94:23, 95:14
background^[1] - 32:14
bailiff^[1] - 43:1
Baptiste^[1] - 2:8
based^[13] - 22:6, 39:4, 44:12, 48:9, 49:20, 55:25, 57:11, 57:16, 69:3, 78:17, 84:21, 96:16
Based^[1] - 85:15
basic^[1] - 58:16
basically^[7] - 8:3, 28:1, 63:4, 63:16, 70:21, 97:18, 98:22
basis^[1] - 8:6
Bates^[2] - 90:4, 90:5
BE^[15] - 103:6, 103:7, 103:8, 103:9, 103:10, 103:11, 103:12, 103:13, 103:14, 103:15, 103:16, 103:17, 103:18, 103:19, 103:20
be^[78] - 4:5, 7:20, 9:6, 9:7, 9:12, 11:3, 12:14, 17:13, 20:17, 22:12, 22:20, 28:19, 29:3, 29:18, 30:5, 30:22, 31:6, 32:18, 32:22, 33:23, 34:1, 34:7, 34:9, 34:14, 34:23, 39:5, 40:3, 43:12, 44:14, 45:11, 46:12, 47:4, 47:25, 48:11, 48:13, 49:1, 49:11, 50:10, 50:13, 51:7, 52:3, 53:23, 56:23, 57:19, 57:23, 58:7, 58:10, 60:7, 60:10, 61:8, 63:14, 69:24, 72:11, 74:1, 74:16, 75:1, 76:9, 76:23, 77:1, 79:22, 81:1, 81:9, 82:1, 82:4, 84:3, 84:6, 85:7,

85:11, 85:16, 87:24, 88:18, 90:15, 91:24, 95:23, 98:4, 102:11, 102:11
bearing^[2] - 50:13, 58:1
bears^[1] - 49:9
beat^[1] - 23:16
Because^[11] - 8:9, 13:21, 25:6, 27:21, 36:3, 37:12, 46:20, 60:24, 61:11, 66:19, 67:3
because^[62] - 8:11, 8:19, 9:9, 9:17, 9:22, 10:12, 12:19, 13:8, 13:14, 14:2, 14:18, 16:3, 17:14, 18:9, 18:15, 18:21, 19:3, 21:19, 22:10, 22:24, 23:18, 29:14, 31:15, 33:11, 34:2, 34:6, 39:13, 40:2, 40:14, 40:15, 42:17, 45:12, 47:9, 48:21, 49:18, 50:10, 50:22, 51:20, 53:5, 54:6, 54:8, 54:14, 55:8, 58:3, 58:5, 60:6, 61:16, 63:13, 64:6, 64:8, 65:9, 66:15, 66:23, 67:12, 68:9, 75:16, 81:2, 87:1, 90:6, 92:11, 93:17, 94:10
been^[51] - 4:11, 6:4, 6:19, 13:16, 17:15, 18:17, 19:15, 19:18, 19:19, 22:11, 23:3, 23:19, 25:1, 25:20, 27:1, 29:14, 33:16, 39:11, 40:1, 40:4, 41:5, 41:7, 41:8, 42:9, 43:11, 44:16, 44:18, 45:24, 45:25, 46:6, 53:11, 54:12, 56:20, 57:10, 68:8, 73:24, 74:10, 82:18, 82:21, 83:13, 84:9, 84:21, 86:18, 87:3, 87:25, 92:10, 92:13, 92:17, 93:16, 97:6, 102:10
before^[9] - 1:20, 15:8, 30:16, 36:7, 47:1, 59:21, 85:9, 85:11, 100:10
Before^[1] - 84:16
beginning^[1] - 53:20
behalf^[5] - 1:13, 2:2, 2:6, 4:19, 55:22
Behalf^[1] - 1:22

being^[8] - 16:23, 58:2, 62:13, 75:8, 76:18, 84:18, 84:19, 88:17
believe^[6] - 44:22, 64:6, 72:12, 80:25, 81:1, 92:23
believed^[3] - 61:8, 72:8, 96:12
belong^[1] - 38:6
below^[1] - 102:14
benefit^[1] - 56:2
benefited^[2] - 36:10, 36:13
best^[1] - 19:13
better^[1] - 27:4
between^[3] - 20:7, 28:10, 45:5
Beyond^[1] - 79:21
beyond^[1] - 21:9
biased^[2] - 76:16, 77:20
bid^[1] - 30:16
billion^[1] - 24:13
bit^[6] - 7:20, 17:14, 55:25, 78:6, 86:3, 87:17
blah^[4] - 59:19
blank^[1] - 102:13
blanked^[1] - 5:19
blocks^[1] - 87:18
Board^[2] - 94:24, 95:2
BOGENSCHUTZ^[13] - 2:12, 4:16, 5:13, 5:16, 5:18, 5:20, 25:8, 25:16, 55:13, 55:16, 99:4, 99:7, 99:13
Bogenschutz^[3] - 2:12, 3:4, 4:18
bond^[2] - 83:20, 83:25
book^[1] - 8:21
Book^[4] - 86:5, 86:10, 97:9, 98:14
boss^[1] - 48:18
bosses^[4] - 50:24, 51:25, 52:3, 68:4
both^[4] - 12:11, 17:15, 41:11, 46:13
bothered^[1] - 16:22
bottom^[2] - 56:23, 102:13
Bowden^[2] - 50:20, 50:25
box^[1] - 87:18
boyfriend^[1] - 70:25
Brady^[2] - 49:5, 50:7
BRIEN^[1] - 75:23
bring^[3] - 42:16,

48:4, 49:7
broad^[1] - 35:12
brought^[4] - 19:1, 40:21, 46:19, 96:11
Bureau^[1] - 10:14
business^[21] - 26:12, 26:17, 28:17, 28:22, 28:23, 29:3, 29:6, 30:4, 30:21, 57:2, 67:18, 67:19, 68:25, 70:10, 72:9, 72:13, 93:3, 93:17, 94:12
businesses^[1] - 29:5
But^[56] - 9:19, 9:25, 11:14, 17:3, 17:25, 18:25, 19:2, 22:9, 22:14, 22:18, 22:21, 23:22, 25:11, 25:14, 28:7, 32:17, 35:2, 38:14, 38:22, 39:17, 40:21, 42:9, 42:15, 48:1, 48:6, 48:15, 48:20, 49:21, 51:1, 53:11, 53:15, 57:11, 57:15, 58:21, 59:4, 59:24, 60:4, 60:8, 62:4, 62:22, 64:5, 64:19, 65:12, 65:21, 67:21, 70:23, 72:6, 76:21, 76:23, 77:25, 79:22, 82:25, 86:18, 91:10, 92:8, 96:20
but^[69] - 4:6, 4:13, 8:21, 10:19, 13:2, 15:15, 17:11, 17:18, 18:5, 20:6, 20:14, 20:22, 21:5, 21:9, 21:17, 22:20, 23:16, 27:6, 28:15, 30:13, 31:3, 31:5, 32:22, 33:17, 34:25, 35:6, 36:4, 37:5, 39:10, 45:7, 45:15, 48:4, 48:24, 50:7, 51:24, 52:6, 52:22, 53:13, 54:12, 57:21, 58:11, 58:14, 60:21, 61:19, 62:19, 63:22, 66:21, 69:4, 69:13, 70:4, 72:3, 74:21, 77:24, 79:23, 81:1, 82:22, 83:7, 83:13, 85:19, 88:12, 89:14, 90:8, 90:9, 90:12, 92:6, 92:11, 92:20, 95:13, 96:11
by^[31] - 3:4, 3:5, 5:10, 8:25, 17:20,

18:23, 20:18, 26:7, 26:12, 26:17, 27:14, 44:5, 44:8, 44:9, 44:14, 44:16, 44:17, 44:24, 62:24, 63:8, 64:22, 69:25, 70:8, 72:20, 74:2, 76:3, 86:15, 93:4, 93:24, 97:8, 102:10
BY^[5] - 4:16, 5:20, 25:16, 55:20, 67:9

C

c^[1] - 73:17
C^[2] - 4:18, 10:16
C-O-S-S-O-N^[1] - 10:16
California^[1] - 42:13
call^[7] - 7:3, 8:21, 13:10, 31:2, 31:3, 52:23, 53:7
Called^[1] - 52:19
called^[9] - 4:11, 6:17, 19:8, 31:6, 52:18, 82:18, 86:5, 94:23, 95:10
calling^[1] - 19:11
came^[7] - 9:16, 14:8, 33:14, 71:25, 72:7, 72:19, 90:12
campaign^[3] - 37:6, 37:10, 37:18
can^[41] - 10:11, 13:5, 15:2, 21:3, 22:1, 25:6, 28:14, 30:17, 35:5, 36:22, 45:25, 47:7, 47:17, 47:18, 49:21, 49:25, 50:4, 55:13, 56:9, 56:23, 58:17, 61:18, 61:19, 61:24, 62:11, 62:20, 63:11, 66:20, 69:11, 69:13, 70:22, 76:22, 77:10, 79:25, 80:3, 85:6, 86:8, 92:16, 97:21, 98:8, 99:7
Can^[8] - 5:7, 5:13, 6:25, 33:5, 54:5, 56:10, 87:21, 88:10
can't^[13] - 9:9, 10:22, 24:14, 24:23, 28:5, 30:13, 36:12, 44:21, 48:25, 58:6, 74:21, 81:25, 82:11
cannot^[4] - 24:25, 75:15, 85:14, 92:19
capability^[1] - 86:10
capias^[2] - 44:4, 44:7

capital [2] - 68:11, 75:23
Captain [1] - 19:2
captain [5] - 19:6, 19:8, 19:12, 62:24, 63:2
care [2] - 23:17, 23:20
career [1] - 40:2
Carolina [1] - 40:20
carry [1] - 29:23
CASE [6] - 1:4, 1:5, 102:4, 102:4, 103:3, 103:4
case [64] - 4:20, 7:22, 8:7, 8:16, 12:12, 12:24, 13:7, 13:13, 14:2, 15:12, 17:10, 17:21, 19:22, 20:10, 20:24, 21:12, 21:13, 23:10, 23:18, 24:3, 28:1, 28:2, 29:17, 37:10, 37:19, 41:20, 43:21, 43:22, 47:15, 48:9, 48:13, 48:23, 50:9, 50:21, 51:14, 52:2, 52:17, 56:16, 56:18, 57:3, 57:11, 58:9, 68:22, 70:18, 70:20, 70:24, 73:7, 73:18, 73:19, 74:21, 74:22, 75:25, 78:2, 78:5, 79:24, 80:4, 80:6, 80:23, 84:6, 88:6, 92:7, 96:3
Case [1] - 54:24
caseload [2] - 8:9, 8:13
cases [4] - 8:10, 20:4, 39:18, 56:8
cause [9] - 20:23, 21:1, 21:4, 21:8, 21:11, 21:13, 53:13, 82:3, 102:6
causes [2] - 81:9, 81:21
cell [2] - 29:18, 29:22
Cellebrite [3] - 31:24, 32:2, 53:8
cellular [1] - 26:18
certain [1] - 30:20
certainly [8] - 21:15, 32:13, 32:16, 35:22, 49:4, 49:10, 72:24, 87:6
CERTIFICATE [3] - 3:7, 100:1, 101:1
certification [1] - 84:15
certify [4] - 66:20, 100:9, 101:7, 101:13
chalked [1] - 47:9
chance [2] - 15:15, 82:19
changed [3] - 6:18, 41:6, 68:9
CHANGES [1] - 103:1
Chapter [1] - 74:1
charge [7] - 21:1, 21:5, 53:15, 54:7, 54:9, 58:19, 74:23
Charge [1] - 7:8
charged [18] - 20:17, 46:6, 54:12, 56:20, 57:12, 57:16, 57:19, 57:23, 58:8, 58:10, 58:14, 71:2, 71:4, 73:24, 79:8, 79:23, 81:2, 84:23
charges [7] - 36:3, 49:19, 56:2, 56:6, 58:2, 82:12, 86:16
Charles [2] - 37:23, 38:9
Chaz [4] - 37:23, 38:9, 45:5, 48:21
checking [2] - 52:1, 85:22
chief [11] - 13:10, 17:20, 51:1, 51:2, 51:3, 51:6, 51:8, 51:10, 51:13, 63:2, 63:11
Chief [6] - 6:22, 10:15, 13:11, 19:9, 60:9, 63:3
child [2] - 32:18, 47:21
children [1] - 32:15
chimney [1] - 47:22
chose [2] - 65:17, 65:18
CID [2] - 10:14, 10:21
circle [1] - 98:21
Circuit [1] - 84:18
CIRCUIT [2] - 1:1
circumstance [1] - 71:24
circumstances [1] - 74:5
cite [1] - 73:15
cited [2] - 70:19, 73:17
citizen [4] - 14:9, 27:11, 70:8
city [1] - 40:12
claim [1] - 74:9
clarified [1] - 78:10
clarify [1] - 57:8
clarifying [1] - 19:10
Clark [3] - 13:11, 19:9, 60:9
Claus [1] - 47:21
clear [2] - 16:21, 19:7
clear-cut [1] - 16:21
clearly [2] - 32:24, 64:25
Clerk [1] - 102:11
client [45] - 22:8, 57:13, 58:2, 58:22, 64:19, 64:22, 65:9, 66:3, 66:15, 66:18, 67:14, 67:21, 67:24, 68:18, 71:4, 71:15, 72:7, 72:12, 72:24, 76:17, 77:16, 78:15, 79:2, 79:8, 79:10, 79:15, 79:19, 79:25, 80:7, 80:19, 80:20, 80:24, 81:13, 81:16, 82:3, 86:13, 91:24, 92:13, 93:12, 93:19, 96:18, 96:22, 97:3, 98:11
client's [3] - 56:20, 73:23, 77:4
clients [5] - 57:5, 57:10, 66:22, 67:11, 82:12
club [1] - 8:25
co [1] - 11:8
co-occurring [1] - 11:8
cognizant [1] - 7:21
coke [1] - 71:6
collectively [1] - 60:19
column [1] - 56:24
come [1] - 75:21
coming [3] - 30:16, 47:21
comment [3] - 76:20, 76:21, 96:17
commented [1] - 20:12
commission [2] - 30:4, 30:17
Commissioner [3] - 7:16, 27:15, 68:12
commissioner [13] - 13:18, 14:10, 18:10, 18:11, 19:5, 61:22, 62:13, 62:25, 63:13, 64:13, 64:24, 65:13, 67:13
commissioner's [1] - 30:2
Commissioners [2] - 94:25, 95:3
commissioners [10] - 13:15, 14:3, 14:24, 26:7, 26:13, 26:17, 28:25, 30:20, 45:5, 93:4
commit [2] - 72:23, 73:4
commits [1] - 81:5
committed [6] - 17:8, 18:5, 58:23, 64:7, 72:20, 73:1
common [1] - 17:6
communicated [2] - 28:22, 94:7
communication [12] - 74:1, 74:2, 74:4, 74:6, 74:7, 74:16, 74:18, 76:5, 79:13, 79:25, 80:7, 80:8
communications [10] - 26:16, 28:19, 69:9, 74:10, 74:12, 76:9, 76:11, 79:20, 93:13, 93:15
Communications [2] - 59:18, 79:7
complaining [3] - 28:16, 29:5, 30:14
complaint [3] - 8:2, 8:22, 17:3
complete [2] - 31:14, 101:11
completed [2] - 17:12, 22:11
completely [1] - 48:14
component [4] - 8:19, 10:1, 10:5, 10:6
Computer [2] - 80:17
computer [17] - 53:6, 59:6, 71:3, 71:11, 78:12, 78:16, 78:22, 81:6, 81:9, 81:10, 81:23, 82:5, 82:7, 82:8
Computers [1] - 80:17
computers [2] - 81:5, 86:14
concern [1] - 49:1
concluded [2] - 46:9, 99:15
conclusion [5] - 17:7, 79:18, 81:16, 82:2, 96:22
conditions [2] - 83:21, 84:1
conducted [4] - 26:12, 26:17, 68:19, 93:4
confer [2] - 51:25, 52:2
confirm [2] - 33:9, 96:11
confirmed [1] - 33:13
conflict [3] - 15:21, 16:1, 60:6
conflicting [1] - 18:3
confused [1] - 23:8
confusing [1] - 22:25
conjunction [1] - 20:5
connected [1] - 101:16
consent [8] - 33:14, 33:18, 33:24, 37:24, 97:7, 97:16, 97:19, 97:25
Consent [1] - 33:19
consideration [1] - 83:20
considered [3] - 30:5, 98:9, 102:11
consistent [4] - 60:14, 83:15, 83:18, 84:3
consistently [1] - 76:8
constitute [1] - 84:22
Constitution [1] - 70:7
consultation [1] - 61:4
contact [4] - 89:12, 90:10, 91:10, 91:17
contacted [3] - 75:5, 90:18, 93:24
contacts [2] - 91:13, 92:15
contain [1] - 96:13
contained [1] - 72:15
contemporaneous [1] - 76:10
contention [4] - 56:25, 68:23, 79:2, 79:15
contents [4] - 22:5, 30:25, 69:20, 76:4
continued [1] - 16:8
contradicts [3] - 70:5, 70:15, 73:8
conversation [8] - 18:19, 19:14, 39:4, 46:4, 47:12, 47:14, 52:9, 62:12
converted [1] - 31:12
convey [1] - 21:15
convict [1] - 97:3

- Cook** [19] - 33:3, 33:6, 34:2, 72:19, 72:20, 75:5, 87:23, 89:1, 89:10, 89:12, 90:9, 90:10, 90:17, 90:23, 91:8, 96:12, 96:17, 96:24, 97:10
- Cook's** [1] - 89:3
- cool** [1] - 13:4
- cooperate** [1] - 56:3
- copy** [4] - 25:5, 32:16, 62:18, 64:17
- correct** [39] - 34:6, 59:9, 60:11, 65:7, 68:19, 69:1, 69:16, 69:21, 72:1, 72:3, 72:9, 72:16, 80:4, 80:11, 82:13, 83:22, 84:1, 84:7, 84:11, 84:12, 86:25, 92:25, 93:6, 93:18, 93:21, 93:22, 94:5, 94:12, 94:20, 95:19, 95:23, 96:18, 97:10, 97:19, 97:22, 98:2, 98:5, 98:15, 98:17
- Correct** [19] - 29:23, 59:10, 61:10, 68:20, 69:17, 69:22, 72:17, 80:12, 82:9, 82:14, 84:8, 93:7, 94:6, 94:13, 94:21, 95:5, 97:20, 97:23, 98:6
- correctly** [2] - 24:15, 85:4
- corroborate** [1] - 77:6
- Corruption** [2] - 7:3, 7:24
- Cosson** [1] - 10:15
- could** [22] - 13:13, 17:15, 17:16, 18:25, 22:20, 29:18, 30:5, 31:13, 32:18, 34:7, 34:17, 38:13, 48:13, 49:4, 53:14, 61:8, 66:17, 69:15, 80:1, 91:17, 91:18, 92:5
- could've** [1] - 92:5
- couldn't** [2] - 17:18, 64:2
- counsel** [6] - 10:20, 10:23, 10:24, 101:14, 101:16, 102:10
- COUNSEL** [1] - 2:1
- count** [3] - 13:5, 91:13, 91:17
- counties** [1] - 58:13
- county** [71] - 9:1, 13:15, 13:18, 14:3, 14:24, 16:14, 18:9, 18:11, 19:5, 24:17, 26:9, 26:12, 26:17, 26:18, 28:16, 28:17, 29:2, 29:5, 30:4, 30:9, 30:17, 30:20, 30:21, 34:8, 34:9, 34:10, 35:13, 35:17, 35:18, 35:21, 40:5, 45:4, 61:17, 61:22, 62:13, 62:25, 63:13, 64:9, 64:12, 64:23, 65:6, 65:13, 67:12, 69:6, 71:15, 71:17, 71:21, 72:7, 72:9, 72:12, 72:14, 75:7, 75:12, 75:13, 76:24, 87:9, 88:18, 91:7, 93:4, 93:12, 93:17, 94:10, 94:12, 96:13, 98:9, 98:11, 98:22
- COUNTY** [3] - 1:1, 100:4, 101:4
- County** [41] - 6:8, 8:20, 8:23, 9:18, 10:16, 13:11, 21:17, 21:21, 22:6, 22:11, 22:14, 26:5, 26:7, 26:8, 26:11, 26:16, 27:15, 31:8, 33:4, 39:21, 42:25, 45:3, 48:20, 51:3, 51:4, 57:17, 57:20, 58:4, 59:5, 59:8, 60:3, 76:15, 86:20, 89:4, 92:6, 92:25, 93:3, 93:25, 94:1, 94:24, 95:2
- County's** [5] - 49:21, 54:14, 54:19, 62:2, 69:4
- county's** [1] - 75:8
- county-issued** [1] - 26:18
- couple** [2] - 23:2, 32:21
- course** [7] - 18:14, 19:19, 22:6, 23:9, 28:22, 49:2, 98:1
- COURT** [8] - 1:1, 4:2, 4:8, 5:15, 5:17, 99:6, 99:9, 99:11
- court** [1] - 90:6
- Court** [20] - 1:21, 56:18, 56:22, 68:22, 70:21, 71:5, 71:9, 73:18, 73:22, 73:24, 75:25, 76:2, 78:5, 78:9, 94:11, 100:17, 101:21, 102:11, 102:16
- Court's** [3] - 70:5, 70:15, 73:8
- courts** [2] - 70:8, 76:8
- cover** [1] - 67:16
- covering** [1] - 67:18
- covers** [1] - 58:4
- CP** [1] - 6:16
- CP-type** [1] - 6:16
- Crapps** [1] - 70:19
- CRAPPS** [1] - 70:19
- crazy** [1] - 38:18
- credibility** [4] - 48:16, 49:10, 50:12, 50:13
- crime** [1] - 64:7
- crimes** [1] - 32:14
- Criminal** [2] - 10:14, 83:9
- criminal** [13] - 17:1, 17:2, 17:7, 18:5, 28:3, 34:21, 35:2, 37:3, 54:9, 56:2, 58:2, 61:7, 83:7
- CSAM** [2] - 6:16, 53:7
- current** [2] - 7:14, 33:17
- currently** [1] - 71:4
- cursor** [2] - 61:3, 61:12
- custodian** [4] - 69:18, 69:23, 93:14, 93:20
- custody** [3] - 43:2, 43:9, 44:4
- cut** [2] - 16:21, 89:17
- cyber** [1] - 17:17
- Cybercrime** [3] - 6:10, 6:12, 6:15
-
- D**
-
- d** [1] - 73:17
- D** [3] - 4:1, 73:17, 89:9
- dark** [1] - 82:16
- data** [17] - 69:9, 69:20, 69:25, 71:12, 72:21, 73:9, 75:8, 76:17, 76:21, 77:2, 78:16, 81:22, 82:4, 87:6, 88:15, 88:17
- date** [6] - 13:8, 46:1, 88:23, 88:24, 91:3, 91:16
- DATE** [3] - 1:14, 103:4, 103:24
- DATED** [1] - 101:19
- dated** [3] - 60:13, 87:20
- dates** [1] - 12:5
- day** [5] - 87:22, 100:11, 100:13, 101:19, 102:5
- days** [4] - 6:17, 34:1, 43:12, 102:10
- dead** [1] - 23:16
- deal** [5] - 25:14, 29:9, 37:14, 39:17, 42:1
- dealing** [1] - 88:6
- dealt** [2] - 39:11, 93:17
- December** [21] - 8:24, 9:5, 9:6, 9:7, 15:5, 15:10, 15:11, 15:19, 16:11, 26:10, 26:14, 26:19, 26:23, 27:1, 27:2, 27:15, 75:14, 86:24, 87:7, 92:4, 93:6
- decide** [1] - 58:14
- decided** [8] - 11:14, 13:24, 15:9, 33:23, 43:22, 60:6, 67:11, 68:2
- decides** [1] - 58:19
- deciding** [1] - 51:13
- decision** [4] - 20:15, 20:19, 58:8, 63:14
- declare** [1] - 103:22
- decree** [1] - 94:10
- defendant** [3] - 68:24, 78:20, 78:23
- defendants** [4] - 1:7, 4:19, 11:20, 12:12
- Defendants** [2] - 1:13, 2:6
- defending** [1] - 91:25
- defense** [2] - 24:24, 29:17
- defined** [1] - 76:3
- definitely** [2] - 49:25, 91:11
- defraud** [1] - 58:13
- Defuniak** [1] - 2:4
- delete** [2] - 89:13, 90:11
- demonstrative** [1] - 48:12
- denial** [1] - 81:21
- denied** [1] - 82:4
- denies** [1] - 81:21
- deny** [3] - 39:25, 82:3, 84:5
- Department** [3] - 6:6, 6:7, 6:23
- depends** [1] - 8:13
- DEPONENT** [1] - 103:5
- depos** [1] - 5:5
- DEPOSITION** [1] - 1:13
- deposition** [5] - 4:24, 99:15, 101:8, 102:6, 102:9
- depth** [3] - 78:7, 89:21, 89:24
- deputy** [4] - 13:10, 17:20, 63:3, 63:11
- Deputy** [4] - 13:11, 19:9, 60:9, 63:2
- derelict** [1] - 45:11
- described** [1] - 97:14
- deserved** [4] - 64:20, 64:25, 66:3, 66:16
- designated** [1] - 84:17
- detaining** [1] - 43:2
- determination** [2] - 61:7, 64:16
- develop** [1] - 58:17
- device** [17] - 35:19, 35:22, 35:24, 35:25, 71:3, 71:11, 71:13, 73:9, 73:10, 76:7, 81:11, 82:8, 89:14, 90:11, 93:12, 93:14, 98:2
- Devices** [1] - 80:18
- devices** [2] - 81:7, 94:12
- did** [87] - 5:15, 5:16, 7:22, 11:7, 11:24, 13:6, 17:3, 18:23, 19:12, 20:22, 22:2, 22:7, 23:10, 24:12, 24:13, 24:15, 25:14, 27:22, 31:1, 31:11, 32:15, 32:20, 34:25, 36:9, 38:6, 39:10, 43:7, 44:10, 45:3, 46:5, 47:16, 48:17, 49:25, 52:3, 52:13, 53:4, 53:13, 54:6, 54:15, 56:1, 57:11, 58:21, 58:24, 59:6, 61:12, 61:19, 61:25, 62:20, 62:22, 63:19, 65:8, 65:22, 66:4, 66:8, 66:14, 66:23, 67:8, 67:20, 67:22, 67:23, 68:16, 70:3, 71:16, 73:4, 73:5, 75:18, 80:13, 82:3, 86:8, 87:13, 89:14, 89:15, 90:12, 91:4, 91:10, 91:19, 92:11, 94:14, 94:22, 95:20,

- 98:23, 101:7, 102:6
Did [20] - 20:21,
 30:24, 37:2, 37:23,
 38:9, 43:5, 43:20,
 44:1, 47:11, 57:3,
 57:7, 65:14, 65:15,
 68:12, 79:17, 85:4,
 86:7, 88:1, 91:20,
 95:6
didn't [67] - 10:12,
 11:15, 11:24, 11:25,
 14:20, 15:15, 18:21,
 21:2, 23:3, 23:20,
 31:4, 31:14, 32:13,
 33:11, 34:22, 34:24,
 37:17, 39:8, 39:24,
 41:16, 43:7, 43:12,
 43:17, 45:11, 47:5,
 47:8, 48:4, 48:11,
 48:17, 48:23, 49:7,
 49:8, 54:3, 54:8,
 54:11, 59:2, 59:24,
 60:21, 63:20, 63:24,
 63:25, 64:6, 64:19,
 64:21, 65:10, 65:24,
 66:2, 66:5, 66:8,
 66:10, 66:16, 66:17,
 66:22, 67:1, 72:23,
 77:24, 80:10, 85:22,
 86:9, 89:17, 92:3,
 93:15, 95:24, 96:1,
 96:2, 96:22
different [5] - 40:3,
 48:14, 86:1, 91:12
difficult [1] - 70:23
dig [1] - 63:24
digits [1] - 5:4
direct [8] - 7:6,
 36:15, 80:22, 80:23,
 81:20, 83:12, 83:24
Direct [1] - 82:18
directly [1] - 14:8
director [4] - 33:4,
 68:4, 68:10, 72:6
disagree [3] - 36:1,
 86:22, 98:12
disclose [1] - 49:8
disclosed [2] - 22:5,
 49:15
Disclosure [2] -
 59:17, 79:7
disclosure [1] -
 86:13
discovered [3] -
 49:2, 82:2, 87:2
discovery [2] -
 24:24, 36:5
discuss [3] - 48:18,
 68:12, 94:9
discussed [4] - 12:6,
 12:10, 94:19, 96:20
discussing [1] - 78:6
discussion [3] -
 18:15, 38:25, 99:10
disregard [1] - 65:14
disrespectful [1] -
 82:1
disrupt [1] - 82:3
disrupts [1] - 81:21
District [4] - 56:18,
 70:20, 75:25, 78:5
Do [17] - 4:4, 6:2,
 11:16, 15:18, 15:25,
 36:15, 36:25, 37:9,
 42:25, 44:11, 50:19,
 51:16, 70:14, 75:18,
 87:13, 94:1, 96:14
do [125] - 6:25, 9:24,
 11:19, 11:22, 12:3,
 14:14, 14:17, 16:13,
 16:14, 17:1, 17:17,
 20:4, 20:5, 20:9,
 20:11, 20:15, 23:10,
 23:14, 23:16, 24:4,
 25:5, 25:14, 27:3,
 28:21, 28:22, 29:24,
 31:4, 31:5, 31:13,
 33:1, 33:12, 33:25,
 34:3, 34:20, 34:22,
 37:7, 37:11, 38:11,
 38:14, 38:21, 39:17,
 41:19, 41:24, 42:1,
 42:5, 45:2, 45:8,
 46:22, 47:8, 47:15,
 47:18, 49:18, 49:25,
 51:18, 53:9, 56:5,
 57:3, 57:11, 58:7,
 60:21, 61:13, 61:20,
 61:23, 62:5, 62:6,
 62:7, 63:6, 64:2, 65:7,
 65:18, 65:22, 65:24,
 66:2, 66:4, 66:5, 66:6,
 66:8, 66:9, 66:10,
 66:11, 66:14, 66:17,
 66:19, 66:24, 67:1,
 67:2, 67:15, 67:23,
 67:25, 70:2, 70:4,
 71:18, 71:25, 72:18,
 72:19, 77:6, 77:9,
 77:13, 77:15, 77:24,
 79:14, 82:15, 82:22,
 82:23, 83:7, 84:11,
 85:1, 86:10, 87:15,
 91:11, 91:21, 92:3,
 92:11, 95:14, 95:21,
 95:23, 97:1, 98:12,
 99:7, 102:9, 102:19
DO [1] - 103:1
document [4] - 25:2,
 27:7, 86:3, 103:22
documented [2] -
 43:23, 89:6
documents [3] -
 15:13, 26:4, 90:23
does [15] - 6:15,
 6:25, 19:21, 32:1,
 36:21, 38:18, 41:24,
 42:10, 54:21, 55:10,
 58:4, 74:5, 78:10,
 84:10, 97:12
Does [3] - 60:14,
 85:12, 99:11
doesn't [7] - 17:21,
 22:16, 29:21, 50:8,
 54:24, 55:7, 63:22
dog [1] - 38:20
doing [9] - 6:15,
 9:21, 11:4, 34:20,
 39:2, 48:22, 48:23,
 59:21, 93:21
Don't [2] - 19:12,
 44:25
don't [84] - 9:22,
 10:15, 10:19, 11:12,
 12:1, 13:16, 14:16,
 14:23, 17:23, 18:21,
 21:13, 21:25, 22:18,
 22:20, 23:1, 23:7,
 23:16, 23:17, 25:9,
 28:15, 29:4, 29:14,
 30:8, 30:14, 31:3,
 33:15, 35:8, 36:1,
 36:12, 36:20, 38:22,
 39:17, 41:18, 42:22,
 43:6, 47:24, 48:5,
 48:24, 49:23, 50:6,
 50:25, 53:9, 53:12,
 55:17, 57:21, 57:22,
 57:24, 58:13, 62:5,
 63:10, 63:12, 65:2,
 67:15, 68:14, 69:11,
 69:13, 70:3, 70:12,
 70:17, 70:22, 74:22,
 77:7, 77:9, 79:16,
 79:21, 80:24, 82:20,
 82:24, 83:6, 85:14,
 85:23, 86:21, 87:11,
 87:12, 88:12, 91:8,
 92:11, 95:24, 95:25,
 96:6, 98:24
Donald [2] - 13:11,
 60:9
done [16] - 19:25,
 21:6, 31:15, 31:22,
 39:22, 42:9, 44:16,
 49:3, 57:10, 59:5,
 59:6, 63:18, 66:20,
 75:17, 83:13, 86:21
Donna [24] - 13:19,
 13:21, 15:3, 15:20,
 16:3, 17:21, 18:7,
 18:11, 22:9, 27:18,
 27:21, 27:23, 52:25,
 54:3, 55:8, 55:11,
 60:24, 61:14, 61:21,
 62:9, 62:23, 63:13,
 63:17, 64:8
double [2] - 5:4,
 85:22
doubt [3] - 21:9,
 79:21, 83:8
down [5] - 11:13,
 47:22, 56:22, 72:2,
 85:16
download [1] - 30:24
downloading [1] -
 27:24
draft [2] - 88:1, 89:15
drank [1] - 14:7
drinks [1] - 9:1
driven [1] - 14:7
drives [2] - 38:18
Duces [3] - 26:3,
 26:20, 27:5
DUI [6] - 36:19,
 36:21, 36:22, 36:23,
 36:25, 40:11
duly [3] - 4:12,
 84:19, 100:10
dumb [1] - 7:10
dump [2] - 25:2, 27:8
During [1] - 46:4
during [6] - 27:15,
 30:4, 46:23, 75:16,
 78:14, 98:1
Dustin [1] - 10:15
duty [5] - 14:7,
 69:19, 72:13, 72:14,
 88:14
-
- E**
-
- E** [22] - 2:4, 2:10,
 2:11, 2:14, 4:1, 4:18,
 4:21, 10:18, 31:18,
 68:7, 68:10, 68:11,
 86:5, 86:10, 97:9,
 98:14, 102:2
e [31] - 2:5, 8:21,
 10:2, 13:12, 13:14,
 13:22, 15:20, 23:13,
 24:13, 26:6, 26:9,
 26:11, 26:13, 27:11,
 28:6, 31:9, 43:24,
 45:4, 45:6, 45:7,
 45:18, 46:15, 52:16,
 52:22, 53:3, 53:5,
 73:17, 91:12, 93:3,
 93:5, 93:16
E-Book [4] - 86:5,
 86:10, 97:9, 98:14
e-book [1] - 8:21
e-mail [11] - 2:5,
 13:12, 26:9, 26:13,
 27:11, 28:6, 43:24,
 45:18, 46:15, 52:16,
 93:5
E-mail [4] - 2:10,
 2:11, 2:14, 102:2
e-mailed [2] - 52:22,
 91:12
e-mails [16] - 10:2,
 13:14, 13:22, 15:20,
 23:13, 24:13, 26:6,
 26:11, 31:9, 45:4,
 45:6, 45:7, 53:3, 53:5,
 93:3, 93:16
Eagle [2] - 26:23,
 27:4
earlier [3] - 54:10,
 62:5, 78:7
early [2] - 7:19, 52:25
eavesdrop [1] -
 56:20
effect [1] - 95:17
El [3] - 7:3, 8:2,
 14:10
eight [2] - 7:17,
 32:15
Either [1] - 19:15
either [9] - 20:19,
 39:23, 40:5, 45:19,
 47:12, 54:11, 75:20,
 80:11, 84:5
electd [1] - 61:9
election [1] - 37:13
elections [1] - 42:11
Elections [1] - 7:4
electronic [10] -
 74:7, 76:5, 76:6, 76:8,
 76:11, 79:13, 79:20,
 81:7, 81:10, 82:8
Electronic [3] -
 59:17, 79:7, 80:18
elements [2] - 58:17,
 97:2
else [8] - 8:11, 12:1,
 21:8, 33:17, 35:24,
 46:23, 49:14, 90:12
employed [1] - 5:10
employee [2] -
 101:14, 101:15
employees [3] -
 14:6, 26:5, 26:8
employer's [2] -
 78:11, 78:23
employment [4] -
 78:13, 78:17, 78:25,
 79:3
empty [1] - 84:13

- end** [6] - 11:9, 13:6, 16:10, 21:24, 22:18, 58:8
- endeavored** [2] - 79:11, 79:12
- ended** [2] - 13:9, 85:10
- Enforcement** [1] - 6:24
- enforcement** [7] - 6:1, 6:5, 6:12, 6:20, 6:21, 35:1, 40:2
- engaging** [1] - 69:24
- enough** [6] - 7:10, 30:8, 39:18, 63:25, 86:11, 98:19
- ensure** [2] - 69:20, 72:14
- ENTER** [1] - 103:1
- entire** [6] - 6:19, 34:18, 34:19, 35:19, 35:23, 35:25
- entry** [1] - 87:20
- ERRATA** [2] - 3:8, 103:1
- error** [1] - 87:24
- ESQ** [3] - 2:3, 2:7, 2:12
- essence** [2] - 70:24, 94:18
- essentially** [1] - 63:20
- Essentially** [1] - 73:21
- established** [1] - 74:2
- evaluating** [1] - 73:22
- even** [12] - 22:16, 39:7, 47:15, 48:23, 54:4, 55:7, 58:21, 63:20, 63:25, 67:24, 90:18, 95:21
- Even** [1] - 60:2
- event** [1] - 27:4
- events** [1] - 87:20
- ever** [24] - 16:20, 20:21, 20:22, 30:24, 36:6, 37:23, 37:24, 38:9, 40:1, 40:2, 40:4, 44:15, 45:21, 46:5, 47:24, 52:3, 58:9, 78:15, 82:3, 82:19, 83:2, 95:6, 96:3, 97:6
- Every** [1] - 44:15
- every** [1] - 38:19
- everybody** [2] - 36:23, 47:22
- everybody's** [1] - 10:13
- everything** [7] - 8:22, 21:8, 24:6, 33:19, 55:2, 92:18, 98:5
- evidence** [11] - 58:18, 64:6, 77:6, 77:21, 78:13, 79:1, 79:14, 79:17, 80:6, 80:11, 81:14
- evidentiary** [1] - 27:9
- ex** [1] - 70:25
- ex-girlfriend's** [1] - 70:25
- exact** [2] - 9:7, 46:1
- exactly** [4] - 11:12, 31:25, 91:8, 92:14
- examination** [2] - 1:20, 31:1
- EXAMINATION** [2] - 4:15, 55:19
- Examination** [2] - 3:4, 3:5
- examine** [2] - 31:14, 33:11
- examined** [1] - 4:13
- exceeding** [1] - 81:8
- exceeds** [1] - 81:12
- Excuse** [2] - 26:11, 93:22
- excuse** [1] - 68:9
- execute** [2] - 41:25, 43:14
- Executive** [3] - 6:24, 7:9, 14:18
- executive** [1] - 82:22
- exercise** [1] - 102:8
- exhibiting** [1] - 74:3
- existed** [1] - 22:17
- exonerated** [3] - 52:25, 53:12, 64:1
- expect** [3] - 83:6, 84:4, 87:7
- expectation** [11] - 57:1, 68:24, 70:9, 74:3, 74:5, 74:12, 74:18, 75:1, 75:2, 80:2, 93:20
- expected** [5] - 39:5, 85:15, 93:13, 94:20, 94:23
- experience** [4] - 6:4, 83:16, 83:19, 84:4
- expert** [1] - 29:7
- expertise** [1] - 30:8
- explain** [4] - 54:5, 85:6, 85:14, 95:8
- explanation** [1] - 47:6
- extent** [1] - 16:9
- extract** [2] - 33:19, 35:22
- extraction** [5] - 31:7, 31:12, 31:24, 32:3, 33:2
- extradite** [1] - 42:20
- extraditing** [1] - 44:12
- extradition** [2] - 40:22, 42:14
-
- F**
-
- F** [1] - 68:7
- F-E-L-T-G-E-N** [1] - 68:7
- fabricating** [1] - 47:14
- face** [2] - 91:9
- face-to-face** [1] - 91:9
- Facebook** [2] - 90:24, 91:14
- fact** [5] - 19:2, 39:21, 48:8, 64:22, 96:1
- facts** [4] - 47:15, 70:22, 84:21, 103:22
- failed** [1] - 88:8
- Fair** [2] - 86:11, 98:19
- fair** [12] - 5:4, 8:12, 12:10, 12:13, 38:24, 50:9, 53:1, 83:16, 87:9, 91:24, 92:10, 92:13
- fairly** [3] - 52:25, 85:4, 93:9
- faith** [1] - 85:1
- false** [1] - 14:5
- falsehoods** [1] - 48:13
- falsified** [1] - 9:3
- familiar** [6] - 17:19, 60:8, 70:4, 73:19, 74:8, 74:15
- far** [11] - 20:14, 39:24, 41:2, 57:15, 59:4, 59:5, 63:24, 63:25, 74:20, 74:21, 87:13
- FDLE** [17] - 5:11, 5:22, 5:23, 6:11, 14:18, 17:20, 19:21, 22:24, 35:22, 37:18, 41:21, 41:22, 41:24, 42:7, 42:10, 54:22, 60:10
- FDLE's** [1] - 14:11
- February** [10] - 13:12, 15:12, 15:13, 15:17, 15:19, 16:17, 16:18, 25:20, 43:24, 60:13
- federal** [4] - 20:5, 70:8, 76:7, 76:12
- feel** [5] - 48:11, 59:24, 64:19, 64:21, 66:16
- feelings** [1] - 39:23
- felonies** [1] - 46:14
- felt** [7] - 61:11, 64:14, 64:25, 65:9, 66:3, 66:15, 95:18
- Feltgen** [1] - 68:7
- few** [3] - 6:2, 42:6, 43:12
- Fifth** [2] - 56:17, 75:24
- figure** [2] - 29:10, 56:23
- figured** [1] - 44:20
- file** [3] - 43:22, 51:13, 95:11
- filed** [6] - 36:3, 43:20, 48:9, 52:4, 58:2, 102:11
- filing** [1] - 50:21
- filling** [1] - 4:21
- final** [1] - 22:15
- finally** [1] - 87:13
- financially** [1] - 101:17
- find** [7] - 25:4, 27:12, 33:8, 53:18, 56:25, 86:1, 90:3
- finding** [1] - 59:14
- findings** [1] - 22:2
- fingerprints** [1] - 37:18
- finished** [2] - 23:16, 57:20
- First** [2] - 70:20, 84:17
- first** [13] - 4:11, 4:24, 8:22, 23:10, 23:11, 24:3, 25:22, 52:10, 56:24, 60:14, 84:19, 90:25
- FIRST** [1] - 1:1
- firsthand** [1] - 27:25
- FL** [1] - 2:4
- flagged** [2] - 32:14, 32:17
- FLORIDA** [6] - 1:1, 1:3, 100:3, 101:3, 102:3, 103:2
- Florida** [13] - 2:2, 2:9, 2:13, 6:7, 6:23, 59:16, 73:18, 73:22, 79:5, 80:16, 83:8, 84:18, 100:18
- flown** [2] - 43:10, 43:13
- focus** [2] - 60:24, 92:23
- focused** [2] - 14:5, 22:9
- follow** [1] - 96:23
- Following** [1] - 61:3
- follows** [1] - 4:14
- fonts** [1] - 70:23
- for** [72] - 4:21, 5:22, 5:25, 6:8, 6:10, 6:23, 7:7, 7:25, 8:7, 8:18, 11:15, 12:20, 13:3, 14:19, 15:8, 16:1, 16:25, 17:6, 18:7, 19:2, 19:10, 19:11, 21:22, 25:15, 26:10, 26:13, 26:19, 27:3, 27:4, 30:12, 30:19, 32:15, 33:19, 34:2, 34:21, 35:1, 36:19, 36:25, 37:3, 37:24, 38:6, 42:12, 43:2, 43:9, 43:12, 44:7, 44:12, 45:4, 48:1, 48:25, 59:25, 61:6, 69:15, 72:12, 73:13, 74:9, 79:22, 82:7, 82:12, 83:25, 84:17, 84:25, 86:13, 91:24, 92:13, 93:2, 93:5, 93:13, 94:12, 98:8, 98:25
- FOR** [1] - 1:1
- For** [5] - 1:22, 5:23, 89:1, 102:7, 102:17
- foregoing** [2] - 84:20, 103:22
- forensic** [3] - 31:1, 31:4, 31:6
- forensically** [1] - 33:11
- forensics** [1] - 77:10
- form** [6] - 33:24, 37:24, 74:16, 97:8, 97:9, 97:17
- formal** [1] - 50:1
- format** [1] - 86:19
- former** [2] - 26:5, 26:8
- forms** [1] - 26:15
- forth** [1] - 84:20
- forward** [1] - 86:2
- forwarded** [1] - 102:10
- forwarding** [2] - 54:15, 86:20
- found** [7] - 10:1, 13:15, 18:4, 27:22, 43:24, 68:22, 98:1

four [6] - 8:4, 91:2, 91:12, 92:1, 92:15
Fourth [1] - 70:6
frame [3] - 47:1, 47:2, 60:15
frequently [1] - 83:5
from [60] - 6:6, 6:9, 8:16, 13:10, 13:12, 14:9, 14:16, 15:18, 16:9, 17:5, 21:14, 27:12, 27:17, 27:22, 27:23, 30:9, 32:7, 33:14, 36:10, 36:13, 39:2, 40:5, 42:20, 43:24, 44:12, 48:19, 48:20, 51:1, 53:7, 54:23, 54:25, 57:7, 60:5, 63:7, 64:12, 70:20, 74:14, 75:12, 75:13, 75:25, 76:13, 78:5, 81:22, 82:5, 82:23, 84:10, 84:24, 85:25, 86:24, 89:14, 89:18, 90:9, 90:11, 90:12, 93:21, 94:15, 94:24, 96:23
full [5] - 24:15, 30:24, 61:13, 81:13, 98:4
functions [1] - 42:17
funnier [1] - 37:5
further [4] - 61:6, 63:13, 98:25, 101:13

G

G [4] - 2:7, 4:18, 68:7, 68:10
gain [1] - 64:21
Galloway [33] - 28:11, 36:7, 37:23, 38:10, 45:5, 47:10, 47:12, 47:13, 48:6, 48:22, 49:16, 49:17, 50:8, 50:15, 56:1, 69:5, 75:5, 75:11, 75:15, 75:16, 80:1, 82:4, 87:5, 88:7, 88:14, 89:13, 89:14, 90:10, 90:12, 90:18, 91:3, 91:5, 91:14
Galloway's [7] - 48:10, 50:16, 69:25, 76:17, 78:16, 80:8, 89:10
gave [4] - 16:20, 38:10, 96:18, 102:6
general [5] - 10:20, 10:23, 10:24, 19:21, 30:15

General's [1] - 6:10
general's [2] - 19:23, 20:8
get [36] - 7:12, 7:22, 10:12, 14:15, 15:15, 16:5, 17:20, 23:3, 24:13, 24:15, 27:22, 33:7, 33:10, 33:14, 34:1, 36:22, 37:22, 38:13, 41:24, 42:2, 42:14, 50:24, 56:9, 58:21, 62:22, 63:25, 71:6, 73:15, 83:3, 83:4, 88:13, 91:11, 95:12, 95:24
gets [1] - 36:23
getting [3] - 13:9, 43:15, 61:16
girlfriend's [1] - 70:25
Give [2] - 10:11, 68:5
give [11] - 4:5, 6:25, 13:8, 20:9, 20:15, 30:12, 46:1, 47:5, 65:10, 83:20, 97:25
Given [2] - 81:13, 88:14
given [4] - 24:7, 48:8, 88:24, 91:6
Glass [1] - 68:13
Go [4] - 22:18, 71:8, 83:4
go [36] - 8:3, 9:22, 15:15, 16:14, 21:3, 22:14, 24:11, 25:2, 27:7, 29:6, 30:10, 31:10, 33:5, 34:16, 34:17, 34:19, 34:22, 35:7, 36:24, 39:24, 41:4, 41:16, 43:1, 44:25, 53:5, 56:8, 69:19, 78:3, 82:16, 85:25, 87:8, 87:25, 90:21, 92:22
God [1] - 40:9
goes [1] - 74:21
going [55] - 7:11, 10:5, 12:24, 13:9, 19:3, 19:5, 25:22, 30:3, 30:7, 30:9, 30:12, 30:20, 32:16, 32:23, 39:9, 39:10, 39:25, 42:13, 46:13, 47:24, 47:25, 50:10, 52:9, 52:16, 53:7, 55:16, 55:24, 56:7, 57:19, 57:22, 58:7, 58:9, 58:11, 59:2, 62:15, 67:4, 68:21, 71:6, 73:13, 82:15,

82:16, 82:17, 85:25, 86:1, 86:2, 87:17, 92:9, 92:21, 92:23, 95:14, 95:15, 95:23, 98:20
golf [1] - 8:25
gone [3] - 8:25, 42:7, 79:24
good [6] - 15:21, 35:14, 35:16, 44:23, 49:13, 85:1
Good [3] - 38:3, 55:21, 55:24
got [27] - 7:16, 8:22, 9:2, 9:17, 12:24, 13:12, 15:11, 16:2, 27:23, 30:15, 30:16, 39:21, 42:12, 43:24, 44:14, 48:15, 48:16, 48:19, 50:23, 52:17, 53:3, 54:4, 56:14, 60:15, 90:25, 95:14
gotcha [1] - 11:1
Gotcha [1] - 23:6
gotten [2] - 9:15, 44:16
government [4] - 8:24, 26:12, 26:16, 93:3
governor's [2] - 42:15, 42:19
grant [1] - 84:6
Graykey [1] - 31:12
guess [22] - 8:5, 8:6, 8:7, 12:2, 13:10, 13:23, 14:17, 20:7, 24:22, 25:3, 27:4, 30:8, 39:19, 46:4, 46:23, 48:10, 60:23, 76:15, 82:18, 86:14, 87:20, 88:1
guilty [1] - 46:14
guy [2] - 33:2, 42:12
guy's [1] - 48:16
guys [4] - 12:25, 46:6, 46:13, 54:11

H

H [2] - 4:18, 10:18
habeas [8] - 80:23, 81:20, 83:10, 83:22, 83:25, 84:9
Habeas [1] - 82:18
had [103] - 6:20, 8:19, 8:25, 9:1, 9:3, 9:15, 9:17, 9:20, 10:1, 11:14, 11:20, 12:3, 13:15, 13:21, 13:23, 14:1, 14:3, 14:7, 15:9, 15:20, 16:13, 17:11, 17:14, 18:4, 18:5, 18:15, 21:11, 21:12, 22:9, 22:11, 23:14, 24:7, 25:22, 27:13, 31:15, 32:6, 33:2, 33:7, 33:9, 33:10, 33:13, 34:25, 35:18, 36:4, 36:9, 36:20, 37:13, 39:11, 39:21, 39:22, 39:23, 43:11, 43:20, 43:21, 44:1, 45:4, 45:8, 45:18, 46:22, 47:13, 47:14, 51:25, 52:24, 53:4, 53:5, 56:25, 57:10, 57:20, 58:1, 59:5, 59:6, 59:8, 59:12, 59:13, 59:21, 60:3, 60:25, 61:23, 64:9, 64:11, 67:13, 68:24, 71:20, 72:9, 72:12, 72:25, 73:6, 80:1, 81:13, 82:19, 83:2, 89:19, 89:20, 91:3, 92:7, 92:12, 92:24, 93:19, 95:3, 95:13
hadn't [3] - 46:8, 46:9, 63:17
hallucinated [1] - 47:12
hand [2] - 4:3, 13:5
handcuffs [2] - 43:10, 43:13
hands [3] - 17:13, 22:24, 23:1
handwritten [1] - 12:16
Hang [1] - 45:12
happen [2] - 11:16, 20:10
happened [12] - 13:23, 19:17, 19:18, 22:20, 23:20, 23:21, 33:5, 43:5, 43:8, 47:7, 56:5, 92:1
happening [1] - 18:22
happens [1] - 23:17
happy [1] - 47:8
Harris [3] - 27:12, 27:17
has [19] - 8:9, 8:11, 28:21, 28:22, 37:23, 42:12, 44:16, 47:12, 67:7, 70:9, 73:10, 74:1, 74:18, 74:25, 80:19, 83:25, 84:23, 88:14, 102:10
Have [2] - 36:6, 83:2

have [164] - 5:21, 6:2, 6:4, 7:2, 7:3, 7:4, 9:8, 9:12, 9:13, 10:19, 12:15, 12:17, 12:18, 12:19, 13:16, 14:16, 15:3, 15:18, 15:23, 17:3, 17:6, 18:10, 18:17, 18:23, 18:24, 19:4, 19:5, 19:6, 19:15, 19:17, 19:19, 21:13, 22:20, 23:1, 23:3, 23:7, 23:14, 23:21, 25:1, 25:5, 25:6, 25:20, 27:1, 27:5, 29:6, 29:8, 29:11, 30:8, 30:10, 31:2, 31:5, 32:6, 32:13, 33:7, 33:16, 34:1, 34:21, 34:24, 36:10, 36:13, 39:17, 40:1, 41:5, 41:6, 42:9, 42:25, 43:1, 43:23, 44:11, 45:2, 45:24, 45:25, 46:6, 47:15, 48:7, 48:19, 48:23, 48:24, 49:15, 49:22, 50:10, 52:8, 52:18, 52:22, 53:11, 53:14, 54:8, 54:12, 55:11, 57:22, 58:9, 58:22, 61:5, 61:16, 61:22, 62:18, 62:25, 63:24, 64:15, 64:17, 65:5, 65:13, 67:10, 68:1, 68:8, 69:18, 70:5, 70:11, 70:14, 71:16, 72:2, 72:13, 73:1, 74:10, 74:11, 75:18, 75:20, 76:8, 77:6, 77:13, 77:15, 78:1, 79:14, 81:18, 82:19, 82:25, 83:7, 83:9, 83:12, 84:10, 84:21, 85:15, 85:22, 86:10, 86:17, 87:3, 87:24, 88:13, 89:13, 90:4, 90:8, 90:10, 92:10, 92:13, 92:17, 92:19, 93:13, 93:15, 93:16, 93:19, 96:3, 96:22, 97:2, 97:4, 97:17, 97:18, 97:24, 98:10, 98:24, 103:22
haven't [4] - 41:7, 44:20, 82:21
having [6] - 4:11, 31:21, 42:7, 49:3, 64:12, 79:24
he [81] - 11:24, 13:10, 21:13, 21:25, 22:23, 23:8, 23:21,

33:16, 33:17, 35:19,
36:9, 36:13, 36:18,
37:2, 37:3, 37:5,
38:10, 40:24, 43:9,
43:11, 44:1, 45:17,
45:18, 46:12, 47:4,
47:5, 48:11, 48:13,
48:23, 50:23, 51:24,
52:2, 56:25, 64:25,
65:9, 67:16, 69:8,
70:11, 71:1, 71:17,
71:19, 71:22, 71:25,
72:6, 72:8, 72:13,
72:23, 72:25, 73:2,
73:4, 73:5, 73:6,
75:18, 77:11, 79:23,
80:1, 80:20, 81:7,
85:11, 87:13, 88:8,
88:16, 88:19, 89:1,
91:9, 92:2, 92:15,
92:17, 94:18, 94:20,
95:12, 95:13, 95:14,
96:12, 96:23
He [13] - 34:22,
34:23, 42:12, 47:18,
48:23, 67:7, 77:1,
90:18, 90:23, 90:24,
90:25, 91:10, 94:16
he'd [1] - 36:20
He's [2] - 49:10, 72:6
he's [9] - 33:17,
38:17, 45:12, 48:3,
48:8, 48:12, 50:10,
72:5, 81:2
head [2] - 25:10,
25:12
heading [1] - 54:23
hear [1] - 94:14
hearing [1] - 37:7
held [3] - 73:24,
76:8, 98:10
help [2] - 11:15,
44:21
her [16] - 28:2, 30:10,
38:7, 38:20, 53:13,
53:14, 53:15, 54:8,
54:9, 63:21, 63:23,
64:1, 64:2, 71:1,
78:13, 78:24
Here [4] - 8:3, 71:5,
71:9, 85:25
here [45] - 4:18, 13:2,
21:3, 29:9, 35:11,
35:15, 36:2, 39:4,
39:10, 50:18, 54:23,
55:18, 55:22, 56:15,
56:18, 56:22, 58:21,
64:14, 68:17, 68:22,
70:6, 70:16, 70:21,
71:19, 73:8, 73:9,
73:14, 73:16, 76:2,
78:6, 80:13, 82:10,
83:24, 84:15, 85:16,
85:24, 86:3, 88:2,
88:24, 89:6, 89:16,
91:23, 92:6, 93:17,
98:20
here's [1] - 89:3
hereby [1] - 102:19
hey [3] - 48:12,
52:16, 92:14
high [3] - 30:5,
41:20, 42:8
high-profile [2] -
41:20, 42:8
highlighted [1] -
79:9
him [63] - 5:15,
19:12, 21:11, 22:10,
22:19, 22:24, 23:17,
25:12, 33:5, 33:8,
33:25, 36:9, 36:19,
36:25, 37:14, 38:11,
38:14, 38:23, 40:21,
42:16, 43:2, 43:6,
45:21, 45:22, 46:5,
46:13, 46:22, 47:5,
47:13, 47:14, 48:5,
48:24, 50:21, 51:1,
51:6, 52:3, 52:8,
52:11, 52:12, 52:13,
52:15, 52:18, 52:19,
52:22, 65:10, 67:17,
71:25, 72:19, 75:6,
75:9, 87:7, 89:13,
90:11, 90:24, 91:8,
91:10, 91:11, 91:12,
94:20, 94:23, 95:11
himself [1] - 85:11
hindsight [2] - 55:12,
86:17
his [81] - 10:22,
12:11, 15:16, 22:15,
22:24, 25:12, 28:10,
28:12, 35:20, 37:10,
38:2, 38:10, 38:22,
41:12, 41:13, 45:6,
45:7, 46:16, 47:17,
49:9, 49:17, 49:18,
49:19, 49:20, 50:11,
50:12, 50:13, 51:25,
52:5, 56:2, 56:3, 56:5,
56:25, 57:1, 68:25,
69:5, 69:8, 69:12,
69:20, 70:11, 70:25,
72:25, 75:6, 75:8,
75:12, 77:14, 77:19,
78:11, 78:12, 78:14,
78:17, 78:19, 78:24,
79:3, 81:15, 81:25,
82:5, 82:7, 87:6, 87:8,
87:14, 87:25, 88:7,
88:15, 88:17, 89:8,
89:13, 89:18, 90:11,
93:12, 93:14, 93:15,
95:13, 98:10
history [1] - 6:13
hit [2] - 47:1, 47:2
hmm [1] - 53:2
Hmm [1] - 45:25
Hold [2] - 31:10,
56:13
holding [2] - 70:16,
73:9
holds [2] - 71:5, 71:9
home [1] - 70:11
homicide [1] - 40:21
honest [1] - 17:13
Honestly [1] - 28:5
honestly [13] - 10:12,
11:24, 13:14, 21:2,
22:7, 28:15, 29:7,
33:7, 33:15, 34:3,
36:21, 39:8, 53:12
hope [1] - 27:5
Hopefully [1] - 9:13
hoping [1] - 7:15
hopscotch [1] -
55:24
horse [1] - 23:16
hours [1] - 30:4
How [5] - 7:22,
14:11, 38:4, 55:23,
94:22
how [14] - 5:21, 7:12,
11:12, 13:6, 15:8,
21:25, 22:21, 24:12,
38:13, 42:10, 43:7,
65:11, 72:2, 94:20
however [2] - 21:13,
42:1
huge [1] - 25:9
huh [1] - 28:13
humble [3] - 21:4,
39:12, 50:6
hybrid [1] - 54:16

I

I [557] - 4:1, 4:24, 5:4,
5:15, 5:18, 6:4, 6:5,
6:8, 6:22, 7:2, 7:4,
7:6, 7:10, 7:11, 7:15,
7:23, 8:5, 8:6, 8:7,
8:8, 8:19, 8:22, 9:2,
9:4, 9:8, 9:9, 9:11,
9:12, 9:13, 9:15, 9:17,
9:19, 9:21, 10:2, 10:3,
10:5, 10:7, 10:11,
10:12, 10:15, 10:18,
10:19, 10:20, 10:21,
10:22, 11:12, 11:13,
11:22, 11:24, 11:25,
12:2, 12:3, 13:2, 13:5,
13:8, 13:9, 13:10,
13:12, 13:23, 13:24,
13:25, 14:17, 14:20,
14:23, 15:2, 15:11,
15:12, 15:15, 16:2,
16:5, 16:12, 17:10,
17:15, 17:16, 17:18,
17:19, 17:23, 18:2,
18:11, 18:19, 18:21,
18:25, 19:2, 19:11,
19:12, 19:24, 20:7,
20:16, 20:25, 21:2,
21:3, 21:13, 21:19,
21:25, 22:2, 22:7,
22:9, 22:18, 22:20,
23:1, 23:2, 23:3,
23:12, 23:16, 23:17,
23:20, 23:22, 23:23,
23:25, 24:6, 24:14,
24:15, 24:22, 24:25,
25:3, 25:6, 25:8, 25:9,
25:14, 25:20, 25:22,
26:21, 26:22, 26:24,
27:4, 27:5, 27:22,
28:5, 28:14, 28:15,
28:16, 29:4, 29:8,
29:14, 29:23, 30:8,
30:9, 30:11, 30:12,
30:14, 30:17, 30:22,
31:4, 31:5, 31:8,
31:13, 31:21, 31:23,
32:15, 32:20, 32:23,
33:7, 33:10, 33:13,
33:15, 33:25, 34:2,
34:6, 34:10, 34:20,
34:21, 34:23, 35:2,
35:4, 35:5, 35:8,
35:13, 36:1, 36:4,
36:5, 36:6, 36:12,
36:20, 36:22, 37:7,
37:11, 37:12, 37:17,
37:21, 38:11, 38:12,
38:14, 38:21, 38:22,
38:23, 38:24, 39:2,
39:7, 39:8, 39:9,
39:10, 39:16, 39:18,
39:19, 39:20, 39:23,
40:2, 40:9, 40:11,
40:14, 40:18, 40:24,
41:5, 41:7, 41:11,
42:6, 43:6, 43:11,
43:12, 43:17, 43:18,
43:23, 43:24, 44:10,
44:15, 44:20, 44:21,
45:2, 45:4, 45:6,
45:10, 45:11, 45:15,
45:21, 45:25, 46:4,
46:5, 46:7, 46:15,
46:18, 46:22, 46:23,
47:7, 47:8, 47:9,
47:13, 47:14, 47:16,
47:17, 47:18, 48:4,
48:5, 48:8, 48:10,
48:17, 48:19, 48:21,
48:24, 48:25, 49:2,
49:7, 49:16, 49:17,
49:21, 49:22, 49:25,
50:4, 50:6, 50:25,
51:1, 51:18, 52:2,
52:6, 52:10, 52:11,
52:18, 52:22, 52:23,
53:4, 53:5, 53:12,
53:13, 53:14, 53:18,
54:6, 54:8, 54:22,
55:13, 55:17, 56:5,
56:9, 56:23, 57:8,
57:9, 57:11, 57:14,
57:21, 57:24, 58:6,
58:7, 58:8, 58:13,
58:24, 58:25, 59:1,
59:2, 59:6, 60:4, 60:5,
60:17, 60:21, 60:23,
61:19, 61:21, 61:24,
61:25, 62:2, 62:4,
62:11, 62:12, 62:18,
62:19, 62:20, 62:22,
62:24, 63:6, 63:7,
63:10, 63:11, 63:19,
63:22, 64:5, 64:8,
64:10, 64:17, 64:21,
64:25, 65:2, 65:5,
65:18, 65:22, 65:24,
65:25, 66:1, 66:4,
66:8, 66:12, 66:19,
66:22, 67:8, 67:15,
67:20, 67:22, 68:1,
68:11, 68:14, 68:16,
69:11, 69:13, 70:2,
70:3, 70:12, 70:17,
70:22, 71:18, 71:22,
71:23, 72:2, 72:5,
72:22, 72:23, 73:3,
73:12, 74:14, 74:20,
74:21, 74:22, 75:15,
75:16, 75:17, 75:20,
76:15, 76:19, 76:22,
77:3, 77:7, 77:9,
77:13, 77:15, 77:19,
78:1, 78:2, 79:9,
79:16, 79:21, 79:23,
80:3, 80:4, 80:9,
80:13, 80:24, 80:25,
81:25, 82:18, 82:20,
82:21, 82:22, 82:24,
83:5, 83:6, 83:12,
85:4, 85:6, 85:14,
85:18, 85:21, 85:22,
86:8, 86:9, 86:10,

- 86:14, 86:18, 86:19,
86:21, 87:2, 87:10,
87:11, 87:12, 87:15,
87:16, 87:20, 88:1,
88:4, 88:10, 88:12,
89:17, 89:23, 89:25,
90:4, 90:6, 90:8, 90:9,
90:17, 91:8, 91:22,
92:5, 92:8, 92:10,
92:14, 92:16, 92:19,
92:20, 92:22, 92:23,
93:8, 93:10, 94:19,
94:23, 95:8, 95:10,
95:20, 95:24, 95:25,
96:8, 96:11, 97:14,
98:12, 98:24, 99:4,
99:7, 99:8, 101:6,
101:7, 101:13,
101:15, 101:17,
102:19, 103:22
i^[1] - 100:9
I'd^[9] - 7:16, 8:5,
29:6, 30:10, 45:11,
51:22, 72:2, 90:22,
97:4
I'll^[10] - 17:1, 17:13,
25:13, 25:18, 27:6,
33:7, 35:20, 73:15,
75:21, 98:13
I'm^[92] - 4:18, 5:3,
5:16, 7:2, 7:15, 8:9,
10:15, 11:5, 17:19,
18:17, 18:24, 19:9,
20:21, 21:22, 22:15,
22:23, 23:24, 25:4,
25:8, 25:10, 25:11,
25:12, 25:25, 29:16,
29:17, 30:7, 30:12,
31:10, 31:17, 34:16,
35:6, 35:9, 35:14,
36:22, 37:4, 39:16,
39:25, 40:1, 43:11,
44:19, 44:23, 45:12,
45:19, 47:20, 47:25,
50:17, 50:22, 55:16,
55:24, 56:7, 56:16,
58:3, 58:6, 61:2,
62:15, 66:1, 67:4,
70:18, 71:6, 73:13,
73:15, 74:20, 78:7,
79:5, 80:15, 81:25,
82:15, 82:16, 82:17,
85:18, 85:19, 85:25,
86:1, 86:2, 87:17,
88:2, 88:6, 88:10,
88:11, 89:17, 90:21,
92:21, 96:8, 96:9,
96:10, 97:7, 98:14,
98:20
I've^[14] - 6:4, 7:16,
12:24, 21:6, 39:17,
39:18, 44:15, 50:23,
56:14, 66:13, 66:20,
66:21, 86:4
I-N-E-R-N-E-Y^[1] -
68:11
iCloud^[2] - 75:9,
75:12
idea^[5] - 15:18, 16:8,
42:25, 43:14, 46:12
identified^[1] - 72:15
If^[4] - 8:20, 12:3,
19:18, 30:15
if^[80] - 8:9, 9:12,
10:15, 11:20, 12:1,
13:12, 13:24, 15:25,
18:22, 19:17, 20:4,
21:10, 21:19, 22:19,
24:14, 25:6, 29:10,
29:16, 30:2, 30:11,
30:13, 32:12, 34:15,
34:17, 35:16, 35:19,
35:20, 37:21, 38:10,
38:15, 38:17, 38:24,
40:9, 42:10, 42:22,
42:24, 45:11, 48:8,
49:7, 50:8, 50:19,
50:25, 51:16, 56:9,
56:23, 58:11, 58:18,
64:23, 65:6, 66:20,
69:11, 70:13, 70:22,
72:12, 72:14, 72:23,
76:12, 78:22, 78:23,
80:4, 81:7, 85:11,
86:12, 87:5, 90:1,
91:13, 91:25, 92:8,
92:12, 92:16, 93:12,
95:11, 95:21, 95:25,
97:6, 99:5, 102:9,
102:13
ignore^[1] - 65:17
ignored^[3] - 63:4,
65:21, 65:23
illegally^[1] - 74:10
image^[1] - 31:4
images^[1] - 31:3
iMessages^[1] - 32:7
implicate^[1] - 14:11
important^[1] - 27:10
IN^[2] - 1:1, 1:1
in^[193] - 4:20, 4:21,
5:13, 5:15, 6:4, 6:9,
6:11, 7:3, 7:8, 7:11,
7:23, 8:4, 8:21, 8:24,
9:4, 9:19, 10:8, 11:17,
12:12, 12:15, 12:24,
13:16, 13:21, 14:3,
14:25, 15:4, 15:10,
15:11, 16:6, 16:14,
16:15, 16:16, 17:2,
17:21, 17:22, 17:25,
18:4, 18:6, 18:14,
18:16, 18:22, 19:1,
19:17, 19:19, 20:4,
20:13, 20:24, 21:3,
21:6, 21:11, 21:13,
21:16, 21:17, 22:1,
22:16, 22:17, 23:9,
25:20, 26:11, 26:16,
27:8, 27:24, 28:22,
30:3, 30:14, 33:1,
33:4, 33:19, 36:11,
37:4, 37:14, 37:16,
38:12, 38:13, 38:15,
38:16, 39:11, 39:12,
39:18, 40:1, 40:2,
40:4, 40:10, 40:18,
41:5, 41:6, 41:12,
41:13, 41:14, 42:13,
43:2, 43:3, 43:9,
43:10, 43:11, 43:13,
43:15, 43:16, 44:4,
45:17, 45:18, 45:20,
45:24, 46:1, 46:21,
49:25, 51:5, 51:9,
51:12, 51:13, 52:25,
53:9, 54:10, 55:1,
55:12, 57:2, 59:12,
60:14, 60:17, 61:15,
62:5, 62:13, 63:1,
63:14, 64:9, 65:4,
65:6, 66:6, 66:11,
67:2, 67:18, 67:19,
67:25, 68:25, 69:14,
69:24, 70:10, 70:11,
70:13, 70:23, 71:23,
72:4, 73:11, 73:15,
73:21, 73:25, 74:9,
74:16, 75:5, 76:9,
76:20, 77:1, 77:8,
77:9, 77:16, 78:7,
79:9, 79:17, 80:23,
81:15, 81:19, 82:21,
82:25, 84:15, 85:1,
86:3, 87:8, 87:12,
87:17, 88:24, 89:8,
89:16, 89:19, 89:21,
89:24, 90:5, 92:2,
92:6, 92:15, 93:3,
94:18, 96:21, 97:2,
98:11, 98:14, 101:17,
102:3, 102:6, 102:13,
103:2, 103:22
In^[9] - 12:22, 14:4,
19:21, 29:10, 53:17,
64:14, 86:17, 91:4,
97:9
in-depth^[3] - 78:7,
89:21, 89:24
in-person^[1] - 10:8
incident^[1] - 89:19
include^[2] - 58:4,
61:8
included^[1] - 31:2
including^[2] - 33:20,
69:20
independent^[11] -
64:15, 64:20, 65:1,
66:16, 66:18, 67:23,
68:18, 77:6, 77:24,
78:14, 95:22
independently^[1] -
80:9
INDEX^[1] - 3:1
indicated^[1] - 27:25
indictment^[1] -
83:10
indiscernible^[4] -
45:9, 51:23, 92:5,
96:9
individual^[2] - 17:5,
19:23
info'd^[1] - 39:5
inform^[1] - 94:8
information^[27] -
21:6, 21:14, 60:3,
70:5, 70:14, 71:24,
74:25, 75:18, 75:20,
76:14, 76:15, 77:5,
79:10, 80:20, 80:22,
81:24, 83:11, 84:20,
85:20, 87:11, 89:13,
90:11, 95:18, 95:24,
96:14, 96:21, 96:23
informed^[1] - 94:18
initial^[1] - 31:12
initiated^[1] - 60:10
injected^[1] - 69:8
inquiry^[1] - 61:8
insane^[1] - 48:14
insight^[1] - 82:11
inspect^[1] - 71:21
Inspector^[3] - 54:24,
55:21, 99:1
inspector^[2] - 7:23,
7:24
Instagram^[1] - 70:25
instance^[1] - 30:12
instituted^[1] - 85:1
instructed^[1] -
102:10
intended^[1] - 87:5
intent^[1] - 21:15
intentional^[1] -
95:25
intentionally^[5] -
22:3, 22:4, 59:18,
69:8, 79:10
inter^[1] - 38:15
interactions^[2] -
33:2, 33:6
intercept^[14] -
56:19, 58:23, 69:24,
72:20, 72:24, 73:1,
73:5, 73:23, 73:25,
76:2, 76:17, 79:11,
79:12
intercepted^[5] -
74:11, 76:9, 76:11,
79:11, 79:19
Interception^[2] -
59:17, 79:6
interception^[2] -
74:4, 86:13
interested^[1] -
101:17
interim^[1] - 41:6
internal^[1] - 26:4
internet^[1] - 39:1
interpretation^[1] -
70:8
interview^[9] - 17:15,
36:8, 36:9, 38:15,
38:23, 46:21, 61:9,
61:25, 62:1
interviewed^[4] -
36:19, 45:22, 87:23,
89:1
interviews^[5] -
17:18, 26:4, 53:4,
53:11, 55:4
into^[16] - 8:2, 9:22,
15:4, 16:22, 17:12,
25:6, 27:14, 38:14,
57:12, 57:15, 58:5,
58:24, 59:7, 61:13,
69:9, 70:25
investigate^[26] -
14:12, 16:6, 16:24,
17:2, 18:10, 19:4,
19:5, 22:7, 60:18,
61:17, 62:8, 62:12,
62:20, 62:23, 63:9,
63:12, 63:15, 63:19,
63:23, 64:12, 64:23,
65:6, 65:12, 66:22,
67:11, 71:21
investigated^[9] -
15:8, 52:10, 57:13,
57:17, 61:21, 64:8,
64:10, 64:11, 67:14
investigating^[18] -
9:23, 10:3, 13:17,
17:11, 26:24, 57:4,
57:9, 58:12, 58:15,
59:14, 59:25, 60:5,
67:12, 67:19, 86:12,
86:18, 86:24
investigation^[51] -
8:20, 11:6, 11:7, 11:8,
12:21, 16:9, 16:15,

- 17:1, 17:12, 17:17,
23:4, 26:5, 27:11,
34:21, 35:2, 46:10,
48:2, 49:11, 49:21,
55:1, 56:4, 57:15,
57:20, 57:25, 58:5,
58:6, 59:1, 59:22,
60:5, 60:10, 61:4,
61:6, 61:12, 61:13,
62:2, 65:10, 66:18,
67:20, 67:24, 68:18,
69:4, 76:16, 77:20,
78:15, 80:10, 81:15,
86:20, 95:19, 95:22,
96:5
- Investigation** [1] -
10:14
- Investigations** [4] -
6:23, 6:24, 7:9, 14:19
- investigations** [5] -
14:15, 23:5, 54:17,
62:5, 82:22
- Investigative** [1] -
31:18
- investigative** [9] -
22:1, 50:3, 53:22,
54:16, 55:6, 58:1,
59:13, 86:6, 95:2
- investigator** [3] -
8:1, 40:19, 48:2
- Investigator** [3] -
4:17, 5:21, 10:17
- investigators** [1] -
42:12
- invoked** [1] - 17:15
- involved** [16] - 13:16,
14:25, 17:21, 27:24,
37:22, 40:1, 40:4,
42:2, 43:16, 51:12,
60:7, 62:13, 63:1,
63:14, 64:24, 76:1
- involvement** [3] -
14:3, 16:6, 37:14
- involves** [1] - 70:24
- involving** [3] - 8:22,
10:1, 14:12
- iota** [1] - 93:19
- iPad** [37] - 30:25,
31:4, 32:1, 32:7, 33:9,
33:20, 34:18, 34:19,
37:24, 69:6, 69:12,
69:16, 69:19, 71:17,
71:21, 72:9, 72:12,
72:21, 75:7, 75:13,
76:24, 77:2, 78:16,
79:2, 81:14, 87:9,
87:14, 88:8, 88:18,
89:7, 89:11, 89:12,
91:7, 96:12, 96:17,
98:5
- iPads** [1] - 32:2
- is** [148] - 4:17, 4:20,
4:22, 4:24, 5:7, 5:10,
6:12, 7:7, 7:14, 7:24,
7:25, 8:8, 12:13,
12:22, 13:11, 14:17,
14:18, 17:6, 17:10,
17:21, 18:12, 19:6,
19:13, 20:11, 20:19,
21:4, 21:8, 21:9, 22:6,
22:10, 22:21, 23:21,
28:10, 30:2, 30:4,
30:13, 31:8, 31:11,
31:23, 31:25, 32:14,
33:15, 34:11, 34:24,
35:4, 35:12, 38:19,
41:12, 41:13, 44:15,
47:13, 47:20, 47:21,
47:23, 48:1, 49:1,
49:4, 49:14, 49:17,
49:18, 50:9, 50:12,
51:24, 52:5, 52:9,
52:25, 53:1, 53:17,
53:21, 53:23, 54:16,
56:13, 56:24, 57:10,
57:16, 57:18, 57:23,
57:25, 58:8, 58:9,
61:17, 61:18, 62:16,
63:11, 64:5, 65:1,
65:6, 65:11, 66:7,
66:8, 67:6, 67:14,
67:18, 68:9, 68:10,
70:12, 71:2, 71:4,
71:10, 72:24, 73:16,
74:4, 74:22, 74:24,
75:3, 75:22, 75:24,
76:3, 76:19, 76:22,
78:5, 79:6, 79:8, 80:4,
80:25, 81:11, 81:19,
83:18, 83:20, 83:23,
84:22, 85:1, 85:6,
85:25, 86:19, 87:9,
87:20, 88:4, 88:24,
89:8, 90:1, 90:5, 90:8,
95:9, 95:16, 96:9,
97:9, 98:14, 98:21,
101:10
- Is** [7] - 14:1, 41:16,
45:23, 49:14, 51:5,
67:18, 87:22
- Isn't** [1] - 51:2
- isn't** [1] - 47:20
- issuance** [1] - 83:10
- issue** [5] - 22:21,
42:11, 50:12, 61:6,
83:10
- issued** [4] - 26:18,
44:7, 69:12, 98:17
- issues** [3] - 36:20,
48:7, 48:16
- IT** [3] - 33:4, 71:24,
72:6
- It** [19] - 8:13, 12:19,
17:21, 25:25, 38:2,
41:1, 44:8, 53:23,
54:22, 54:24, 55:8,
60:13, 62:19, 63:6,
63:8, 78:5, 87:24,
91:9, 91:18
- it** [284] - 4:24, 6:18,
7:7, 7:25, 8:3, 8:4,
8:8, 8:21, 9:1, 9:17,
9:19, 10:7, 10:8,
11:12, 12:2, 12:4,
12:16, 12:22, 12:24,
12:25, 13:14, 13:16,
13:18, 13:24, 13:25,
14:3, 14:9, 14:13,
14:14, 14:18, 15:8,
15:14, 15:18, 16:2,
16:14, 16:22, 16:23,
16:25, 17:6, 17:18,
17:25, 18:11, 18:12,
18:16, 18:21, 18:22,
19:1, 19:3, 19:4,
19:14, 19:15, 19:17,
19:18, 20:16, 21:3,
21:24, 21:25, 22:10,
22:12, 22:16, 22:20,
24:14, 24:22, 24:23,
24:25, 25:1, 25:4,
25:18, 26:1, 26:23,
27:12, 27:24, 28:1,
28:7, 29:21, 30:9,
30:13, 31:1, 31:4,
31:6, 31:14, 31:23,
31:25, 32:1, 32:7,
33:8, 33:11, 33:13,
33:25, 34:1, 34:21,
34:22, 34:23, 34:25,
35:1, 36:13, 37:5,
38:6, 38:12, 38:14,
38:17, 38:18, 39:7,
39:9, 39:10, 39:11,
39:24, 41:1, 42:9,
42:10, 42:16, 43:7,
43:18, 44:20, 45:9,
45:10, 45:12, 45:23,
45:25, 46:15, 47:7,
47:9, 47:11, 47:16,
48:4, 48:6, 48:19,
48:20, 48:21, 48:24,
49:3, 49:7, 49:8,
49:25, 50:7, 50:21,
50:22, 50:24, 50:25,
51:1, 52:10, 52:11,
52:13, 53:11, 53:25,
54:20, 54:23, 55:1,
55:2, 55:4, 55:6, 55:7,
55:9, 55:11, 55:14,
56:24, 57:25, 58:4,
58:5, 58:18, 58:21,
59:2, 59:15, 60:22,
61:16, 61:18, 61:19,
61:23, 62:2, 62:14,
62:19, 63:2, 63:12,
63:14, 63:17, 64:5,
64:11, 64:14, 65:23,
65:24, 66:3, 66:14,
66:15, 68:7, 69:2,
69:14, 70:4, 70:22,
71:24, 71:25, 72:2,
72:9, 72:11, 72:13,
72:14, 72:18, 74:1,
75:17, 75:25, 76:18,
78:17, 78:19, 79:9,
79:23, 80:13, 81:1,
81:21, 83:3, 83:18,
83:25, 84:5, 84:6,
84:15, 85:6, 85:10,
85:14, 85:18, 85:25,
86:17, 86:21, 87:18,
88:9, 88:13, 89:7,
89:9, 89:18, 89:19,
89:20, 90:17, 91:4,
91:5, 91:20, 91:23,
92:5, 92:7, 92:9,
92:12, 92:14, 93:10,
95:15, 95:16, 95:22,
95:25, 96:1, 96:6,
96:11, 96:18, 97:13,
97:17, 98:8, 98:9,
98:18, 98:23, 102:14,
103:22
- it's** [52] - 6:16, 7:7,
8:6, 8:11, 8:12, 18:14,
19:19, 19:23, 20:18,
21:16, 29:14, 29:21,
30:7, 30:9, 30:13,
31:25, 35:8, 37:4,
38:15, 38:20, 39:13,
41:19, 42:8, 42:9,
45:19, 48:21, 54:22,
54:23, 56:17, 69:11,
70:19, 73:9, 73:10,
73:23, 78:3, 81:1,
83:13, 86:5, 86:22,
87:12, 87:19, 87:20,
87:21, 88:5, 89:6,
89:23, 89:25, 92:6,
92:23, 97:9
- It's** [28] - 7:25, 10:16,
16:14, 17:1, 22:25,
31:18, 44:14, 49:3,
54:19, 56:16, 66:14,
69:12, 70:23, 71:12,
71:13, 73:17, 78:6,
80:22, 84:13, 86:5,
86:7, 88:12, 90:5,
97:6
- item** [2] - 92:23, 93:2
- Item** [1] - 95:4
- its** [2] - 69:19, 70:7
- itself** [3] - 45:4,
71:13, 73:10
-
- J**
-
- jail** [1] - 43:11
- James** [1] - 54:1
- January** [10] - 9:19,
11:17, 11:18, 11:19,
16:10, 16:16, 18:22,
19:1, 87:21
- Jason** [3] - 33:3,
33:6, 72:19
- Jeremy** [1] - 89:7
- JESSICA** [5] - 1:21,
100:17, 101:6,
101:21, 102:16
- job** [4] - 16:6, 16:24,
17:2, 93:21
- Joe** [2] - 35:24, 61:20
- John** [1] - 68:7
- Johns** [38] - 13:19,
13:21, 15:3, 15:20,
16:3, 16:25, 17:11,
17:16, 17:22, 18:7,
18:11, 22:9, 27:13,
27:15, 27:18, 27:21,
27:23, 30:14, 52:25,
54:3, 54:20, 55:8,
55:11, 57:9, 57:15,
58:5, 59:1, 60:7,
60:24, 61:14, 61:21,
62:9, 62:23, 63:13,
63:17, 64:8, 86:18,
87:3
- Johns'** [1] - 16:6
- JOSEPH** [3] - 1:6,
102:3, 103:3
- Joseph** [7] - 4:19,
26:6, 26:9, 54:1,
60:19, 61:14, 62:9
- Josh** [6] - 11:20,
20:23, 44:9, 49:22,
50:23, 51:2
- Joshua** [1] - 85:12
- judge** [18] - 39:14,
39:16, 44:2, 44:5,
44:8, 44:15, 44:16,
44:17, 83:20, 84:4,
84:10, 85:16, 92:8,
92:11, 92:12, 92:13,
92:17, 92:19
- judges** [1] - 83:9
- JUDICIAL** [1] - 1:1
- Judicial** [1] - 84:18
- July** [2] - 5:23, 46:3
- June** [1] - 93:24
- jurisdiction** [6] -
9:22, 14:11, 40:10,

40:12, 62:6, 65:5
just [64] - 7:24, 8:11,
 9:8, 10:11, 12:15,
 13:1, 16:23, 19:6,
 22:15, 22:21, 22:23,
 23:15, 29:14, 30:7,
 30:12, 30:14, 31:10,
 32:1, 35:9, 35:14,
 38:24, 39:20, 39:24,
 44:12, 44:20, 46:1,
 46:7, 47:5, 47:9, 48:6,
 48:21, 49:23, 50:7,
 50:25, 51:20, 52:16,
 52:23, 54:22, 54:23,
 55:8, 55:17, 55:24,
 56:7, 56:9, 58:6, 63:4,
 63:15, 63:16, 65:17,
 65:24, 66:12, 69:13,
 83:3, 85:6, 85:19,
 85:21, 86:5, 86:18,
 89:17, 91:22, 94:19,
 95:15, 96:11, 98:13
Just [2] - 14:18,
 85:24
justifying [1] - 74:5
juw@
websterandbaptiste.
com [1] - 2:11

K

Kansas [3] - 41:12,
 43:15
Kathleen [1] - 4:17
KATHLEEN [1] -
 2:12
katie@
bogenschutzpllc.
com [1] - 2:14
keep [2] - 10:5, 64:12
keeping [1] - 16:25
KEITH [8] - 1:13, 3:4,
 4:10, 100:9, 101:8,
 102:1, 103:5, 103:24
Keith [2] - 54:24,
 54:25
KeithRiddick@
FDLE.State.FL.US [1]
 - 102:2
kept [3] - 16:13,
 50:23, 89:11
kick [1] - 55:13
Kimberly [1] - 93:25
kind [24] - 8:15,
 12:16, 33:5, 39:3,
 39:5, 44:18, 45:13,
 45:18, 48:14, 52:24,
 56:9, 57:4, 60:14,
 71:24, 72:5, 84:15,
 86:5, 86:6, 87:19,

88:12, 89:20, 94:19,
 96:9
kinds [1] - 14:17
knew [3] - 36:20,
 43:11, 43:18
know [117] - 6:16,
 8:9, 9:1, 9:8, 9:10,
 9:23, 10:4, 10:15,
 10:20, 11:16, 11:20,
 11:24, 11:25, 12:1,
 12:4, 13:8, 13:9,
 14:16, 15:17, 15:25,
 18:25, 19:2, 20:16,
 21:5, 21:7, 21:9,
 21:14, 21:19, 21:25,
 22:1, 22:10, 22:18,
 22:21, 23:2, 24:25,
 29:4, 30:14, 32:16,
 33:16, 33:25, 34:3,
 34:20, 35:13, 36:12,
 36:25, 37:2, 37:9,
 38:16, 38:19, 39:9,
 39:11, 39:19, 39:20,
 39:21, 39:22, 39:23,
 39:25, 42:6, 43:5,
 43:6, 43:7, 43:12,
 43:17, 43:20, 44:10,
 47:23, 47:24, 48:6,
 48:15, 48:22, 49:8,
 49:11, 49:16, 49:17,
 49:18, 50:19, 50:25,
 51:1, 51:16, 52:17,
 56:5, 58:11, 58:16,
 60:21, 61:18, 62:1,
 63:10, 63:17, 65:2,
 67:16, 68:8, 68:14,
 69:11, 70:3, 70:13,
 70:22, 74:21, 77:9,
 79:21, 82:21, 82:22,
 83:6, 85:14, 85:18,
 87:11, 87:13, 91:8,
 92:13, 95:11, 95:12,
 95:25, 97:1
knowingly [2] -
 78:21, 81:7
knowledge [8] -
 12:5, 44:11, 45:2,
 56:1, 58:16, 68:17,
 81:11, 83:12
known [2] - 18:23,
 84:18
knows [3] - 47:22,
 50:15

L

L [3] - 31:18, 68:7,
 89:9
lack [1] - 27:4
lacking [1] - 86:22

language [3] - 71:10,
 89:15, 90:14
last [5] - 5:7, 7:11,
 8:24, 89:15, 90:15
Later [1] - 25:24
latest [1] - 87:7
Law [2] - 2:8, 6:23
law [16] - 5:25, 6:5,
 6:12, 6:20, 6:21, 35:1,
 40:2, 57:3, 57:11,
 70:15, 73:7, 74:21,
 74:22, 79:24, 80:4,
 80:6
lawful [5] - 71:14,
 71:16, 78:13, 78:24,
 79:3
learned [1] - 59:15
least [7] - 5:5, 10:12,
 10:21, 27:25, 54:23,
 91:11, 92:4
leave [3] - 27:6,
 42:15, 95:15
led [1] - 58:5
left [2] - 41:25, 94:16
legal [3] - 35:4, 41:1,
 57:7
legitimate [1] - 70:9
LEON [2] - 100:4,
 101:4
less [1] - 45:16
let [10] - 8:18, 22:14,
 25:13, 27:11, 35:1,
 39:12, 45:17, 48:21,
 57:8, 88:23
Let [9] - 13:8, 18:20,
 23:15, 31:10, 79:9,
 82:16, 87:25, 89:25
Let's [2] - 21:25, 90:3
let's [3] - 26:21, 41:1,
 58:12
letter [16] - 17:19,
 17:22, 23:13, 26:22,
 60:9, 60:18, 62:10,
 62:16, 62:17, 62:18,
 64:18, 65:4, 65:11,
 65:14, 65:17, 102:13
LETTER [1] - 3:8
letters [2] - 15:4,
 15:9
letting [2] - 9:23,
 35:22
liability [1] - 61:7
lie [1] - 14:14
light [1] - 8:10
Like [4] - 16:5, 47:17,
 64:17, 97:14
like [64] - 8:10,
 12:16, 13:16, 15:12,
 17:9, 19:4, 20:16,
 23:4, 29:16, 31:23,

32:1, 32:14, 32:16,
 32:18, 35:5, 35:24,
 36:10, 37:5, 37:12,
 37:22, 38:17, 38:19,
 38:25, 40:4, 41:3,
 42:11, 46:10, 47:21,
 47:23, 48:1, 48:11,
 48:15, 48:17, 50:3,
 51:9, 52:6, 52:16,
 53:19, 54:6, 54:20,
 54:22, 56:8, 58:11,
 58:24, 59:24, 61:11,
 62:16, 63:10, 64:14,
 64:19, 64:21, 64:25,
 65:9, 66:3, 66:15,
 66:17, 85:18, 91:5,
 91:20, 95:16, 95:18,
 99:8
likelihood [1] - 30:5
likely [1] - 52:20
likes [1] - 47:18
LILES [4] - 2:3, 4:22,
 67:4, 99:3
Liles [1] - 4:22
limited [2] - 31:6,
 31:15
limits [1] - 40:12
LINE [15] - 103:6,
 103:7, 103:8, 103:9,
 103:10, 103:11,
 103:12, 103:13,
 103:14, 103:15,
 103:16, 103:17,
 103:18, 103:19,
 103:20
linked [1] - 89:11
list [5] - 20:11, 20:14,
 54:3, 54:8, 63:21
listed [6] - 20:13,
 53:17, 53:23, 54:12,
 86:15, 102:14
listing [1] - 64:1
little [17] - 7:1, 7:20,
 17:14, 22:25, 35:10,
 35:12, 37:13, 44:19,
 45:11, 45:16, 55:25,
 56:25, 68:23, 78:6,
 86:3, 87:17
live [3] - 15:21,
 76:21, 77:5
locally [1] - 61:9
log [6] - 75:9, 75:12,
 87:13, 88:9, 91:7,
 92:3
logged [1] - 70:25
logical [1] - 43:13
logically [1] - 34:7
logs [1] - 46:16
long [5] - 5:21,
 29:15, 38:23, 86:7,

88:12
longer [1] - 87:9
look [13] - 28:14,
 29:6, 33:7, 47:17,
 58:24, 59:6, 61:24,
 63:17, 72:3, 77:1,
 87:25, 90:22, 97:4
looked [4] - 16:22,
 19:4, 31:9, 59:1
looking [5] - 21:21,
 21:22, 22:15, 76:21,
 88:2
looks [2] - 54:20,
 54:22
lost [1] - 40:14
lot [4] - 9:24, 25:22,
 40:3, 89:23
loud [1] - 35:15
lower [1] - 70:9
Lowery [3] - 28:24,
 30:13, 38:4
Lowery's [1] - 28:12
Luis [1] - 68:8
LUIS [1] - 68:9
lying [2] - 48:3,
 49:10

M

M [4] - 10:18, 26:6,
 26:8, 73:17
M-A-R-T-H-I-N-S-E-
N [1] - 10:18
M-c-D-a-d-e [1] -
 73:17
ma'am [87] - 4:7, 5:1,
 5:6, 5:9, 5:12, 5:17,
 6:18, 6:22, 10:9,
 10:25, 11:2, 11:10,
 12:3, 12:9, 12:13,
 12:17, 12:22, 14:4,
 15:6, 15:24, 16:12,
 16:24, 17:9, 20:2,
 20:6, 20:11, 20:17,
 20:25, 23:2, 23:15,
 24:18, 24:21, 24:25,
 25:4, 25:18, 27:19,
 28:5, 28:15, 29:1,
 29:20, 30:23, 32:5,
 32:8, 32:10, 32:12,
 32:20, 32:25, 33:22,
 34:3, 34:20, 36:8,
 36:13, 37:1, 37:11,
 37:17, 37:20, 37:25,
 38:5, 38:8, 38:11,
 38:14, 39:2, 39:7,
 40:7, 41:8, 41:14,
 41:18, 41:22, 43:4,
 44:3, 44:6, 44:10,
 44:14, 44:21, 46:7,

46:11, 47:3, 47:7,
49:16, 51:15, 51:18,
52:5, 52:7, 53:18,
54:6, 54:14, 99:14
Madden [1] - 50:20
made [11] - 14:20,
17:7, 21:7, 40:11,
58:9, 63:14, 74:11,
76:21, 77:16, 89:10,
91:9
mail [15] - 2:5, 2:10,
2:11, 2:14, 13:12,
26:9, 26:13, 27:11,
28:6, 43:24, 45:18,
46:15, 52:16, 93:5,
102:2
mailed [2] - 52:22,
91:12
mails [16] - 10:2,
13:14, 13:22, 15:20,
23:13, 24:13, 26:6,
26:11, 31:9, 45:4,
45:6, 45:7, 53:3, 53:5,
93:3, 93:16
maintain [3] - 87:5,
88:15, 88:19
make [17] - 11:4,
11:7, 31:14, 33:8,
53:14, 55:17, 69:15,
69:25, 74:23, 85:12,
85:19, 85:22, 87:8,
88:23, 91:22, 93:14,
102:7
making [3] - 37:14,
74:18, 89:17
man [1] - 48:16
Manager [1] - 89:4
manager [3] - 33:17,
34:9, 71:25
manner [2] - 74:16,
81:12
many [2] - 15:8,
24:13
March [2] - 7:11,
25:24
marshals [1] - 42:2
Marthinsen [11] -
10:17, 15:16, 24:7,
54:25, 77:19, 78:14,
81:15, 81:25, 82:1,
87:22, 90:9
Marthinsen's [8] -
19:20, 76:20, 79:18,
80:10, 88:25, 90:2,
90:8, 90:22
material [5] - 32:19,
50:7, 84:24, 88:5,
88:18
materials [2] - 86:7,
87:12
matter [4] - 16:7,
29:21, 35:2, 63:1
may [20] - 13:16,
23:13, 33:16, 41:6,
48:7, 48:19, 48:24,
49:22, 52:22, 62:25,
63:14, 68:8, 84:6,
87:3, 87:24, 90:6,
96:13, 102:11, 102:11
May [8] - 75:6, 75:13,
90:25, 91:1, 92:2,
92:15, 98:17
Maybe [2] - 23:8,
80:13
maybe [11] - 7:15,
7:19, 8:10, 25:24,
31:9, 35:5, 35:16,
44:23, 50:20, 56:10,
91:5
MC [1] - 68:10
MCCOY [3] - 1:6,
102:3, 103:2
McCoy [1] - 53:25
McDade [1] - 73:16
McInerney [1] -
68:10
me [58] - 6:18, 7:6,
7:17, 8:18, 10:11,
13:8, 18:20, 20:6,
22:14, 22:22, 22:24,
22:25, 23:15, 24:7,
26:11, 27:11, 27:21,
31:10, 34:1, 34:7,
36:21, 38:18, 39:12,
44:22, 45:17, 46:21,
47:21, 47:24, 48:2,
48:20, 49:19, 50:7,
51:24, 57:8, 65:18,
68:5, 68:9, 79:9,
81:18, 82:16, 83:14,
84:16, 84:19, 85:6,
85:7, 87:21, 87:25,
88:5, 88:16, 88:23,
89:25, 92:9, 93:9,
93:22, 95:14, 100:10
mean [49] - 5:4, 6:15,
11:13, 11:25, 16:2,
16:12, 18:19, 19:24,
21:3, 21:25, 24:22,
25:8, 28:14, 30:11,
34:23, 35:4, 36:4,
36:22, 38:23, 41:21,
45:6, 45:25, 46:5,
48:8, 49:2, 49:7,
54:22, 57:14, 58:13,
60:17, 61:24, 62:22,
63:22, 64:5, 64:25,
65:5, 71:23, 72:23,
74:6, 74:20, 77:19,
79:23, 85:6, 89:23,
92:10, 92:14, 93:8,
95:8, 95:9
meaning [1] - 76:12
mechanical [1] -
76:6
Media [1] - 89:4
media [2] - 72:5,
98:1
meet [3] - 12:20,
91:3, 91:16
meeting [19] - 9:20,
10:7, 10:8, 10:10,
11:3, 12:3, 12:6, 12:7,
12:8, 12:11, 13:22,
18:22, 19:2, 19:17,
27:16, 45:19, 74:7,
87:3
meetings [4] - 30:20,
50:19, 51:12, 51:20
members [1] - 8:23
mention [1] - 55:7
mentioned [2] -
17:22, 17:25
mentioning [1] -
48:24
merged [1] - 6:11
mess [1] - 80:13
message [2] - 77:12,
94:16
messages [8] -
26:15, 27:13, 28:4,
29:2, 33:20, 90:24,
92:2, 96:13
messenger [1] -
91:14
met [5] - 9:25, 11:20,
13:23, 36:6, 45:21
middle [3] - 15:19,
55:2
might [9] - 18:10,
22:20, 36:10, 37:22,
49:1, 58:22, 60:7,
61:16, 61:22
mind [3] - 12:15,
39:13, 40:15
mine [5] - 21:17,
31:11, 45:15, 54:20,
88:4
Mine [1] - 22:8
minute [2] - 18:20,
46:1
minutes [2] - 6:2,
53:9
mirror [1] - 31:3
mischief [1] - 37:3
misconduct [1] -
14:14
mislead [1] - 91:20
miss [1] - 31:15
missing [1] - 25:8
mistake [1] - 57:23
Mitchell [25] - 4:22,
10:13, 11:20, 12:11,
20:23, 21:10, 22:19,
39:8, 43:21, 43:25,
44:9, 47:11, 47:16,
48:5, 48:9, 48:22,
50:15, 50:20, 51:2,
51:13, 51:20, 53:16,
85:12, 95:10, 98:18
Mitchell's [1] - 37:14
moment [2] - 36:4,
77:12
money [1] - 13:17
month [1] - 16:10
months [3] - 7:17,
15:8, 15:17
More [1] - 52:20
more [12] - 8:13,
9:16, 36:15, 72:25,
78:2, 78:7, 89:21,
89:23, 91:24, 92:10,
92:13, 98:13
most [1] - 27:10
mostly [1] - 52:22
mother [1] - 38:18
motion [1] - 95:11
move [5] - 23:11,
24:4, 36:6, 56:14,
86:2
MR [5] - 55:20, 67:6,
67:9, 98:24, 99:14
Mr [103] - 3:5, 4:19,
4:20, 4:21, 5:13, 8:22,
10:2, 10:13, 12:11,
15:15, 17:12, 17:14,
19:20, 20:22, 21:10,
22:8, 22:11, 22:12,
22:19, 34:2, 34:5,
34:24, 35:6, 35:7,
36:6, 37:14, 39:8,
41:11, 41:12, 43:2,
43:15, 43:21, 43:25,
44:7, 47:9, 47:11,
47:12, 47:13, 47:16,
48:5, 48:6, 48:9,
48:22, 49:16, 49:17,
50:8, 50:15, 50:16,
50:20, 51:2, 51:13,
51:20, 53:16, 55:4,
55:5, 56:1, 62:20,
62:21, 64:7, 64:10,
69:5, 69:25, 72:19,
75:4, 75:5, 75:11,
75:15, 75:16, 76:17,
76:20, 78:16, 79:17,
80:1, 80:8, 81:15,
81:24, 82:4, 87:5,
87:23, 88:7, 88:14,
88:25, 89:1, 89:3,
94:8, 94:15, 95:10,
96:12, 96:23, 97:10,
97:14, 98:8, 98:18
MS [14] - 4:16, 5:13,
5:16, 5:18, 5:20, 25:8,
25:16, 55:13, 55:16,
67:4, 99:3, 99:4, 99:7,
99:13
Ms [19] - 3:4, 16:6,
16:25, 17:11, 17:16,
27:12, 27:14, 28:24,
30:13, 30:14, 50:20,
50:25, 54:20, 57:9,
57:15, 59:1, 60:6,
86:18, 87:3
much [6] - 8:8, 29:4,
39:3, 63:20, 91:24,
93:11
multimedia [1] -
26:15
multiple [2] - 14:16,
68:1
must [4] - 74:16,
76:9, 78:20, 98:10
mute [1] - 55:16
muted [1] - 25:11
mutual [1] - 40:16
My [6] - 5:10, 16:6,
49:1, 65:9, 68:4,
74:24
my [115] - 4:17, 6:12,
8:1, 8:2, 8:4, 8:19,
8:21, 9:8, 9:9, 10:6,
12:7, 12:25, 14:10,
16:24, 17:1, 17:13,
21:4, 21:8, 21:9,
21:22, 24:16, 27:10,
28:1, 28:2, 29:17,
29:21, 32:14, 34:23,
38:18, 39:11, 39:13,
39:18, 42:11, 44:23,
45:15, 46:19, 46:20,
47:21, 47:25, 48:18,
49:1, 49:6, 50:6,
50:24, 52:2, 52:5,
56:7, 56:14, 56:20,
57:13, 57:14, 58:2,
58:3, 58:5, 58:22,
60:24, 62:11, 62:15,
63:8, 64:9, 64:19,
66:3, 66:15, 66:18,
67:7, 67:20, 67:21,
67:24, 68:4, 68:10,
68:18, 71:3, 71:6,
71:15, 72:7, 72:12,
72:24, 73:23, 76:16,
77:4, 77:16, 78:15,
79:2, 79:8, 79:10,
79:15, 79:18, 79:25,
80:6, 80:19, 80:20,

80:24, 81:13, 81:16,
82:2, 86:12, 88:6,
90:4, 90:5, 91:24,
92:10, 92:13, 92:18,
93:12, 93:19, 96:18,
96:22, 97:3, 98:8,
98:11, 101:11, 102:19
Myles [1] - 10:17
myself [2] - 40:19,
55:17

N

N [11] - 2:13, 4:1,
4:18, 10:16, 10:18,
68:7, 68:10, 68:11,
89:9
N-E-G-R-E-T-E [1] -
68:10
nagging [1] - 44:19
name [9] - 4:17, 5:7,
7:7, 7:25, 10:13,
10:22, 28:10, 38:19,
102:13
named [1] - 33:2
names [2] - 10:19,
68:5
narrow [2] - 93:9,
93:10
nationwide [1] -
42:24
nature [1] - 17:2
necessary [2] -
58:18, 64:15
need [4] - 28:19,
29:7, 52:2, 53:18
needed [5] - 11:13,
48:12, 60:6, 65:10,
95:11
needs [1] - 36:23
Negrete [2] - 68:8,
68:9
neither [1] - 34:25
Nelson [1] - 2:4
network [3] - 71:11,
81:10, 82:8
Networks [1] - 80:17
networks [1] - 81:6
never [17] - 12:10,
16:21, 21:6, 24:15,
44:1, 44:8, 46:18,
46:22, 47:7, 47:25,
57:13, 68:18, 89:14,
90:12, 90:17, 91:5,
91:9
Never [1] - 40:15
next [2] - 7:15, 8:7
NO [6] - 1:4, 1:5,
102:4, 102:4, 103:3,
103:4

No [77] - 5:1, 9:11,
12:3, 12:9, 12:17,
14:4, 16:12, 16:24,
19:11, 20:2, 20:3,
20:4, 20:11, 20:25,
21:16, 21:22, 24:25,
25:22, 37:1, 37:11,
37:17, 37:20, 37:25,
38:5, 38:21, 38:24,
39:2, 39:7, 41:18,
42:4, 42:6, 43:4, 44:3,
44:6, 44:10, 44:14,
46:7, 46:11, 47:16,
48:4, 48:17, 49:16,
51:15, 52:5, 52:18,
53:18, 53:21, 55:1,
57:6, 57:14, 58:3,
60:1, 61:15, 63:19,
64:8, 65:16, 65:24,
66:8, 67:10, 67:22,
68:14, 70:17, 73:6,
73:20, 75:20, 78:18,
79:4, 82:6, 89:25,
91:21, 95:7, 95:10,
96:7, 99:3
no [52] - 8:12, 12:3,
12:5, 12:17, 17:9,
18:23, 19:8, 19:11,
20:6, 20:17, 20:25,
23:25, 29:24, 30:15,
32:20, 36:8, 37:13,
37:18, 38:11, 38:24,
39:2, 39:5, 39:23,
39:24, 42:4, 42:6,
47:4, 50:9, 51:18,
52:7, 53:5, 57:11,
58:1, 59:7, 70:2,
72:22, 73:6, 75:3,
75:11, 75:15, 75:20,
80:9, 80:25, 81:18,
82:24, 83:5, 83:12,
85:14, 87:8, 96:21
no-info'd [1] - 39:5
nobody [1] - 16:20
nobody's [1] - 47:24
nod [1] - 47:23
non [1] - 78:14
non-independent [1]
- 78:14
None [1] - 80:3
nonsense [1] - 40:17
nor [2] - 101:15,
101:16
normally [1] - 41:19
Not [8] - 16:2, 17:9,
21:2, 22:17, 36:8,
63:2, 66:10, 82:20
not [153] - 4:24, 8:12,
11:22, 12:4, 13:2,
15:2, 16:12, 16:14,

16:25, 17:1, 17:15,
18:25, 19:8, 20:15,
20:16, 20:21, 21:5,
21:9, 21:15, 21:17,
22:7, 23:20, 25:6,
25:25, 27:22, 27:25,
28:6, 29:3, 32:16,
32:20, 33:25, 34:3,
34:20, 35:6, 36:13,
36:21, 36:23, 37:11,
38:1, 38:2, 38:6,
38:11, 38:14, 38:21,
39:10, 39:14, 39:16,
39:25, 41:24, 42:24,
43:17, 44:4, 44:10,
45:1, 46:6, 46:22,
47:8, 47:16, 47:23,
48:17, 49:11, 49:15,
49:16, 49:25, 51:18,
52:3, 52:5, 52:6, 52:9,
53:5, 53:13, 53:15,
54:6, 56:5, 57:9,
57:11, 58:3, 58:7,
58:8, 58:24, 58:25,
59:6, 60:4, 60:23,
61:14, 61:19, 61:25,
62:9, 62:20, 63:6,
63:19, 65:20, 65:22,
66:1, 66:7, 66:14,
67:7, 67:10, 67:11,
67:21, 67:22, 67:23,
68:16, 69:3, 70:2,
71:12, 71:16, 71:18,
72:6, 73:5, 73:9,
73:12, 74:4, 74:5,
75:16, 75:17, 76:11,
77:13, 77:15, 78:10,
78:17, 80:5, 80:6,
80:9, 80:22, 81:25,
84:10, 86:10, 87:15,
88:7, 88:18, 89:16,
89:23, 89:25, 90:20,
90:23, 92:10, 95:3,
95:16, 98:12, 98:23,
101:13, 102:6, 102:9
NOT [1] - 103:1
not-in-custody [1] -
44:4
Notary [1] - 100:18
note [1] - 27:20
noted [3] - 67:7,
68:22, 78:9
notes [3] - 12:16,
56:22, 101:11
nothing [5] - 4:6,
4:13, 27:22, 32:17,
32:20
notice [4] - 20:18,
88:17, 91:6, 102:5
noticed [1] - 8:20

notifying [1] - 75:6
November [13] -
1:14, 26:10, 26:14,
26:19, 52:14, 72:4,
75:14, 86:24, 93:5,
100:11, 100:13,
101:19, 102:5
november [1] - 103:4
Now [14] - 21:16,
28:24, 48:13, 51:19,
56:7, 56:13, 69:23,
72:18, 83:18, 84:15,
87:5, 87:19, 89:6,
92:21
now [18] - 6:22,
12:25, 33:1, 42:11,
42:15, 54:10, 68:21,
70:18, 75:22, 79:5,
80:15, 82:15, 87:16,
88:3, 90:16, 93:23,
97:7, 102:13
nowhere [1] - 23:4
nude [1] - 71:1
nudity [1] - 32:21
Number [4] - 31:19,
42:8, 90:5, 95:4
number [4] - 41:18,
42:8, 89:20

O

O [7] - 4:1, 4:18,
10:16, 75:22, 89:9
O'Brien [2] - 75:22,
75:23
oath [2] - 19:1, 84:24
OATH [2] - 3:7, 100:1
object [2] - 67:4,
75:2
objection [1] - 67:6
observe [1] - 79:17
observed [1] - 80:7
obtain [1] - 82:23
obviously [1] - 22:12
occurred [2] - 11:17,
12:1
occurring [1] - 11:8
Of [1] - 51:4
OF [14] - 1:1, 1:3,
1:13, 2:1, 3:1, 3:7,
100:1, 100:3, 100:4,
101:1, 101:3, 101:4,
102:3, 103:2
of [299] - 1:13, 1:20,
1:22, 2:2, 2:6, 4:19,
5:5, 5:23, 6:4, 6:7,
6:22, 6:23, 6:24, 7:5,
7:8, 7:11, 7:17, 7:21,
8:4, 8:15, 8:19, 8:23,
8:24, 9:6, 9:7, 9:20,
10:12, 10:19, 11:3,
11:19, 12:6, 12:11,
12:16, 12:25, 13:7,
13:13, 13:15, 14:2,
14:8, 14:17, 14:18,
14:24, 15:17, 15:19,
16:3, 16:9, 16:10,
17:1, 17:2, 18:9,
18:14, 19:19, 21:7,
22:5, 22:15, 23:9,
24:15, 25:5, 25:17,
25:21, 25:23, 26:5,
26:15, 27:1, 27:2,
27:4, 27:8, 27:13,
27:20, 27:24, 28:1,
28:2, 28:4, 28:7,
28:22, 28:24, 29:8,
30:25, 31:1, 31:4,
32:6, 32:21, 33:5,
33:8, 33:20, 34:8,
35:2, 35:13, 38:17,
38:20, 39:3, 39:5,
39:13, 40:3, 40:14,
40:15, 42:5, 42:6,
42:7, 42:11, 42:17,
44:12, 44:18, 44:22,
45:3, 45:6, 45:7,
45:10, 45:13, 45:18,
45:19, 45:24, 46:6,
46:13, 46:16, 47:25,
48:14, 49:2, 49:10,
49:16, 50:17, 51:2,
51:3, 51:8, 51:20,
52:24, 54:11, 54:16,
55:2, 55:8, 55:22,
55:25, 56:3, 56:9,
56:10, 56:18, 56:19,
56:23, 57:1, 57:2,
57:3, 57:4, 57:11,
57:14, 58:8, 58:16,
58:17, 59:13, 59:17,
60:14, 61:7, 61:9,
61:16, 62:13, 62:19,
64:17, 66:3, 66:15,
66:18, 67:19, 67:21,
67:24, 68:18, 68:24,
68:25, 69:18, 69:19,
69:23, 69:25, 70:9,
70:10, 70:21, 71:1,
71:2, 71:6, 71:10,
71:14, 71:25, 72:4,
72:5, 73:7, 73:18,
73:25, 74:12, 74:19,
74:24, 75:1, 75:2,
75:6, 75:25, 76:4,
76:6, 76:12, 76:14,
76:20, 77:8, 77:13,
78:5, 78:9, 78:12,
78:13, 78:24, 79:1,
79:3, 79:7, 80:2, 80:5,
80:6, 80:8, 80:11,

80:16, 80:21, 81:5,
81:12, 81:14, 81:21,
81:23, 81:24, 82:11,
82:12, 82:18, 83:7,
83:8, 83:10, 83:13,
83:21, 84:1, 84:15,
84:18, 85:19, 86:5,
86:6, 86:14, 87:6,
87:12, 87:16, 87:19,
88:12, 88:19, 89:12,
89:20, 90:2, 91:7,
91:24, 92:2, 92:22,
93:9, 93:14, 93:20,
94:1, 94:10, 94:19,
94:24, 95:1, 95:2,
96:9, 96:17, 97:3,
97:19, 98:1, 100:11,
100:13, 100:18,
101:8, 101:9, 101:11,
101:14, 101:15,
101:19, 102:5,
102:11, 102:13,
103:22
off [9] - 15:22, 16:1,
33:18, 35:21, 38:25,
39:3, 47:5, 57:11,
99:10
offense [7] - 14:12,
58:15, 58:17, 78:20,
81:5, 84:22, 84:25
offenses [2] - 18:5,
86:13
Offenses [1] - 80:16
offer [1] - 82:11
Office [16] - 2:3, 6:8,
6:10, 6:24, 7:8, 8:17,
10:23, 14:18, 15:7,
20:1, 40:20, 43:1,
51:17, 59:8, 61:5,
94:1
office [26] - 8:4, 9:21,
10:1, 17:6, 19:23,
19:24, 20:8, 24:20,
29:8, 32:4, 35:6, 35:7,
41:25, 42:16, 42:18,
46:9, 51:5, 51:8, 51:9,
63:8, 64:2, 65:12,
66:17, 67:13, 89:8
official [3] - 14:14,
61:17, 61:22
officially [1] - 15:14
officials [2] - 14:13,
61:9
oh [3] - 19:8, 42:4,
56:13
Oh [13] - 5:16, 8:18,
11:25, 18:1, 21:23,
23:25, 24:12, 28:9,
29:12, 33:4, 40:9,
40:25, 96:6
okay [23] - 7:18,
7:24, 11:11, 13:20,
16:4, 18:1, 20:7,
30:24, 32:24, 40:25,
41:23, 42:23, 49:24,
50:5, 54:18, 55:15,
59:11, 61:3, 64:19,
65:20, 68:15, 87:19,
92:22
Okay [152] - 5:2, 5:7,
5:10, 5:13, 5:21, 5:25,
6:14, 6:25, 7:20, 8:6,
8:15, 11:1, 11:16,
11:19, 11:23, 12:5,
12:14, 12:23, 13:4,
14:22, 15:1, 15:3,
15:25, 16:8, 17:24,
18:13, 19:16, 19:21,
20:3, 20:21, 21:10,
21:18, 23:8, 24:8,
24:22, 25:2, 25:13,
26:2, 27:7, 27:17,
27:20, 28:9, 28:24,
29:13, 31:23, 32:9,
33:1, 33:23, 36:14,
36:22, 37:21, 38:9,
39:4, 41:9, 42:25,
43:14, 43:20, 44:1,
45:23, 46:4, 51:5,
52:1, 52:15, 52:19,
52:21, 52:24, 53:25,
54:22, 55:3, 55:13,
55:23, 56:7, 56:16,
56:21, 57:13, 57:18,
57:24, 58:21, 59:24,
60:8, 60:17, 62:22,
64:5, 65:17, 66:13,
67:1, 67:6, 67:23,
68:21, 69:3, 69:23,
70:3, 71:18, 71:23,
72:11, 72:23, 73:7,
73:21, 74:15, 75:4,
76:7, 76:23, 77:4,
77:21, 78:1, 78:19,
79:5, 79:17, 80:4,
80:10, 80:13, 81:19,
82:7, 82:10, 82:15,
82:16, 82:17, 82:25,
83:2, 83:6, 83:18,
85:18, 85:24, 86:4,
86:12, 87:11, 87:16,
88:22, 89:3, 89:15,
90:3, 90:16, 91:22,
92:21, 93:23, 94:4,
96:8, 96:16, 96:20,
97:1, 97:5, 97:7,
97:12, 97:16, 98:13,
98:20, 99:9
old [1] - 5:3
ON [1] - 103:1
on [119] - 1:13, 4:18,
5:8, 6:18, 8:13, 9:9,
11:8, 12:24, 12:25,
13:5, 13:11, 13:17,
14:5, 14:6, 15:13,
16:21, 17:16, 18:17,
19:18, 20:16, 21:7,
22:6, 22:9, 22:11,
25:11, 25:24, 26:13,
26:17, 26:23, 29:7,
29:17, 29:21, 30:3,
30:10, 31:10, 31:18,
32:2, 32:7, 32:21,
33:18, 35:21, 36:6,
37:10, 37:18, 39:4,
39:23, 41:7, 41:8,
41:17, 42:15, 43:15,
43:24, 44:13, 45:12,
45:19, 46:15, 46:21,
48:9, 48:11, 49:9,
49:20, 50:11, 50:13,
52:1, 52:16, 53:1,
53:14, 54:19, 54:20,
54:23, 55:22, 55:25,
56:2, 56:10, 56:13,
56:14, 57:16, 57:22,
58:1, 58:9, 58:21,
60:24, 66:8, 69:16,
70:4, 72:9, 72:13,
72:21, 73:9, 76:7,
77:2, 77:11, 78:17,
80:13, 82:21, 83:24,
84:4, 84:21, 87:7,
87:16, 88:2, 88:6,
88:17, 90:25, 91:1,
91:6, 92:5, 92:23,
93:4, 93:24, 94:5,
94:19, 96:23, 98:5,
100:11, 102:5
On [5] - 1:22, 2:2,
2:6, 23:15, 49:6
on-scene [1] - 21:7
once [5] - 33:13,
53:3, 76:1, 76:23,
83:18
one [48] - 4:19,
12:25, 13:5, 13:15,
14:2, 14:4, 14:5,
16:16, 18:12, 19:8,
23:4, 23:18, 28:24,
31:8, 33:24, 38:17,
40:5, 40:10, 40:12,
40:14, 41:18, 42:8,
42:11, 42:17, 45:6,
45:7, 45:14, 46:16,
46:21, 50:11, 54:11,
65:10, 76:20, 77:24,
78:2, 84:5, 88:23,
90:25, 91:1, 91:2,
91:15, 91:16, 92:2,
92:15, 93:19, 95:23,
98:13
only [10] - 31:9, 44:8,
44:16, 45:21, 61:12,
65:5, 76:19, 76:22,
90:23, 92:16
open [9] - 52:17,
57:2, 63:25, 68:25,
69:9, 69:11, 69:14,
70:10, 71:20
opened [1] - 86:4
operative [1] - 30:3
opinion [9] - 20:16,
21:4, 39:12, 50:6,
64:9, 69:24, 73:8,
77:22, 77:23
opinions [1] - 57:7
opportunity [1] -
91:6
or [120] - 4:4, 6:16,
8:12, 10:11, 10:14,
11:5, 12:2, 12:7,
16:13, 16:16, 16:22,
18:22, 19:4, 19:23,
19:24, 20:20, 21:5,
21:12, 22:8, 22:10,
22:16, 23:10, 25:6,
25:24, 26:7, 26:15,
26:18, 27:23, 27:25,
28:1, 30:16, 30:21,
32:19, 33:17, 34:2,
36:13, 37:7, 37:21,
38:9, 38:12, 40:5,
40:11, 43:7, 44:16,
45:3, 45:20, 47:4,
47:13, 48:10, 48:22,
50:3, 51:2, 51:8,
53:14, 53:15, 54:7,
58:25, 61:20, 61:22,
63:2, 63:11, 64:10,
70:4, 70:15, 71:11,
72:6, 73:5, 73:7, 74:7,
74:16, 75:12, 75:14,
76:4, 76:5, 76:6,
78:11, 78:12, 78:16,
78:24, 79:7, 79:11,
79:12, 79:13, 79:20,
81:6, 81:7, 81:8, 81:9,
81:10, 81:12, 81:21,
81:22, 82:3, 82:5,
82:8, 83:10, 83:20,
84:5, 84:6, 84:25,
85:6, 86:15, 88:7,
88:18, 91:12, 95:11,
95:12, 95:25, 99:5,
101:14, 101:15,
101:16, 102:10
Or [10] - 21:1, 34:10,
38:17, 42:24, 43:9,
44:4, 44:7, 50:25,
53:3, 67:19
Oral [1] - 79:7
oral [5] - 73:25, 74:6,
76:5, 79:13, 79:19
order [8] - 29:10,
33:1, 73:11, 73:25,
74:9, 76:9, 97:3,
99:12
ordering [1] - 102:11
organized [1] - 58:12
original [5] - 14:1,
14:4, 14:5, 20:13,
102:10
originally [3] - 9:2,
26:25, 52:6
other [25] - 7:7, 8:23,
9:9, 15:25, 22:5,
26:15, 29:5, 39:20,
42:21, 46:21, 48:18,
52:6, 61:21, 67:16,
70:15, 76:4, 76:6,
77:4, 79:12, 81:6,
82:8, 84:5, 90:13,
96:1, 102:10
Other [3] - 42:10,
77:14, 77:16
others [1] - 10:19
ought [1] - 20:10
our [11] - 6:11, 10:4,
20:15, 23:21, 31:1,
39:4, 42:9, 61:3,
82:12, 86:19
Ours [1] - 31:11
Out [30] - 5:19, 10:1,
12:15, 12:18, 12:19,
13:15, 18:3, 23:12,
29:10, 33:8, 35:15,
42:5, 42:7, 43:24,
44:12, 44:20, 52:15,
52:17, 56:23, 58:12,
61:16, 71:6, 73:18,
74:22, 75:9, 75:12,
87:14, 88:9, 91:7,
92:3
out-of-state [2] -
42:5, 42:7
outright [1] - 47:13
outside [3] - 40:11,
78:24, 79:3
over [22] - 8:16, 9:21,
13:6, 13:13, 13:14,
15:14, 15:20, 16:14,
16:23, 17:5, 18:9,
19:3, 20:18, 23:10,
24:19, 24:23, 29:9,
34:5, 55:14, 61:18,
80:2, 87:6
own [3] - 8:19, 31:1,
70:11
owned [1] - 8:25

P

P^[1] - 4:1
p.m^[3] - 1:15, 99:16
page^[11] - 56:24, 77:12, 87:16, 90:2, 92:21, 92:22, 96:10, 97:9, 98:13, 98:14
PAGE^[17] - 3:3, 3:7, 103:6, 103:7, 103:8, 103:9, 103:10, 103:11, 103:12, 103:13, 103:14, 103:15, 103:16, 103:17, 103:18, 103:19, 103:20
pages^[2] - 86:7, 101:9
Palatka^[1] - 6:6
paralegal^[1] - 93:25
parameters^[1] - 25:17
part^[13] - 9:18, 10:12, 16:25, 22:17, 25:23, 40:14, 49:6, 50:17, 57:14, 63:15, 66:3, 66:15, 98:21
particular^[1] - 68:23
parties^[1] - 101:14
parties'^[1] - 101:15
party^[1] - 96:5
pass^[1] - 84:4
password^[3] - 38:10, 38:19, 38:22
past^[1] - 82:25
paste^[1] - 89:17
Patty^[3] - 31:13, 31:16, 31:17
PC^[5] - 22:17, 22:20, 22:25, 54:7
penalties^[1] - 103:22
pending^[2] - 56:2, 56:6
people^[8] - 13:17, 16:10, 28:17, 29:24, 31:5, 38:17, 42:9, 95:13
per^[3] - 22:2, 22:3, 34:25
perhaps^[1] - 91:20
period^[4] - 26:10, 26:14, 26:19, 93:5
perjure^[1] - 47:25
perjury^[2] - 47:25, 103:22
permission^[2] - 33:10
permit^[1] - 35:5
person^[19] - 10:8,

17:25, 18:6, 18:16, 22:5, 42:20, 45:20, 61:15, 74:3, 74:9, 74:17, 78:11, 79:12, 81:4, 85:7, 85:10, 97:17, 97:21
personal^[14] - 26:13, 26:18, 28:16, 29:18, 29:22, 30:10, 89:10, 89:13, 90:11, 93:5, 93:13, 93:15, 94:11, 96:13
personally^[6] - 11:21, 12:11, 12:20, 84:16, 84:18, 100:10
pertinent^[1] - 95:18
PH^[1] - 4:20
phone^[9] - 13:10, 18:17, 19:18, 29:18, 29:22, 30:10, 32:1, 45:20, 94:16
Phone^[4] - 2:5, 2:10, 2:14, 102:1
phones^[1] - 29:23
photographs^[1] - 71:1
photos^[1] - 33:21
pick^[4] - 15:16, 41:16, 42:7, 43:1
picked^[3] - 15:13, 40:20, 43:6
pickup^[1] - 42:24
pictures^[1] - 32:9
piece^[3] - 34:8, 35:13, 39:13
place^[5] - 1:15, 57:2, 68:25, 69:9, 70:10
placed^[1] - 88:17
plain^[1] - 71:10
playing^[1] - 94:16
plea^[2] - 37:9, 37:14
plead^[1] - 46:13
Please^[1] - 91:21
please^[5] - 4:2, 99:8, 102:5, 102:7, 102:13
plenty^[1] - 21:7
PLLC^[2] - 2:8, 2:12
point^[12] - 35:3, 49:13, 49:22, 55:14, 60:6, 72:12, 79:25, 88:23, 91:2, 92:20, 94:7, 94:14
Police^[2] - 6:6, 6:7
political^[1] - 30:3
Pollyanna^[1] - 44:22
popped^[1] - 32:20
portion^[2] - 13:7, 49:10
position^[1] - 34:5
possession^[2] -

89:12, 96:17
possibility^[1] - 62:13
possible^[4] - 20:12, 20:14, 30:7, 93:11
posted^[1] - 71:1
potentially^[2] - 32:18, 59:16
power^[1] - 23:2
precedent^[1] - 74:25
predicate^[1] - 55:6
prepare^[2] - 86:7, 86:9
prepared^[3] - 86:9, 88:1, 95:1
present^[4] - 4:20, 10:7, 12:2, 46:23
presentations^[2] - 19:25, 20:6
presented^[4] - 10:3, 46:8, 92:17, 92:18
presenting^[1] - 19:22
preservation^[2] - 23:13, 26:22
preserve^[1] - 88:15
preserved^[4] - 28:19, 69:21, 70:1, 72:16
pretty^[3] - 12:19, 30:5, 43:11
prevent^[1] - 93:20
previously^[1] - 97:14
primary^[2] - 41:12, 41:13
principle^[2] - 35:4, 98:10
prior^[5] - 6:1, 8:20, 35:18, 50:21, 89:7
prisoner^[1] - 40:4
privacy^[12] - 57:1, 68:24, 70:10, 74:13, 74:19, 75:1, 75:2, 80:2, 87:6, 88:16, 88:20, 93:20
private^[1] - 80:7
privy^[1] - 60:2
probable^[7] - 20:23, 21:1, 21:4, 21:11, 21:12, 28:3, 53:13
Probable^[1] - 21:8
probably^[10] - 9:16, 18:23, 21:4, 35:18, 40:11, 40:18, 45:1, 70:23, 86:2, 86:17
Probably^[2] - 55:12
procedure^[1] - 83:7
Procedure^[1] - 83:9
procedures^[1] -

44:11
proceed^[1] - 94:20
process^[2] - 35:11, 41:1
procured^[1] - 79:11
produce^[1] - 96:5
produced^[2] - 77:20, 86:4
Professional^[1] - 101:6
profile^[2] - 41:20, 42:8
Prohibited^[1] - 79:8
prolific^[1] - 45:13
promised^[1] - 7:15
pronouncing^[1] - 10:15
proper^[1] - 89:3
property^[5] - 34:8, 35:13, 97:19, 97:22, 98:10
prosecute^[2] - 39:19, 58:18
prosecute-worthy^[1] - 39:19
prosecuted^[1] - 36:25
prosecuting^[1] - 19:22
prosecution^[4] - 36:18, 37:3, 82:12, 85:1
prosecutor^[8] - 12:20, 13:2, 20:20, 36:3, 39:15, 39:16, 49:8, 79:22
prosecutor's^[1] - 44:13
prosecutorial^[2] - 20:15, 20:19
protect^[1] - 88:14
prove^[2] - 78:19, 97:2
proved^[1] - 27:21
proven^[1] - 53:14
provide^[3] - 24:12, 80:11, 90:6
provided^[6] - 25:10, 32:3, 84:10, 94:4, 95:3, 97:10
public^[4] - 9:3, 11:4, 11:5, 14:1, 14:6, 14:12, 14:13, 15:4, 23:12, 24:4, 24:12, 24:16, 24:19, 25:5, 25:14, 25:25, 26:22, 28:19, 29:3, 29:7, 29:9, 29:10, 29:18, 30:6, 30:22, 45:3, 49:3, 57:2, 69:1,

69:10, 69:12, 69:13, 69:15, 69:16, 69:21, 70:1, 70:10, 72:15, 74:6
Public^[3] - 7:3, 7:24, 100:18
pulling^[1] - 45:12
punching^[2] - 37:6, 37:10
purpose^[1] - 11:3
purposes^[1] - 91:24
pursuant^[4] - 58:23, 74:1, 74:9, 83:19
put^[6] - 18:4, 41:1, 65:4, 80:13, 91:6, 98:13
Putnam^[1] - 6:8

Q

question^[10] - 15:23, 34:2, 36:16, 66:21, 67:7, 70:13, 74:24, 79:22, 85:19, 88:12
questionable^[1] - 45:7
questions^[2] - 55:25, 99:3
Quinn^[11] - 26:5, 26:8, 34:18, 35:23, 53:25, 55:22, 60:18, 61:13, 61:20, 62:8, 72:7
QUINN^[3] - 1:6, 102:3, 103:2
quite^[1] - 22:7
quote^[2] - 78:10, 90:9
quote/unquote^[2] - 81:20, 83:24
quotes^[1] - 89:16

R

R^[6] - 4:21, 10:18, 31:18, 68:10, 68:11, 89:9
R-O-W-L-A-N-D-S^[1] - 89:9
radar^[1] - 58:22
raise^[1] - 4:2
rank^[1] - 81:25
RE^[2] - 102:3, 103:2
re^[3] - 31:14, 61:25, 62:20
re-examine^[1] - 31:14
re-interview^[1] - 61:25

- re-investigate** [1] - 62:20
reaching [1] - 52:15
READ [1] - 3:8
read [23] - 13:22, 15:3, 15:9, 15:11, 15:20, 18:12, 21:25, 25:6, 25:18, 27:14, 28:14, 29:11, 31:13, 59:21, 65:24, 85:4, 87:4, 90:17, 99:5, 99:8, 102:8, 102:9, 103:22
reading [6] - 37:7, 74:14, 74:20, 88:11, 88:24, 102:11
real [1] - 36:4
realize [1] - 15:20
really [8] - 8:12, 14:5, 16:21, 33:9, 45:6, 45:7, 72:6, 82:10
reason [15] - 8:13, 9:17, 15:21, 16:2, 16:25, 18:6, 18:8, 38:6, 41:16, 44:20, 44:23, 48:4, 50:17, 54:4, 83:8
reasonable [9] - 21:9, 57:1, 68:24, 72:11, 74:12, 74:18, 79:21, 80:1, 88:19
reasonably [1] - 61:8
reasons [1] - 16:1
rebutts [1] - 74:25
recall [25] - 10:22, 11:12, 14:23, 15:2, 18:22, 21:2, 21:19, 22:18, 23:17, 28:5, 28:15, 29:14, 30:13, 36:21, 37:7, 38:11, 38:12, 38:14, 38:21, 38:23, 46:15, 48:24, 76:22, 94:2
recalling [1] - 22:23
receive [2] - 56:2, 95:6
received [4] - 8:2, 26:7, 84:24, 96:23
recipient [1] - 28:1
recognize [1] - 74:17
recollection [2] - 19:13, 97:13
recommendation [1] - 20:9
record [23] - 14:13, 15:4, 19:7, 25:6, 27:14, 29:3, 29:11, 29:18, 30:6, 30:22, 38:25, 39:3, 47:1, 47:2, 47:5, 69:15, 73:16, 77:8, 77:9, 90:5, 96:21, 99:10, 101:11
Record [3] - 1:22, 102:7, 102:17
record's [1] - 90:4
recorded [1] - 12:2
records [30] - 9:4, 11:5, 14:2, 14:6, 23:12, 24:4, 24:16, 24:19, 25:5, 25:14, 25:25, 26:3, 27:3, 28:20, 29:7, 29:9, 45:3, 49:3, 69:16, 69:18, 69:21, 69:23, 70:1, 72:15, 93:14, 93:21, 94:5, 95:3, 96:4
recoverable [1] - 32:12
reference [3] - 44:24, 76:19, 76:22
referenced [1] - 26:23
referred [1] - 55:7
referring [1] - 9:12
refers [1] - 55:1
refresh [1] - 97:12
refrigerator [1] - 71:7
refuse [1] - 97:18
refused [2] - 96:5, 98:22
Registered [1] - 101:6
rehab [2] - 36:11, 36:24
reinvestigating [3] - 59:4, 60:4, 64:22
related [3] - 26:4, 62:1, 97:25
relation [1] - 37:13
relative [2] - 101:13, 101:15
release [3] - 83:21, 84:1
released [1] - 27:14
relegated [1] - 12:16
relevant [2] - 50:14, 96:4
rely [2] - 17:16, 48:11
remember [6] - 9:9, 24:14, 40:9, 49:23, 53:6, 81:25
RENCHEN [5] - 1:21, 100:17, 101:6, 101:21, 102:16
repeat [1] - 88:10
reply [1] - 14:6
report [36] - 18:14, 19:19, 19:20, 20:13, 20:18, 21:12, 21:14, 21:17, 21:23, 22:6, 22:14, 22:16, 50:3, 53:17, 54:15, 54:16, 58:1, 58:4, 61:24, 63:25, 66:8, 76:20, 79:18, 86:9, 87:17, 87:25, 88:25, 89:19, 90:2, 90:8, 90:23, 91:5, 92:18, 93:24, 101:8
Report [1] - 31:18
REPORTER [8] - 4:2, 4:8, 5:15, 5:17, 99:6, 99:9, 99:11, 101:1
Reporter [5] - 1:21, 100:17, 101:7, 101:21, 102:16
reporter [1] - 90:7
REPORTER'S [1] - 3:7
Reporting [1] - 1:22
reports [5] - 8:21, 9:8, 15:16, 26:4, 53:7
request [16] - 11:5, 23:12, 24:4, 24:16, 24:19, 25:5, 25:15, 26:1, 45:3, 49:3, 63:8, 65:21, 65:22, 69:15, 93:17, 94:9
REQUESTED [1] - 101:10
requesting [2] - 60:10, 91:3
require [1] - 61:6
research [2] - 57:3, 70:4
residence [2] - 41:12, 41:13
resolved [1] - 61:5
respect [2] - 77:17, 97:25
respond [3] - 94:22, 98:22, 98:23
responded [4] - 91:3, 91:14, 92:2, 92:15
response [6] - 9:4, 14:13, 16:21, 24:16, 90:25, 94:24
responsive [2] - 93:16, 94:4
restaurant [1] - 26:24
result [1] - 56:3
retire [1] - 7:11
retired [1] - 6:9
retirement [1] - 7:14
retreats [1] - 30:21
retrieved [1] - 76:13
retrospect [1] - 37:4
return [1] - 102:14
revealed [1] - 76:16
review [10] - 34:25, 35:1, 64:15, 64:20, 65:1, 66:16, 71:20, 82:19, 92:9, 101:9
reviewed [6] - 22:13, 24:6, 77:5, 79:25, 87:13, 92:12
reviewing [2] - 69:25, 72:20
rhyme [1] - 8:12
Riddick [7] - 4:17, 5:14, 5:21, 54:24, 54:25, 55:21, 99:1
RIDDICK [9] - 1:13, 3:4, 4:10, 5:8, 100:10, 101:9, 102:1, 103:5, 103:24
Right [8] - 41:15, 42:22, 53:10, 58:11, 64:16, 65:5, 65:9, 91:17
right [73] - 4:2, 4:25, 5:11, 10:8, 10:16, 12:21, 12:24, 15:5, 16:13, 20:1, 21:19, 26:21, 28:8, 28:25, 29:11, 29:19, 29:25, 32:17, 33:3, 37:15, 37:16, 39:6, 42:3, 42:11, 42:15, 45:23, 46:6, 49:5, 50:2, 50:14, 51:23, 54:2, 55:9, 58:19, 60:13, 65:1, 68:21, 72:18, 73:13, 74:8, 75:4, 75:21, 77:4, 78:1, 80:15, 83:12, 84:9, 85:24, 85:25, 86:2, 88:3, 88:15, 89:6, 90:14, 90:16, 90:18, 91:10, 91:19, 93:23, 94:14, 94:18, 95:4, 95:8, 95:9, 95:21, 97:18, 97:21, 97:24, 98:7, 98:24, 102:8
Road [1] - 2:9
road [3] - 41:7, 41:8, 82:21
ROBERTSON [3] - 1:6, 102:3, 103:2
Robertson [30] - 8:23, 10:2, 17:12, 17:14, 22:2, 22:4, 22:12, 23:19, 26:6, 26:8, 27:23, 34:19, 34:24, 35:23, 41:13, 43:2, 44:8, 54:1, 55:5, 55:8, 55:22, 60:19, 61:13, 61:20, 62:9, 62:21, 64:7, 64:10, 72:7, 96:18
Robertson's [2] - 34:5, 59:14
roll [1] - 48:21
ROR [1] - 84:6
rotating [1] - 8:6
Rowlands [6] - 89:7, 89:8, 89:9, 89:10, 89:11, 96:11
Rule [1] - 83:8
rule [2] - 83:13, 83:19
rules [2] - 41:6, 83:7
Rules [1] - 83:8
runs [1] - 51:8
-
- S**
-
- S** [8] - 4:1, 4:18, 4:21, 10:16, 10:18, 31:18, 89:9
said [33] - 6:20, 8:2, 15:12, 16:5, 18:16, 18:24, 19:2, 21:12, 22:23, 23:25, 46:7, 47:17, 48:7, 48:11, 48:17, 52:6, 52:8, 54:6, 55:11, 58:24, 64:17, 65:22, 66:12, 66:13, 66:23, 68:2, 70:12, 72:8, 76:2, 95:13, 95:14, 96:6
Same [1] - 82:7
same [6] - 38:6, 47:18, 64:2, 75:24, 85:8, 98:10
Santa [1] - 47:21
sat [2] - 46:21, 89:7
saw [3] - 36:5, 47:8, 77:11
say [41] - 5:4, 6:14, 7:10, 8:5, 8:8, 12:10, 12:13, 13:24, 19:1, 20:16, 21:3, 22:16, 28:2, 30:7, 30:9, 35:20, 36:12, 36:23, 39:20, 41:21, 47:4, 48:12, 48:25, 49:4, 52:3, 52:16, 54:10, 54:24, 58:6, 58:12, 60:17, 60:21, 61:3, 64:10, 64:14, 69:11, 75:15, 76:7, 77:10, 80:1, 83:3
saying [13] - 19:11,

- 24:1, 30:11, 30:18,
40:2, 42:19, 47:20,
51:19, 52:2, 57:21,
58:3, 58:6, 96:12
says [17] - 21:16,
22:19, 45:17, 53:25,
54:23, 55:6, 55:8,
56:24, 62:19, 69:2,
78:19, 81:1, 84:16,
84:19, 85:7, 91:9
scenario [1] - 22:23
scene [1] - 21:7
scheme [1] - 58:12
scope [4] - 78:12,
78:24, 86:23, 93:9
Scott [1] - 68:10
screeds [1] - 45:16
screen [8] - 5:8, 9:9,
56:7, 56:11, 56:14,
58:22, 62:15, 88:3
screenshots [1] -
28:7
screw [1] - 55:17
scrivener's [1] -
87:24
scrutiny [1] - 69:13
se [1] - 34:25
search [16] - 25:17,
33:12, 33:14, 33:18,
33:24, 34:8, 35:6,
35:19, 35:23, 35:25,
37:24, 93:14, 97:8,
97:17, 97:19, 98:1
second [6] - 10:11,
31:10, 56:13, 73:14,
85:24, 91:1
secondary [1] - 13:7
seconds [2] - 63:17,
63:23
Section [1] - 80:21
section [3] - 78:10,
83:25, 86:1
security [1] - 39:1
see [26] - 13:24,
15:15, 21:25, 22:1,
22:21, 26:21, 30:11,
30:17, 35:2, 39:9,
39:10, 48:4, 49:21,
50:6, 56:9, 56:10,
61:24, 64:23, 70:22,
70:23, 80:3, 84:11,
85:1, 92:20, 96:14
seeing [2] - 25:10,
25:12
seek [1] - 57:7
seem [4] - 17:21,
18:21, 36:10, 91:20
seemed [1] - 54:10
seems [3] - 85:18,
90:17, 91:5
seen [1] - 62:18
seldom [1] - 41:19
semantics [5] -
65:25, 66:5, 66:7,
66:14
send [2] - 22:9,
52:13
sense [5] - 85:12,
85:19, 86:8, 87:6,
88:19
sent [13] - 23:12,
26:7, 26:22, 43:1,
45:5, 48:20, 50:23,
52:11, 77:12, 90:24,
90:25, 92:2, 92:24
sentence [2] - 90:15,
90:17
separate [2] - 10:4,
75:5
sequence [1] - 87:19
serial [2] - 63:25,
89:20
set [2] - 84:20, 91:16
several [2] - 33:25,
45:6
sexual [1] - 32:18
shake [2] - 25:10,
25:12
share [2] - 56:7,
62:15
sharing [2] - 73:13,
88:2
She [1] - 94:4
she [10] - 13:21,
15:9, 15:11, 27:24,
27:25, 47:4, 53:17,
81:7, 94:7, 94:8
she's [1] - 30:15
SHEET [2] - 3:8,
103:1
Sheriff [1] - 10:13
sheriff [5] - 63:7,
63:8, 65:6, 67:15,
67:24
sheriff's [10] - 9:20,
9:25, 17:6, 41:25,
42:16, 42:17, 62:10,
64:2, 65:12, 67:13
Sheriff's [9] - 6:8,
8:17, 10:23, 15:7,
40:20, 43:1, 51:17,
59:8, 76:15
sheriffs [2] - 13:16,
23:2
shipped [1] - 62:2
shocked [1] - 50:18
shoot [1] - 56:13
short [3] - 12:22,
14:17, 88:13
Short [1] - 75:3
shot [2] - 28:1, 28:2
should [6] - 20:17,
25:1, 33:23, 39:20,
52:3, 54:11
Should [1] - 55:11
SHOULD [15] -
103:6, 103:7, 103:8,
103:9, 103:10,
103:11, 103:12,
103:13, 103:14,
103:15, 103:16,
103:17, 103:18,
103:19, 103:20
shouldn't [2] - 28:2,
86:17
show [2] - 78:20,
82:17
showed [2] - 27:22,
80:5
showing [9] - 44:23,
56:16, 62:16, 70:18,
73:15, 75:22, 79:5,
80:15, 97:7
shown [1] - 81:18
sign [7] - 35:21,
37:23, 44:2, 83:3,
102:8, 102:9, 102:13
SIGN [1] - 3:8
signature [6] - 35:17,
44:13, 84:10, 102:6,
102:13, 102:19
Signed [1] - 100:13
signed [10] - 33:18,
33:24, 37:24, 44:5,
44:8, 44:9, 44:16,
97:8, 97:13, 98:18
significantly [1] -
70:9
signing [4] - 85:10,
85:16, 97:17, 102:11
signs [4] - 37:6,
37:10, 37:18, 37:21
silly [1] - 85:19
similar [2] - 31:24,
49:14
since [8] - 5:23, 6:5,
14:13, 30:9, 31:25,
41:8, 86:18, 86:19
single [1] - 38:19
sir [125] - 55:23,
56:6, 56:11, 57:6,
57:11, 57:14, 58:3,
58:20, 59:3, 59:7,
59:20, 59:23, 60:1,
60:4, 60:12, 60:16,
60:21, 62:7, 62:11,
62:18, 63:6, 63:19,
63:23, 64:4, 64:8,
65:2, 65:11, 65:16,
65:18, 65:24, 66:1,
66:4, 66:12, 66:20,
66:22, 66:25, 67:12,
67:20, 67:22, 68:1,
68:14, 69:2, 69:7,
70:17, 70:18, 71:22,
72:3, 73:3, 73:12,
73:19, 73:20, 74:8,
74:14, 74:22, 75:3,
75:10, 75:20, 75:22,
76:22, 76:25, 77:3,
77:13, 77:15, 78:18,
79:4, 79:21, 80:9,
81:18, 82:6, 82:9,
82:14, 82:20, 82:24,
83:1, 83:5, 83:12,
83:14, 83:17, 83:23,
84:2, 84:14, 85:2,
85:3, 85:5, 85:14,
85:17, 85:21, 86:2,
87:1, 87:10, 87:15,
88:4, 88:10, 88:21,
89:2, 89:5, 90:15,
90:16, 90:19, 91:18,
91:21, 92:6, 92:17,
93:1, 93:10, 94:3,
95:7, 95:10, 95:20,
96:1, 96:7, 96:15,
96:19, 96:25, 97:4,
97:11, 97:14, 98:3,
98:15, 98:16, 98:23,
99:2, 99:9
Sir [9] - 56:16, 58:24,
73:15, 74:20, 79:5,
82:17, 96:9, 97:1,
97:7
sit [3] - 68:17, 82:10,
91:23
sitting [2] - 8:10,
71:19
situation [1] - 37:3
six [3] - 89:20, 89:25
Six [1] - 89:22
smart [1] - 29:24
So [70] - 6:12, 6:19,
7:14, 7:19, 7:20, 8:3,
8:6, 8:12, 9:4, 9:15,
9:16, 11:25, 12:5,
13:6, 13:24, 14:8,
15:14, 15:17, 17:16,
23:9, 23:20, 23:22,
24:3, 27:5, 29:16,
30:2, 31:4, 32:15,
33:13, 34:15, 39:4,
40:1, 40:12, 41:11,
45:2, 46:23, 47:4,
52:8, 53:25, 54:20,
56:17, 57:18, 57:24,
57:25, 58:6, 59:21,
63:4, 65:23, 67:6,
67:23, 68:2, 68:17,
69:8, 70:20, 73:17,
75:24, 78:4, 78:19,
81:4, 82:10, 85:6,
86:12, 91:4, 91:19,
92:19, 95:21, 98:4
so [55] - 9:8, 9:19,
9:25, 12:1, 13:3, 15:3,
16:20, 17:10, 17:15,
17:23, 18:24, 19:6,
23:9, 23:20, 25:2,
27:7, 27:17, 29:14,
32:1, 32:6, 34:6, 41:6,
41:10, 42:13, 45:2,
45:15, 45:17, 46:5,
48:8, 48:20, 57:13,
58:17, 62:6, 62:15,
63:20, 65:7, 65:13,
65:25, 67:25, 70:2,
72:22, 73:3, 77:3,
81:25, 82:20, 87:10,
87:13, 89:14, 89:15,
90:12, 91:17, 96:25,
98:7
society [1] - 74:17
solely [1] - 57:16
some [22] - 8:23, 9:1,
14:3, 17:17, 19:25,
24:15, 32:21, 33:2,
36:20, 41:6, 45:18,
48:7, 51:20, 52:22,
55:25, 56:8, 56:10,
73:25, 77:5, 94:10,
94:14
somebody [14] -
8:11, 9:3, 12:21,
22:19, 35:6, 36:10,
42:7, 44:12, 46:23,
48:19, 58:9, 71:10,
73:10, 86:15
somebody's [2] -
79:19, 99:4
somehow [2] - 37:8,
37:22
someone [3] - 8:9,
35:24, 49:4
something [17] -
12:14, 18:24, 25:9,
31:13, 32:17, 33:17,
38:13, 42:20, 48:1,
49:2, 49:4, 49:9, 51:8,
61:23, 72:6, 91:11,
95:16
sometime [1] - 15:4
Somewhere [1] -
41:14
somewhere [3] -
37:7, 42:13, 90:12
sorry [14] - 5:16,
11:5, 19:9, 23:24,

- 25:25, 31:10, 31:17,
34:16, 61:2, 78:8,
85:18, 88:10, 88:11,
90:21
Sorry [2] - 56:14,
80:14
sort [3] - 57:3, 73:25,
94:10
sound [1] - 60:14
sounds [2] - 34:6,
72:3
South [1] - 40:20
speak [4] - 4:12,
17:18, 24:23, 24:25
speaking [1] - 35:15
Special [1] - 7:8
specific [1] - 48:2
specifically [6] -
18:25, 20:6, 30:11,
52:13, 68:6, 90:23
specified [1] - 81:19
specifies [1] - 83:9
spelled [4] - 5:8,
75:23, 78:4, 89:8
Springs [3] - 2:4,
26:24, 27:4
staff [1] - 51:8
Stamp [1] - 90:5
stamped [2] - 77:11,
90:4
Stan [7] - 33:15,
33:23, 34:4, 34:17,
34:25, 97:8
started [2] - 6:5, 9:4
STATE [5] - 1:3,
100:3, 101:3, 102:3,
103:2
state [28] - 4:23,
14:7, 19:24, 20:7,
20:20, 22:2, 24:20,
29:16, 32:3, 40:5,
42:5, 42:7, 42:21,
44:12, 46:9, 51:7,
51:9, 58:18, 83:2,
84:17, 84:23, 85:8,
85:9, 92:1, 92:7, 96:6,
97:2
State [14] - 2:2, 2:3,
56:17, 59:16, 61:4,
62:3, 70:19, 73:16,
78:3, 78:4, 78:20,
82:18, 100:18
state's [1] - 82:11
stated [1] - 103:22
statement [5] -
49:17, 49:19, 49:20,
70:6, 77:16
statements [2] -
16:9, 48:10
States [1] - 70:7
statute [12] - 40:15,
56:20, 58:25, 71:3,
71:10, 73:23, 78:3,
79:15, 80:21, 81:4,
81:17
Statute [4] - 59:16,
73:22, 79:6, 80:16
statutes [2] - 20:12,
20:14
stay [3] - 7:10, 7:16,
36:11
stayed [1] - 6:8
stenographic [1] -
101:11
stenographically [1]
- 101:8
STEPHEN [1] - 2:7
Stephen [4] - 4:20,
25:9, 55:14, 55:21
steps [6] - 75:12,
75:15, 75:19, 76:17,
88:9, 88:19
still [9] - 6:21, 13:10,
48:22, 52:17, 53:5,
54:12, 75:7, 82:23,
95:3
stood [3] - 13:21,
18:12, 87:3
stop [1] - 73:13
storage [1] - 76:13
straight [1] - 60:17
stream [1] - 15:21
Street [1] - 2:13
structure [1] - 51:5
stuck [3] - 12:15,
12:18, 12:19
stuff [11] - 6:16,
14:15, 15:13, 15:16,
22:11, 31:5, 31:9,
32:17, 56:8, 56:14,
67:16
Sub [3] - 73:24,
80:24, 81:19
subject [6] - 54:3,
63:21, 64:1, 69:12,
74:4, 75:1
Subjects [1] - 53:25
subjects [3] - 54:13,
60:20, 61:14
submitted [1] - 60:9
subpoena [5] - 26:1,
92:24, 94:5, 95:9,
98:15
Subpoena [3] - 26:3,
26:20, 27:5
subpoenaed [3] -
92:24, 95:4, 96:4
Subsection [4] -
78:9, 80:19, 81:3,
98:21
subsection [1] -
98:20
successor [1] -
35:20
such [6] - 61:7, 62:3,
74:3, 74:5, 81:11,
102:10
sufficiently [1] -
39:11
suggest [6] - 20:22,
22:17, 71:15, 76:16,
78:15, 90:17
suggested [1] -
22:19
summary [17] -
21:20, 21:24, 22:15,
53:18, 53:19, 53:21,
53:22, 59:9, 59:11,
59:13, 86:6, 87:16,
91:25, 92:22, 95:2,
96:10
summer [4] - 45:10,
45:18, 45:24, 46:5
Sunday [8] - 33:15,
33:23, 34:2, 34:4,
34:17, 97:8, 97:15,
98:8
superior [1] - 72:25
supervisor [8] - 7:2,
7:5, 8:1, 8:2, 10:21,
46:19, 46:20, 68:4
supervisors [2] -
7:5, 7:6
support [7] - 56:25,
68:23, 79:2, 79:18,
81:16, 82:2, 96:21
supports [1] - 79:14
supposed [4] - 81:1,
83:20, 94:11, 99:4
Supposedly [1] -
8:24
supposedly [2] -
14:14, 87:2
Supreme [3] - 73:18,
73:21, 73:22
Sure [4] - 6:3, 36:17,
40:13, 46:2
sure [19] - 9:14,
18:24, 25:11, 31:14,
33:8, 37:4, 37:21,
38:24, 43:11, 48:25,
50:22, 51:19, 55:17,
70:1, 85:22, 87:8,
89:17, 91:22, 93:15
surprise [1] - 36:21
suspect [3] - 40:21,
53:17, 54:8
suspicion [1] - 14:2
Suzanne [3] - 27:12,
27:17
sw@
websterandbaptiste.
com [1] - 2:10
swear [3] - 4:4, 5:13,
5:15
sworn [5] - 4:12,
6:21, 84:19, 84:21,
100:11
synced [6] - 69:5,
75:7, 75:8, 87:9, 88:8,
88:17
system [7] - 71:11,
78:12, 78:22, 78:23,
81:10, 82:7
Systems [1] - 80:17
systems [1] - 81:6
-
- T**
-
- T** [6] - 4:1, 4:18, 4:21,
10:18, 68:7, 68:10
tag [1] - 94:17
take [16] - 4:24, 10:7,
13:24, 16:14, 16:23,
17:5, 18:9, 19:3,
31:23, 63:1, 63:6,
63:7, 75:18, 88:8,
98:8, 102:5
Taken [1] - 1:13
TAKEN [2] - 1:14,
103:4
taken [1] - 1:20
takes [1] - 53:6
taking [3] - 8:16,
13:6, 16:9
talk [5] - 31:21,
47:16, 47:19, 78:2,
95:13
talked [5] - 39:9,
48:5, 52:11, 78:7,
96:10
talking [7] - 28:9,
30:15, 35:5, 40:10,
53:19, 56:19, 65:25
talks [1] - 55:4
Tallahassee [2] -
2:9, 2:13
tangential [1] - 37:13
tap [1] - 76:12
technical [1] - 86:10
technology [1] - 72:5
Technology [1] -
89:4
Tecum [3] - 26:3,
26:20, 27:5
TELECONFERENCE
E [1] - 1:12
telephones [1] -
26:18
tell [20] - 9:21, 10:11,
11:13, 11:14, 19:12,
20:22, 44:1, 46:18,
47:7, 47:11, 49:25,
50:4, 61:19, 62:11,
62:20, 63:11, 65:14,
65:15, 74:21, 87:21
telling [3] - 23:17,
47:21, 50:23
Teresa [1] - 38:4
term [1] - 76:2
terminated [1] -
23:19
testified [4] - 4:13,
62:4, 63:16, 83:5
testify [1] - 50:8
testimony [5] - 4:4,
57:24, 57:25, 64:5,
84:24
text [7] - 26:15,
27:13, 28:4, 28:6,
28:8, 28:10, 29:2
texting [2] - 29:17,
30:2
than [14] - 8:13, 29:5,
37:5, 39:20, 42:10,
48:18, 52:6, 67:16,
70:10, 77:4, 77:14,
77:16, 78:7, 90:13
thank [3] - 19:10,
51:11, 67:5
Thank [4] - 4:8,
89:19, 98:25, 99:3
Thanks [2] - 25:19,
31:20
That [20] - 26:20,
27:1, 27:2, 28:6, 31:8,
34:1, 34:6, 55:6,
57:10, 57:23, 58:8,
62:1, 65:11, 66:7,
67:14, 83:23, 87:24,
88:4, 90:15
that [543] - 4:4, 6:1,
6:12, 6:15, 6:19, 6:25,
7:6, 7:17, 7:21, 8:3,
8:8, 8:16, 9:3, 9:4,
9:6, 9:11, 9:12, 9:15,
9:20, 10:1, 10:3, 10:7,
10:16, 11:4, 11:8,
11:15, 11:25, 12:6,
12:10, 12:13, 12:14,
12:17, 13:13, 13:15,
13:17, 13:22, 14:1,
14:2, 14:6, 14:7, 14:8,
14:11, 14:16, 14:24,
14:25, 15:2, 15:9,
15:20, 15:21, 16:2,
16:21, 17:2, 17:7,
17:8, 17:19, 17:22,
18:4, 18:5, 18:6,
18:12, 18:15, 18:17,

18:22, 19:1, 19:2, 19:6, 19:8, 19:12, 19:13, 19:25, 20:23, 21:2, 21:6, 21:10, 21:11, 21:12, 21:14, 21:15, 21:16, 22:6, 22:17, 22:19, 22:21, 22:24, 23:2, 23:3, 23:7, 23:13, 23:15, 23:20, 23:21, 24:6, 24:12, 24:17, 24:19, 24:25, 25:14, 26:24, 27:3, 27:6, 27:7, 27:8, 27:13, 27:14, 27:15, 27:17, 27:20, 27:21, 27:22, 27:23, 27:24, 27:25, 28:10, 28:19, 28:21, 28:22, 29:8, 29:18, 29:21, 30:3, 30:5, 30:20, 30:21, 30:22, 31:3, 31:5, 31:11, 31:21, 32:3, 32:6, 32:15, 32:16, 32:18, 32:21, 32:23, 33:8, 33:9, 33:14, 33:23, 33:24, 34:4, 34:7, 34:14, 34:20, 34:23, 34:24, 35:5, 35:16, 35:17, 35:19, 36:5, 36:9, 36:12, 36:18, 36:19, 36:21, 36:23, 36:25, 37:7, 37:8, 37:15, 37:18, 37:22, 38:11, 38:14, 38:17, 38:18, 38:23, 39:3, 39:8, 39:12, 39:18, 39:19, 39:21, 39:22, 39:23, 39:25, 40:8, 40:14, 40:15, 40:16, 40:21, 41:2, 41:5, 41:16, 41:19, 41:24, 42:9, 42:10, 42:15, 43:5, 43:9, 43:16, 43:20, 43:21, 43:23, 44:1, 44:4, 44:7, 44:10, 44:23, 44:24, 45:18, 45:23, 46:10, 46:12, 46:13, 46:15, 46:18, 46:19, 46:21, 46:22, 47:4, 47:8, 47:11, 47:13, 47:15, 47:17, 47:18, 47:21, 47:22, 47:23, 48:1, 48:3, 48:9, 48:10, 48:18, 49:1, 49:2, 49:4, 49:8, 49:9, 49:11, 49:14, 49:15, 49:16, 49:18, 50:4, 50:11, 50:17, 51:1, 51:8, 51:9, 51:19, 51:24, 52:5, 52:8, 52:9, 52:24, 53:1, 53:6, 53:8, 53:9, 53:12, 54:4, 54:5, 54:10, 54:11, 54:15, 55:7, 56:5, 56:8, 56:20, 56:25, 57:16, 57:18, 57:22, 57:25, 58:3, 58:6, 58:7, 58:9, 58:15, 58:22, 58:25, 59:7, 59:12, 59:14, 59:15, 59:21, 59:25, 60:3, 60:9, 60:14, 60:15, 60:18, 60:21, 61:5, 61:7, 61:15, 61:17, 61:22, 61:25, 62:5, 62:20, 62:25, 63:12, 63:15, 63:17, 63:22, 64:4, 64:6, 64:7, 64:14, 64:22, 65:1, 65:4, 65:6, 65:15, 66:12, 67:16, 67:18, 68:1, 68:8, 68:22, 68:23, 69:3, 69:19, 69:21, 69:23, 70:1, 70:3, 70:5, 70:6, 70:12, 70:14, 70:15, 70:24, 71:5, 71:9, 71:10, 71:11, 71:14, 71:17, 71:19, 71:23, 71:25, 72:3, 72:4, 72:8, 72:9, 72:11, 72:12, 72:13, 72:14, 72:18, 72:19, 72:21, 73:4, 73:6, 73:8, 73:9, 73:10, 73:24, 74:2, 74:3, 74:8, 74:9, 74:10, 74:11, 74:15, 74:17, 74:25, 75:3, 75:4, 75:6, 75:8, 75:11, 75:15, 75:17, 75:18, 76:7, 76:8, 76:10, 76:15, 76:16, 76:20, 76:22, 76:23, 77:5, 77:6, 77:11, 77:13, 77:15, 77:17, 77:19, 77:20, 78:9, 78:10, 78:14, 78:15, 78:17, 78:20, 78:23, 79:1, 79:2, 79:14, 79:15, 79:18, 79:22, 79:25, 80:1, 80:3, 80:4, 80:11, 81:1, 81:11, 81:13, 81:14, 81:15, 81:24, 82:1, 82:2, 82:20, 83:8, 83:9, 83:13, 83:19, 84:3, 84:4, 84:11, 84:21, 84:23, 84:25, 85:2, 85:4, 85:7, 85:15, 85:22, 86:1, 86:10, 86:14, 86:19, 86:21, 86:22, 86:23, 87:3, 87:8, 87:9, 87:22, 88:4, 88:5, 88:6, 88:7, 88:10, 88:14, 88:16, 88:17, 88:18, 88:23, 88:24, 89:6, 89:10, 90:1, 90:3, 90:10, 90:17, 90:23, 91:4, 91:17, 91:23, 92:8, 92:9, 92:10, 92:11, 92:14, 92:16, 93:15, 93:16, 94:2, 94:7, 94:8, 94:11, 94:19, 95:15, 95:16, 96:1, 96:11, 96:12, 96:13, 96:14, 96:16, 96:22, 97:2, 97:8, 97:9, 97:18, 97:24, 98:4, 98:5, 98:22, 99:7, 100:9, 101:7, 101:9, 101:10, 101:13, 102:5, 102:6, 103:22, 103:22
that'll [1] - 40:3
That's [21] - 7:12, 15:23, 19:10, 29:8, 29:23, 31:25, 45:14, 52:5, 54:14, 65:20, 66:5, 66:7, 66:24, 69:2, 74:22, 77:22, 77:23, 83:15, 87:1, 90:14, 90:20
that's [45] - 9:2, 9:16, 10:17, 12:19, 17:9, 18:2, 22:21, 24:4, 29:24, 32:23, 34:21, 35:10, 35:14, 37:12, 38:13, 38:24, 40:12, 41:25, 42:10, 42:17, 43:13, 44:18, 48:14, 49:13, 50:7, 50:17, 54:4, 54:20, 55:9, 66:13, 69:9, 70:18, 72:2, 76:3, 77:18, 77:23, 80:25, 83:13, 86:19, 86:21, 87:1, 89:16, 90:19, 93:9
THE [15] - 1:1, 4:2, 4:7, 4:8, 5:15, 5:17, 25:13, 55:15, 67:8, 99:2, 99:6, 99:8, 99:9, 99:11
the [552] - 1:13, 1:20, 4:4, 4:5, 4:6, 4:12, 4:13, 4:19, 5:8, 6:5, 6:6, 6:7, 6:10, 6:14, 6:16, 6:19, 6:22, 7:2, 7:4, 7:6, 7:7, 7:8, 7:15, 7:23, 8:1, 8:7, 8:8, 8:13, 8:15, 8:17, 8:25, 9:16, 9:17, 9:20, 9:25, 10:2, 10:10, 10:14, 10:19, 11:18, 11:20, 12:12, 12:16, 13:7, 13:8, 13:10, 13:13, 13:17, 13:21, 13:22, 14:1, 14:3, 14:4, 14:5, 14:6, 14:15, 14:17, 14:20, 14:23, 14:24, 15:4, 15:7, 15:12, 15:13, 15:14, 15:16, 15:19, 16:2, 16:5, 16:8, 16:9, 16:10, 16:13, 17:2, 17:12, 17:20, 18:6, 18:8, 18:12, 18:14, 18:17, 19:2, 19:17, 19:18, 19:19, 19:23, 19:25, 20:4, 20:6, 20:7, 20:8, 20:10, 20:11, 20:13, 20:14, 20:18, 20:19, 21:12, 21:13, 21:14, 21:16, 21:20, 21:21, 21:24, 22:1, 22:5, 22:6, 22:10, 22:14, 22:15, 22:18, 23:9, 23:13, 23:17, 23:18, 23:21, 24:17, 24:20, 24:23, 25:5, 25:6, 25:17, 25:22, 26:10, 26:14, 26:19, 26:20, 26:22, 26:23, 27:5, 27:10, 27:13, 27:14, 27:24, 28:4, 28:7, 28:9, 28:22, 28:23, 28:25, 29:24, 30:4, 30:8, 30:17, 30:19, 30:24, 31:4, 31:8, 32:3, 32:6, 32:9, 32:11, 33:4, 33:16, 33:18, 33:19, 33:24, 34:8, 34:9, 34:18, 34:19, 34:22, 34:24, 35:1, 35:9, 35:17, 35:18, 35:22, 35:23, 35:25, 36:3, 36:5, 36:8, 36:19, 37:5, 37:9, 37:10, 37:15, 37:21, 37:24, 38:6, 38:15, 38:19, 38:25, 39:3, 39:14, 39:20, 40:11, 40:14, 40:15, 40:16, 40:19, 41:5, 41:6, 41:7, 41:8, 41:25, 42:2, 42:4, 42:6, 42:14, 42:16, 42:17, 42:20, 43:15, 43:20, 44:4, 44:7, 44:18, 45:4, 45:5, 45:10, 45:18, 45:20, 45:24, 46:1, 46:5, 46:8, 46:19, 46:20, 46:21, 47:1, 47:2, 47:5, 47:18, 47:22, 48:8, 48:23, 49:7, 49:11, 50:10, 50:17, 50:24, 50:25, 51:2, 51:3, 51:8, 51:16, 52:14, 52:24, 53:4, 53:5, 53:6, 53:11, 53:18, 53:19, 53:20, 53:21, 53:24, 54:4, 54:23, 55:1, 55:17, 55:25, 56:10, 56:19, 56:22, 56:23, 57:2, 58:4, 58:8, 58:15, 58:16, 58:17, 58:18, 59:6, 59:11, 59:12, 60:2, 60:5, 60:8, 60:9, 60:17, 60:19, 61:4, 61:5, 61:6, 61:8, 61:14, 61:24, 62:3, 62:10, 62:12, 62:16, 62:18, 62:22, 62:24, 63:5, 63:7, 63:8, 63:11, 63:14, 64:2, 64:9, 64:17, 64:22, 64:23, 65:4, 65:5, 65:6, 65:11, 65:12, 65:14, 65:17, 65:21, 65:22, 66:8, 67:12, 67:15, 67:18, 67:19, 67:24, 68:21, 68:22, 69:1, 69:10, 69:11, 69:13, 69:16, 69:18, 69:25, 70:5, 70:6, 70:7, 70:10, 70:15, 70:20, 70:21, 70:22, 71:2, 71:5, 71:9, 71:10, 71:12, 71:13, 71:15, 71:16, 71:20, 71:24, 72:4, 72:7, 72:18, 72:20, 72:21, 73:6, 73:8, 73:9, 73:10, 73:15, 73:16, 73:18, 73:21, 73:23, 73:24, 74:15, 74:17, 74:18, 74:23, 75:7, 75:8, 75:12, 75:13, 75:23, 76:2, 76:3, 76:4, 76:6, 76:7, 76:12, 76:19, 76:21, 76:22, 76:24, 77:1, 77:2, 77:8, 77:9, 77:16, 78:3, 78:8, 78:9, 78:10, 78:12, 78:20, 78:22, 78:23, 78:24, 79:6, 79:10, 79:22, 79:24, 80:20, 80:21, 80:22, 80:23, 81:4, 81:12, 81:16, 81:20, 81:21, 82:4,

82:11, 82:18, 82:21, 82:25, 83:6, 83:10, 83:13, 83:19, 84:4, 84:5, 84:6, 84:9, 84:10, 84:15, 84:16, 84:17, 84:19, 84:20, 84:22, 84:25, 85:7, 85:8, 85:20, 86:6, 86:9, 86:15, 86:19, 86:20, 86:23, 87:2, 87:7, 87:9, 87:12, 87:16, 87:22, 88:3, 88:8, 88:17, 88:24, 89:7, 89:11, 89:12, 89:14, 90:5, 90:6, 90:11, 90:16, 90:25, 91:1, 91:7, 92:3, 92:6, 92:7, 92:13, 92:19, 92:23, 93:2, 93:5, 93:14, 93:20, 94:1, 94:4, 94:10, 94:11, 94:24, 95:1, 95:2, 95:3, 96:1, 96:5, 96:6, 96:12, 96:17, 96:22, 96:23, 97:1, 97:2, 97:7, 97:9, 97:17, 97:18, 97:24, 98:1, 98:8, 98:11, 98:14, 98:21, 98:22, 99:10, 99:12, 99:15, 100:9, 100:11, 101:8, 101:9, 101:10, 101:14, 101:15, 101:16, 101:17, 102:5, 102:6, 102:8, 102:9, 102:10, 102:11, 102:13, 102:14, 103:22

The [19] - 1:22, 10:16, 10:23, 11:3, 14:4, 19:8, 26:21, 32:1, 36:9, 44:22, 45:21, 53:22, 67:13, 76:2, 76:19, 88:23, 98:10, 102:7, 102:17

Their [3] - 12:7, 12:8, 16:25

their [32] - 8:11, 10:5, 10:20, 11:9, 13:15, 13:17, 16:14, 18:10, 22:2, 22:3, 26:9, 26:13, 26:18, 31:12, 33:9, 54:15, 55:1, 55:4, 57:20, 58:25, 59:5, 59:13, 60:5, 66:17, 68:5, 74:10, 77:23, 92:18, 93:4, 93:21, 97:19, 97:21

theirs [2] - 31:11, 33:13

them [52] - 6:9, 9:21, 9:23, 9:24, 10:3, 10:12, 11:4, 11:13, 13:12, 15:11, 15:18, 15:23, 16:1, 17:4, 17:6, 17:16, 17:18, 20:9, 20:15, 20:18, 22:10, 24:15, 25:15, 27:22, 27:23, 28:5, 28:14, 29:6, 29:11, 29:14, 31:2, 31:3, 39:21, 41:17, 45:8, 53:8, 54:12, 59:25, 61:19, 61:25, 62:1, 62:12, 64:4, 64:12, 76:20, 86:21, 87:4, 95:6, 95:12, 96:5, 97:4

themselves [3] - 13:23, 37:15, 59:16

Then [1] - 66:13

then [25] - 6:7, 6:9, 6:11, 9:19, 11:3, 15:7, 18:24, 30:17, 31:13, 34:18, 35:22, 40:18, 54:19, 69:18, 72:24, 78:1, 78:2, 80:6, 81:19, 85:8, 90:14, 91:1, 94:7, 96:16, 96:17

theory [1] - 82:11

There [5] - 10:20, 30:7, 32:21, 51:7, 80:25

there [67] - 5:19, 6:6, 8:4, 8:10, 8:25, 9:2, 9:21, 10:13, 10:20, 10:21, 10:22, 11:8, 14:2, 14:19, 15:25, 16:16, 17:7, 17:10, 20:23, 21:4, 21:11, 21:12, 22:20, 22:25, 27:8, 28:7, 30:4, 37:13, 38:12, 38:13, 38:16, 38:22, 38:25, 41:16, 42:6, 43:12, 44:21, 44:25, 49:14, 49:22, 50:8, 50:11, 50:19, 50:22, 51:5, 51:19, 52:17, 53:13, 53:15, 53:23, 54:7, 56:22, 64:6, 64:21, 70:13, 72:8, 74:22, 74:25, 76:19, 79:9, 84:22, 90:9, 91:2, 92:1, 96:12

there's [9] - 8:12, 37:12, 42:24, 44:19, 44:23, 49:9, 51:6, 70:14, 96:21

There's [1] - 39:24

Therefore [1] - 78:19

therefore [1] - 98:9

these [15] - 6:17, 15:4, 15:20, 18:5, 28:4, 29:2, 37:15, 38:17, 46:6, 46:13, 54:11, 57:4, 58:2, 77:10, 82:12

They [8] - 16:13, 28:15, 42:2, 60:24, 61:12, 61:15, 69:15, 98:23

they [123] - 7:12, 8:25, 10:1, 10:4, 11:7, 11:14, 11:15, 12:3, 13:13, 13:14, 13:23, 14:7, 15:9, 16:8, 16:12, 17:3, 17:11, 18:2, 18:4, 18:6, 18:8, 18:10, 18:23, 18:24, 19:1, 19:3, 19:4, 20:5, 20:17, 22:12, 28:16, 29:4, 29:10, 31:3, 31:9, 31:15, 32:2, 32:12, 32:22, 32:24, 33:11, 34:11, 38:13, 39:17, 39:22, 42:1, 42:22, 43:6, 43:18, 43:20, 53:7, 57:14, 57:18, 58:25, 59:6, 59:12, 59:13, 59:15, 59:18, 60:6, 60:17, 60:21, 61:3, 61:11, 61:15, 61:16, 61:18, 61:19, 62:25, 63:1, 63:12, 64:11, 64:14, 64:25, 65:2, 65:4, 65:8, 65:9, 65:13, 65:14, 65:15, 65:18, 66:3, 66:15, 66:16, 68:5, 68:9, 68:22, 71:12, 72:15, 74:11, 76:12, 76:21, 77:5, 77:9, 77:10, 77:23, 78:6, 84:5, 84:6, 87:1, 93:17, 94:11, 95:14, 95:15, 95:25, 96:1, 97:17, 97:18, 97:24

They're [2] - 42:14, 49:20

they're [7] - 30:11, 42:13, 56:18, 57:12, 57:16, 58:14, 60:18

they've [1] - 23:19

thing [8] - 26:24, 27:10, 39:3, 44:18, 47:18, 64:3, 76:19, 82:7

things [4] - 14:17, 14:19, 30:3, 77:10

think [55] - 5:18, 7:25, 9:19, 10:21, 17:19, 17:23, 18:21, 20:16, 21:2, 25:9, 26:21, 28:16, 30:9, 30:22, 31:8, 33:15, 34:6, 34:10, 35:8, 35:14, 37:12, 39:24, 40:24, 41:12, 43:23, 45:10, 45:11, 48:5, 48:19, 53:13, 54:7, 54:11, 55:13, 59:2, 62:4, 66:1, 69:13, 70:2, 71:22, 72:2, 72:5, 72:18, 72:19, 72:22, 78:1, 82:20, 87:2, 87:10, 87:12, 89:25, 90:10, 93:8, 96:8, 99:4

Third [1] - 78:5

third [2] - 92:23, 93:2

this [127] - 4:20, 4:24, 7:22, 8:4, 8:16, 8:20, 9:16, 11:3, 11:4, 11:16, 12:12, 13:6, 16:7, 16:16, 17:9, 17:10, 17:19, 17:21, 20:17, 20:24, 21:3, 21:11, 22:9, 23:4, 23:10, 23:14, 23:18, 25:2, 25:10, 25:20, 30:16, 30:25, 32:7, 33:1, 35:4, 35:12, 35:20, 36:8, 39:5, 39:24, 41:17, 43:22, 45:17, 47:5, 47:12, 47:14, 47:15, 47:20, 47:23, 48:1, 48:2, 48:13, 48:16, 50:20, 51:5, 51:12, 51:14, 52:1, 52:3, 52:8, 52:17, 52:25, 54:10, 55:14, 56:10, 56:13, 56:22, 56:24, 57:10, 58:8, 62:7, 63:1, 63:10, 66:20, 68:12, 68:23, 70:24, 71:23, 73:19, 73:21, 74:25, 75:21, 77:12, 80:21, 80:23, 82:15, 82:19, 83:24, 84:25, 85:7, 85:10, 85:12, 86:3, 86:7, 87:11, 88:1, 88:2, 88:6, 89:15, 90:6, 90:8, 91:9, 91:19, 91:25, 92:9, 92:12, 92:16, 94:9, 95:1, 95:9, 95:18, 95:24, 96:21, 97:12, 97:16, 98:14, 98:17, 98:20, 98:21, 100:13, 101:19, 102:13

This [11] - 35:12, 54:16, 62:16, 73:16, 75:24, 79:6, 87:20, 90:4, 97:9, 98:14, 98:21

Thomasville [1] - 2:9

those [14] - 7:5, 14:19, 15:9, 16:5, 23:4, 33:20, 39:19, 50:11, 53:3, 54:19, 74:11, 74:14, 75:16, 91:13

though [7] - 19:13, 29:11, 54:4, 60:2, 66:10, 67:24, 95:22

thought [6] - 21:10, 35:11, 39:10, 65:3, 92:20, 96:4

thoughts [2] - 16:20, 56:10

thousands [1] - 24:14

three [4] - 8:10, 15:17, 75:5, 90:24

through [21] - 14:10, 25:2, 27:7, 33:6, 34:18, 34:19, 34:22, 36:5, 41:1, 42:14, 53:5, 53:7, 56:8, 69:19, 76:5, 76:23, 78:17, 79:24, 93:6, 96:8, 101:9

throughout [1] - 16:10

throw [1] - 39:12

thus [2] - 50:12, 50:13

tie [1] - 23:1

tied [2] - 17:13, 22:24

tiger [1] - 83:4

time [33] - 6:19, 7:23, 8:1, 8:3, 10:4, 11:15, 14:15, 14:23, 16:5, 33:16, 36:19, 37:5, 37:15, 40:15, 45:21, 46:19, 46:20, 47:1, 47:2, 52:24, 53:6, 60:15, 68:8, 77:11, 82:23, 86:21, 86:23, 93:9, 95:1, 98:25, 102:6, 102:10

TIME [1] - 1:15

time-stamped [1] - 77:11

timeline [1] - 7:14

times [8] - 12:5, 42:6, 68:1, 75:5,

75:17, 91:1, 91:12, 91:13
title [1] - 89:3
titled [1] - 80:16
TO [1] - 102:1
To [2] - 56:1, 91:16
to [541] - 4:5, 4:12, 5:4, 6:1, 6:6, 6:7, 6:10, 7:10, 7:11, 7:20, 8:7, 8:20, 8:25, 9:7, 9:12, 9:13, 9:21, 10:4, 10:5, 10:6, 11:4, 11:13, 11:14, 11:16, 12:5, 12:10, 12:13, 12:16, 12:20, 13:9, 13:13, 13:14, 13:24, 14:8, 14:10, 15:14, 15:15, 15:19, 15:21, 15:23, 16:1, 16:6, 16:9, 16:13, 16:15, 16:20, 16:23, 16:24, 17:2, 17:4, 17:6, 17:17, 17:18, 17:20, 18:9, 18:10, 18:21, 19:3, 19:4, 19:5, 19:22, 19:25, 20:9, 20:10, 20:18, 20:19, 20:22, 20:23, 21:1, 21:5, 21:15, 22:5, 22:9, 22:10, 22:12, 22:14, 22:18, 22:19, 22:24, 22:25, 23:3, 23:10, 23:14, 23:16, 24:4, 24:16, 24:17, 24:20, 24:23, 24:25, 25:4, 25:15, 25:18, 26:4, 26:10, 26:14, 26:19, 27:3, 27:6, 27:10, 27:12, 27:17, 27:20, 27:21, 28:14, 28:19, 28:21, 28:22, 28:24, 29:6, 29:7, 29:9, 29:10, 29:11, 30:7, 30:8, 30:10, 30:12, 30:20, 31:2, 31:10, 31:12, 31:13, 31:14, 31:24, 32:3, 32:16, 32:22, 33:1, 33:7, 33:8, 33:9, 33:10, 33:11, 33:13, 33:14, 33:18, 33:19, 33:24, 34:1, 34:7, 34:17, 34:19, 34:22, 34:24, 35:1, 35:6, 35:7, 35:9, 35:19, 35:20, 35:21, 35:23, 35:24, 36:15, 36:23, 36:24, 37:24, 38:6, 38:10, 39:5, 39:17, 39:22, 39:25, 40:5, 40:10, 40:12, 40:20, 41:25, 42:1, 42:4, 42:5, 42:7, 42:14, 42:16, 42:20, 43:1, 43:12, 43:14, 43:22, 44:14, 44:22, 45:8, 46:8, 46:13, 46:14, 46:19, 47:4, 47:9, 47:15, 47:16, 47:19, 47:24, 47:25, 48:4, 48:5, 48:11, 48:12, 48:20, 48:24, 49:4, 49:7, 49:11, 49:14, 49:19, 50:10, 50:11, 50:21, 50:23, 50:24, 50:25, 51:13, 51:25, 52:2, 52:3, 52:8, 52:11, 52:13, 52:15, 52:16, 53:5, 53:13, 53:16, 53:18, 54:4, 54:5, 54:7, 54:10, 55:1, 55:7, 55:14, 55:16, 55:17, 55:24, 56:3, 56:7, 56:9, 56:14, 56:25, 57:2, 57:19, 57:23, 58:7, 58:10, 58:13, 58:18, 58:19, 58:23, 60:2, 60:6, 60:9, 60:18, 61:8, 61:13, 61:16, 61:20, 61:23, 61:25, 62:1, 62:2, 62:6, 62:7, 62:8, 62:10, 62:11, 62:12, 62:15, 62:23, 62:24, 63:1, 63:8, 63:12, 63:14, 63:17, 63:23, 63:24, 63:25, 64:11, 64:12, 64:15, 64:21, 64:23, 65:4, 65:6, 65:7, 65:12, 65:13, 65:14, 65:17, 65:18, 66:2, 66:4, 66:6, 66:9, 66:11, 66:19, 66:24, 67:2, 67:4, 67:11, 67:15, 67:16, 67:25, 68:17, 68:21, 68:23, 69:1, 69:5, 69:9, 69:11, 69:12, 69:19, 69:20, 69:25, 70:6, 70:10, 70:23, 71:3, 71:6, 71:12, 71:16, 71:20, 71:25, 72:2, 72:7, 72:12, 72:14, 72:19, 72:25, 73:10, 73:11, 73:13, 73:25, 74:1, 74:4, 74:9, 74:11, 75:1, 75:3, 75:8, 75:9, 75:12, 75:21, 76:7, 76:9, 76:17, 77:1, 77:6, 77:24, 78:2, 78:3, 78:11, 78:19, 79:10, 79:11, 79:12, 79:25, 80:20, 80:23, 81:1, 81:4, 81:9, 81:13, 81:22, 82:1, 82:3, 82:4, 82:5, 82:11, 82:15, 82:16, 82:17, 82:19, 82:23, 83:3, 83:6, 83:8, 83:9, 83:19, 83:20, 84:4, 84:18, 85:7, 85:12, 85:16, 85:19, 85:22, 85:25, 86:1, 86:2, 86:4, 86:20, 86:24, 87:5, 87:8, 87:9, 87:17, 88:5, 88:8, 88:9, 88:13, 88:14, 88:15, 88:17, 88:18, 88:19, 89:7, 89:9, 89:11, 89:12, 89:13, 90:6, 90:7, 90:10, 90:15, 90:17, 90:22, 91:3, 91:7, 91:9, 91:11, 91:13, 91:14, 91:16, 91:20, 91:22, 91:24, 92:2, 92:3, 92:9, 92:10, 92:13, 92:15, 92:17, 92:21, 92:22, 92:23, 92:24, 93:10, 93:14, 93:16, 93:20, 93:23, 94:5, 94:7, 94:8, 94:9, 94:11, 94:20, 95:11, 95:12, 95:13, 95:14, 95:15, 95:16, 95:19, 95:21, 95:23, 96:4, 96:5, 96:11, 96:12, 96:18, 96:21, 96:22, 97:2, 97:3, 97:4, 97:8, 97:10, 97:13, 97:16, 97:17, 97:18, 97:19, 97:25, 98:4, 98:20, 98:21, 98:22, 98:23, 99:5, 99:8, 99:11, 101:7, 102:8, 102:10, 102:13, 102:14
today [7] - 6:21, 39:5, 68:17, 81:18, 82:10, 96:20, 99:12
together [1] - 59:18
told [23] - 16:12, 18:2, 18:6, 18:8, 18:11, 21:11, 22:24, 39:8, 46:13, 46:22, 48:2, 48:12, 49:22, 51:24, 61:11, 61:15, 62:4, 62:25, 63:12, 90:9, 91:8, 94:23
ton [1] - 8:11
too [4] - 18:14, 35:12, 39:3, 55:17
took [18] - 13:24, 13:25, 15:18, 23:21, 33:25, 34:5, 49:17, 50:22, 58:25, 61:17, 63:16, 63:22, 75:11, 75:15, 76:17, 88:19, 96:17
Took [1] - 49:18
top [1] - 53:24
topics [1] - 28:4
totally [3] - 53:12, 57:23, 60:2
touch [1] - 61:20
transacting [2] - 57:1, 68:25
transcript [4] - 99:12, 101:10, 102:8
TRANSCRIPT [1] - 103:1
transmission [1] - 76:10
transmit [2] - 81:22, 82:4
transmitted [1] - 76:18
transport [2] - 42:4, 42:5
transporting [1] - 40:4
travel [1] - 30:19
tried [1] - 93:10
true [9] - 48:11, 49:11, 65:20, 83:23, 84:21, 84:22, 98:10, 101:11, 103:23
truly [1] - 102:15
truth [6] - 4:5, 4:6, 4:12, 4:13
truthful [1] - 94:24
truthfulness [1] - 48:10
try [7] - 7:20, 35:20, 39:2, 49:4, 86:1, 92:22, 98:21
trying [10] - 17:17, 20:22, 25:4, 35:9, 36:23, 42:14, 43:14, 82:1, 85:19, 91:20
turn [3] - 8:5, 8:12, 13:13
turned [6] - 15:14, 20:18, 23:10, 24:19, 24:23, 37:15
Turner [23] - 4:19, 10:2, 17:13, 17:14, 22:3, 22:4, 22:11, 23:19, 26:6, 26:9, 27:23, 35:24, 41:11, 43:15, 54:1, 55:5, 60:19, 61:14, 61:21, 62:9, 62:21, 64:7, 64:10
TURNER [3] - 1:6, 102:3, 103:3
Turner's [1] - 59:15
twice [1] - 80:14
two [18] - 4:19, 7:2, 7:5, 7:16, 8:10, 18:5, 29:23, 37:15, 39:7, 42:8, 46:14, 54:16, 54:19, 63:16, 63:22, 82:12, 91:1
type [2] - 6:16, 14:19
typical [1] - 6:16

U

U [2] - 4:18, 31:18
U.S [1] - 19:25
uh [1] - 28:13
uh-huh [1] - 28:13
ultimate [1] - 72:13
ultimately [4] - 58:14, 71:5, 71:9, 97:13
unauthorized [2] - 71:3, 81:11
uncovered [2] - 78:14, 81:15
Under [2] - 80:19, 103:22
under [15] - 7:6, 7:17, 12:21, 18:25, 26:20, 36:18, 37:2, 56:20, 70:22, 73:24, 74:4, 79:8, 84:24, 94:10, 95:4
underlying [1] - 70:21
undersigned [2] - 84:16, 100:9
understand [10] - 23:25, 35:9, 40:3, 41:5, 44:15, 57:21, 57:24, 58:15, 58:16, 85:21
understanding [7] - 5:10, 8:16, 28:18, 56:9, 57:18, 57:22, 83:15
unidentified [1] - 85:10
unique [1] - 17:10
Unit [6] - 6:11, 6:12, 6:15, 7:4, 7:24
United [1] - 70:7
units [2] - 7:3, 7:5
University [1] - 6:7
unlawful [7] - 58:23,

69:24, 72:20, 72:24,
73:1, 73:5, 73:23
unlawfully [2] -
73:25, 79:19
unless [6] - 9:23,
16:15, 23:21, 25:8,
41:19, 62:6
until [5] - 15:16,
15:19, 36:8, 75:13,
92:3
untruthfulness [1] -
48:15
unused [1] - 89:8
unusual [2] - 12:20,
13:1
up [41] - 8:7, 8:18,
9:9, 13:2, 13:6, 13:9,
13:21, 15:13, 15:16,
18:12, 18:20, 19:1,
20:19, 23:15, 28:14,
30:16, 32:20, 40:20,
41:17, 42:7, 43:2,
43:6, 43:11, 45:12,
46:19, 47:9, 48:5,
51:1, 52:1, 53:15,
55:17, 60:17, 69:14,
71:20, 80:13, 85:10,
86:4, 87:3, 96:23,
97:4, 98:13
upon [5] - 61:4, 69:3,
83:10, 85:15, 96:16
us [23] - 6:25, 8:4,
11:14, 11:15, 13:13,
13:14, 14:8, 15:14,
18:9, 19:3, 42:4,
44:19, 50:23, 54:5,
61:15, 62:4, 63:1,
63:12, 64:11, 64:23,
65:12, 82:11, 86:5
use [4] - 32:2, 76:6,
81:12, 94:11
used [1] - 31:2
user [1] - 81:22
Users [1] - 80:16
users [2] - 81:5,
86:14
using [2] - 44:24,
93:12
usually [7] - 20:5,
20:9, 42:2, 42:9,
42:19, 45:16, 52:23
uttered [3] - 74:2,
74:6, 74:16

V

v [7] - 56:17, 70:19,
73:16, 75:23, 78:3,
78:4
value [1] - 27:9

various [1] - 70:8
vehicle [1] - 14:8
verbal [5] - 19:14,
19:15, 19:18, 19:19,
63:5
verbally [8] - 62:24,
65:15, 65:19, 65:20,
66:4, 66:9, 66:24,
67:15
version [1] - 44:22
very [6] - 41:19, 42:8,
63:24, 87:7, 102:15
via [2] - 26:9, 52:15
video [1] - 46:16
VIDEO [1] - 1:12
**VIDEO-
TELECONFERENCE**
[1] - 1:12
videos [4] - 27:3,
32:11, 32:21, 33:20
violate [1] - 73:11
violated [6] - 58:25,
59:16, 79:15, 80:21,
80:24, 81:16
violating [1] - 81:2
violation [3] - 59:25,
71:2, 97:3
Virginia [3] - 41:13,
41:14, 43:3
vlogs [2] - 46:16,
47:17
voice [1] - 94:16
voicemail [1] - 94:19
voluntarily [1] - 69:5
vote [1] - 13:17
VS [2] - 102:3, 103:2
vs [1] - 1:4

W

W [2] - 4:21, 89:9
W-E-B-S-T-E-R [1] -
4:21
Wait [1] - 18:20
waive [5] - 42:22,
99:5, 102:6, 102:13,
102:19
waived [2] - 40:24,
102:12
walk [1] - 69:13
Walton [44] - 8:17,
8:19, 8:23, 9:17,
10:16, 13:11, 15:7,
21:17, 21:21, 22:6,
22:10, 22:14, 26:5,
26:7, 26:8, 26:11,
26:16, 31:8, 33:4,
39:21, 42:25, 45:3,
48:20, 49:20, 51:3,
51:4, 51:16, 54:14,
54:19, 57:17, 57:19,
58:4, 59:4, 59:8, 60:3,
62:2, 69:4, 76:15,
86:20, 89:4, 92:6,
92:24, 93:3, 93:25
WALTON [1] - 1:1
want [13] - 13:9,
23:16, 25:7, 33:11,
36:15, 63:12, 66:21,
78:2, 90:6, 91:13,
91:22, 99:11
wanted [8] - 19:3,
22:12, 63:1, 64:11,
64:23, 94:9, 95:21,
96:11
wanting [2] - 23:13,
91:16
wants [1] - 44:22
warrant [8] - 33:12,
40:23, 41:24, 42:12,
42:15, 42:20, 44:15,
83:3
warrants [1] - 82:23
was [219] - 4:11,
4:13, 6:12, 7:10, 7:11,
7:23, 8:4, 9:1, 9:2,
9:15, 9:19, 9:21, 10:3,
10:5, 10:7, 10:8,
10:10, 10:13, 10:20,
10:21, 11:8, 12:1,
12:2, 12:6, 12:25,
13:2, 13:14, 13:18,
14:2, 14:5, 14:13,
14:14, 14:21, 15:14,
15:21, 16:2, 16:6,
16:12, 16:24, 16:25,
17:10, 17:16, 17:20,
17:25, 18:2, 18:7,
18:9, 18:11, 18:15,
18:16, 19:14, 20:23,
21:11, 21:12, 21:15,
21:24, 22:8, 22:25,
23:4, 23:8, 23:11,
24:4, 24:14, 24:17,
24:22, 24:23, 25:17,
25:22, 25:25, 26:1,
26:12, 26:17, 26:20,
26:22, 26:23, 26:24,
27:2, 27:8, 27:11,
27:17, 27:20, 27:24,
27:25, 28:6, 28:7,
28:24, 30:14, 31:11,
32:17, 32:21, 32:23,
33:9, 33:13, 33:16,
33:17, 34:4, 34:20,
35:19, 35:21, 35:23,
36:18, 37:2, 37:4,
37:5, 38:2, 38:12,
38:23, 38:25, 40:8,
40:21, 41:1, 43:9,
43:17, 44:4, 44:7,
44:8, 45:6, 45:9,
45:10, 45:21, 46:15,
46:20, 46:23, 47:8,
48:22, 48:23, 50:23,
51:17, 52:2, 53:13,
53:15, 54:7, 54:15,
55:7, 57:8, 57:9,
57:22, 58:7, 58:9,
59:2, 59:15, 60:4,
60:5, 60:13, 60:24,
62:2, 62:12, 62:24,
63:2, 63:6, 63:8,
63:10, 64:6, 64:14,
64:21, 64:22, 64:24,
66:3, 66:4, 66:9,
66:14, 66:15, 66:19,
68:18, 70:13, 71:1,
71:24, 72:8, 72:19,
72:21, 73:21, 74:2,
75:7, 75:8, 75:16,
75:17, 76:18, 77:1,
77:11, 77:12, 77:19,
78:17, 80:20, 85:21,
86:4, 86:14, 86:18,
86:20, 86:21, 86:24,
87:8, 88:7, 88:8,
88:10, 88:16, 88:17,
91:5, 92:1, 92:8,
92:15, 92:16, 93:2,
93:4, 93:12, 94:8,
94:10, 95:18, 95:25,
97:8, 98:8, 98:9,
98:11, 100:10, 101:7
Was [2] - 24:19, 27:8
WAS [1] - 101:10
wasn't [4] - 34:18,
37:21, 38:24, 92:14
way [14] - 19:15,
23:21, 39:23, 41:2,
50:24, 65:5, 75:20,
75:24, 83:13, 84:5,
86:19, 88:13, 91:4,
92:3
ways [2] - 10:4, 39:7
WCSSO [1] - 54:25
we [62] - 5:13, 6:11,
7:3, 7:4, 8:1, 8:21,
9:20, 9:22, 9:24, 9:25,
10:4, 11:13, 14:16,
14:17, 14:19, 16:5,
16:16, 19:6, 20:4,
20:11, 20:15, 20:16,
23:15, 25:9, 25:22,
31:2, 31:11, 31:12,
31:14, 33:9, 33:13,
36:2, 39:9, 41:18,
41:21, 42:10, 45:21,
46:22, 49:18, 52:10,
52:11, 61:5, 61:17,
62:7, 65:14, 66:20,
67:12, 67:14, 67:19,
68:2, 68:3, 77:10,
77:11, 78:7, 92:11,
95:11
We [17] - 7:2, 7:3,
13:25, 14:12, 14:14,
14:15, 16:14, 20:13,
20:20, 23:1, 23:7,
31:1, 41:24, 56:24,
63:14, 67:11, 96:10
we'd [1] - 13:24
we'll [2] - 7:20, 42:15
We're [1] - 94:16
we're [6] - 9:23,
16:15, 32:16, 47:22,
50:18, 67:18
we've [7] - 30:15,
30:16, 48:15, 48:16,
84:9, 87:12, 96:20
WEBSTER [6] - 2:7,
55:20, 67:6, 67:9,
98:24, 99:14
Webster [4] - 2:8,
3:5, 4:21, 55:22
Webster's [3] - 22:8,
35:6, 35:7
week [3] - 43:3, 43:9,
45:9
welcome [1] - 99:2
well [9] - 24:22,
25:13, 40:9, 45:6,
46:5, 51:22, 61:1,
89:23, 95:8
Well [31] - 5:4, 7:23,
8:18, 15:11, 18:8,
18:17, 27:10, 34:20,
40:24, 41:18, 45:15,
47:20, 48:8, 49:7,
50:8, 53:4, 55:9,
60:23, 61:3, 62:8,
62:11, 63:20, 63:24,
65:4, 77:23, 79:24,
90:22, 91:8, 92:16,
95:24, 98:18
went [17] - 6:6, 6:9,
9:25, 10:4, 11:12,
14:9, 15:7, 15:12,
36:5, 40:20, 43:6,
50:24, 50:25, 51:1,
63:5, 72:2, 77:11
Went [1] - 76:7
Were [2] - 51:12,
91:19
were [84] - 5:25,
6:11, 6:14, 6:15, 8:4,
8:15, 8:16, 10:4,
10:20, 11:4, 14:6,
14:20, 14:24, 15:25,
16:16, 16:22, 17:7,

- 17:8, 18:2, 18:6, 18:8,
19:3, 19:4, 20:13,
22:24, 23:5, 23:9,
24:3, 24:5, 25:9,
27:14, 28:4, 28:7,
28:15, 28:16, 29:4,
29:10, 30:21, 32:12,
32:24, 42:19, 43:18,
43:21, 45:7, 46:13,
50:11, 50:19, 50:22,
51:20, 52:1, 52:15,
57:4, 57:14, 57:19,
59:21, 59:24, 60:2,
61:12, 61:15, 62:7,
62:8, 66:2, 66:6,
66:11, 66:23, 67:1,
67:12, 67:14, 69:21,
70:1, 72:15, 76:21,
78:6, 86:23, 87:2,
89:11, 91:2, 92:1,
93:24, 95:15, 96:4,
96:13
weren't [5] - 49:19,
86:12, 94:11, 95:14,
95:23
What [9] - 6:25,
20:11, 28:4, 33:5,
46:7, 61:18, 67:15,
76:14, 79:14
what [80] - 7:3, 7:14,
7:25, 9:2, 9:21, 10:3,
11:13, 11:14, 12:6,
14:18, 15:17, 17:3,
20:9, 20:14, 23:10,
23:11, 23:15, 23:17,
23:20, 23:25, 25:17,
28:10, 29:24, 30:11,
30:13, 30:17, 30:19,
31:25, 33:16, 34:11,
39:17, 39:22, 43:7,
44:15, 47:20, 48:11,
48:23, 49:18, 51:20,
52:6, 56:23, 57:10,
57:12, 57:15, 57:16,
57:21, 58:16, 59:4,
59:6, 62:19, 65:2,
65:18, 65:22, 66:2,
66:4, 66:5, 66:8,
66:10, 66:13, 66:23,
67:1, 67:14, 69:2,
70:12, 74:20, 74:22,
77:5, 78:7, 79:24,
81:18, 86:4, 88:2,
90:9, 90:19, 91:8,
92:1, 92:19, 94:19,
97:1
What's [1] - 28:18
what's [3] - 17:9,
52:16, 82:17
whatever [5] - 25:7,
48:20, 53:23, 63:2,
84:6
whatsoever [1] -
58:1
when [28] - 6:14,
7:11, 9:16, 11:16,
13:22, 19:21, 23:9,
24:3, 36:5, 43:24,
45:21, 52:1, 52:8,
52:10, 52:11, 57:1,
59:18, 60:14, 64:22,
68:24, 77:12, 78:12,
83:21, 87:1, 87:13,
89:1, 95:13
When [7] - 17:5,
40:8, 41:21, 43:21,
47:8, 52:10, 52:13
where [13] - 6:8,
18:15, 22:23, 24:4,
27:11, 31:21, 32:23,
37:3, 51:6, 62:22,
77:10, 87:3, 96:3
where's [1] - 21:20
Whereupon [2] - 4:9,
99:15
Whether [1] - 50:24
whether [11] - 12:2,
19:22, 21:5, 24:23,
36:12, 37:2, 53:15,
58:14, 58:24, 88:7,
88:18
which [19] - 9:24,
19:6, 20:12, 26:11,
26:16, 28:1, 31:2,
52:25, 66:16, 71:2,
75:22, 81:19, 84:22,
85:11, 88:2, 92:1,
93:3, 96:9, 102:10
Which [2] - 13:18,
24:9
while [2] - 59:14,
82:22
who [19] - 4:22,
13:10, 33:15, 33:18,
33:24, 34:7, 36:10,
36:23, 36:25, 37:9,
43:7, 71:25, 72:24,
78:11, 84:19, 85:9,
88:1, 93:25, 97:13
Who [4] - 10:7,
10:10, 33:23, 68:5
who's [3] - 8:7,
12:21, 68:2
Who's [2] - 31:16,
68:2
whole [5] - 4:5, 4:12,
29:8, 35:22, 89:23
Whose [1] - 10:23
Why [7] - 29:2, 36:2,
38:1, 63:10, 64:2,
66:17, 67:1
why [31] - 11:13,
14:1, 15:18, 16:8,
16:12, 17:3, 18:2,
27:20, 29:8, 29:23,
31:6, 34:18, 34:21,
42:25, 46:12, 54:20,
60:23, 61:17, 61:19,
66:22, 67:16, 74:22,
77:23, 85:7, 86:14,
86:21, 87:21, 91:4,
91:19, 95:8, 95:25
will [5] - 4:5, 9:12,
20:13, 36:6, 75:17
willfully [2] - 78:21,
81:7
Williams [1] - 93:25
willingness [1] -
56:3
Willoughby [1] -
78:3
WILLOUGHBY [1] -
78:4
winking [1] - 47:23
wire [4] - 76:5, 76:12,
79:13, 79:19
Wire [1] - 79:7
wish [1] - 102:13
With [2] - 40:23,
81:18
with [112] - 4:20, 6:5,
6:11, 6:14, 7:5, 8:10,
9:15, 9:20, 9:25,
10:10, 10:21, 11:20,
12:11, 12:20, 16:22,
17:16, 17:19, 20:5,
20:10, 20:17, 23:14,
23:17, 23:18, 25:14,
27:3, 28:21, 28:23,
29:9, 32:23, 33:2,
33:5, 33:6, 36:1, 36:9,
38:23, 39:3, 39:11,
39:17, 40:19, 40:22,
41:25, 42:1, 42:16,
45:8, 45:19, 45:21,
46:5, 46:21, 47:13,
47:14, 47:15, 48:16,
48:18, 50:19, 50:24,
51:12, 51:25, 52:2,
52:16, 53:15, 54:7,
55:4, 56:3, 56:5, 56:8,
57:12, 57:16, 59:6,
60:8, 61:4, 61:20,
61:23, 62:12, 62:19,
63:5, 68:12, 70:4,
71:2, 71:4, 73:19,
74:12, 75:7, 75:16,
76:10, 77:10, 78:16,
81:2, 81:11, 83:14,
83:15, 83:19, 84:3,
88:5, 88:6, 88:16,
91:10, 92:8, 92:9,
92:18, 93:8, 93:17,
93:25, 94:1, 94:9,
94:10, 95:14, 95:15,
97:25, 101:16, 102:7,
102:11
within [3] - 76:11,
78:12, 102:9
without [4] - 9:23,
73:11, 78:21, 81:8
witness [3] - 1:20,
4:11, 84:24
WITNESS [8] - 3:1,
3:3, 4:7, 25:13, 55:15,
67:8, 99:2, 99:8
witnesses [1] - 84:25
won't [1] - 9:13
word [2] - 45:14,
98:8
words [3] - 27:4,
77:5, 77:14
work [5] - 6:10, 8:3,
10:6, 20:4
worked [2] - 5:22,
39:18
working [5] - 5:25,
9:15, 10:5, 12:25,
16:13
works [2] - 32:1,
94:1
world [2] - 21:8, 21:9
worry [2] - 95:16,
96:6
worthy [1] - 39:19
Would [2] - 9:6,
12:14
would [100] - 7:10,
11:3, 12:14, 12:17,
12:18, 12:19, 14:11,
15:3, 18:17, 18:23,
18:24, 19:15, 19:17,
19:18, 19:24, 21:3,
21:13, 23:3, 23:20,
25:20, 27:1, 29:2,
30:9, 30:22, 31:2,
31:6, 32:6, 34:1, 34:7,
34:9, 34:14, 34:23,
35:13, 36:13, 39:24,
41:5, 43:1, 45:23,
45:25, 46:12, 46:18,
47:4, 50:13, 51:7,
52:8, 52:18, 53:11,
53:23, 56:23, 69:3,
69:18, 69:23, 70:11,
71:15, 71:19, 71:22,
72:11, 72:13, 73:1,
73:3, 73:4, 74:17,
76:16, 76:19, 76:23,
77:3, 78:15, 79:1,
79:18, 79:22, 81:16,
82:2, 84:3, 84:4,
84:22, 85:7, 85:11,
85:15, 87:6, 87:10,
88:5, 88:16, 88:18,
91:23, 91:25, 92:9,
92:10, 92:12, 92:17,
92:19, 93:8, 93:13,
93:16, 97:2, 98:4,
99:8
wouldn't [6] - 8:8,
12:15, 65:13, 72:22,
73:1, 93:19
WRITE [1] - 103:1
write [2] - 91:4,
91:19
writer [1] - 45:13
writing [6] - 18:4,
46:12, 66:6, 66:11,
67:2, 67:25
written [7] - 17:20,
63:4, 63:10, 65:11,
65:21, 65:22, 66:10
wrong [1] - 63:18
wrote [5] - 61:18,
61:19, 65:15, 67:15,
88:4
-
- Y**
-
- Y** [3] - 31:18, 68:11
y'all [1] - 37:22
Yeah [47] - 5:23,
6:18, 9:12, 13:2,
14:23, 16:19, 18:2,
18:19, 18:21, 21:24,
21:25, 24:2, 24:6,
25:4, 25:17, 28:12,
29:24, 30:1, 31:11,
32:23, 34:12, 35:10,
35:15, 36:4, 36:15,
39:14, 40:16, 40:18,
40:24, 44:18, 45:1,
45:10, 45:15, 46:8,
46:17, 47:20, 50:10,
50:17, 51:24, 53:23,
55:9, 57:8, 63:22,
64:17, 89:23, 90:8
yeah [23] - 7:13,
11:25, 23:22, 28:9,
28:10, 29:12, 30:15,
30:17, 34:13, 40:18,
41:7, 41:10, 42:10,
43:17, 46:7, 46:25,
48:21, 50:11, 66:23,
79:23, 89:25, 92:19,
92:20
year [3] - 7:11, 7:15,
8:24
years [9] - 5:24, 6:4,

6:9, 6:20, 7:16, 13:3,
21:6, 32:15, 39:18
Yep [1] - 99:13
Yes [75] - 5:6, 5:9,
5:12, 5:17, 6:18, 6:22,
8:18, 10:9, 10:25,
11:10, 12:13, 12:22,
15:6, 16:24, 19:15,
24:18, 24:21, 25:4,
25:18, 27:2, 27:19,
29:1, 29:20, 32:5,
32:8, 32:10, 32:12,
32:25, 33:22, 36:20,
38:8, 39:7, 40:7,
51:11, 54:6, 54:14,
56:12, 58:20, 59:3,
59:20, 59:23, 60:4,
60:12, 60:16, 62:7,
66:12, 66:25, 69:7,
72:10, 75:10, 76:25,
83:1, 83:17, 83:23,
84:2, 84:14, 85:3,
85:5, 85:17, 88:4,
88:21, 89:2, 89:5,
90:19, 93:1, 93:10,
94:3, 96:15, 96:19,
97:11, 97:14, 98:3,
98:16, 99:14
yes [33] - 4:7, 7:10,
8:18, 11:2, 12:22,
27:1, 30:23, 31:4,
33:4, 41:14, 41:22,
47:3, 51:4, 51:24,
55:9, 65:11, 67:8,
69:2, 71:22, 72:3,
73:3, 74:14, 77:3,
87:1, 87:10, 90:15,
91:10, 91:18, 92:6,
96:25, 98:23, 99:6,
99:9
yet [3] - 44:20, 46:6,
48:23
yikes [1] - 36:4
You [26] - 16:22,
20:16, 22:1, 37:13,
48:21, 49:11, 52:17,
53:8, 54:3, 59:8,
63:16, 65:17, 66:1,
66:2, 66:5, 66:10,
66:13, 66:14, 68:2,
69:3, 73:4, 88:5,
89:19, 89:20, 92:24,
95:18
you [363] - 4:4, 4:8,
5:7, 5:16, 5:22, 5:25,
6:2, 6:14, 6:15, 6:16,
6:20, 6:25, 7:12, 7:22,
7:25, 8:9, 8:15, 8:16,
8:18, 9:1, 9:8, 9:9,
10:4, 10:11, 11:4,

11:7, 11:16, 11:19,
11:25, 12:1, 12:10,
12:15, 13:6, 13:8,
14:1, 14:16, 15:17,
15:18, 15:23, 15:25,
16:20, 16:21, 17:5,
18:6, 18:16, 18:25,
19:10, 20:9, 20:21,
20:22, 21:5, 21:7,
21:8, 21:10, 21:19,
21:21, 22:1, 22:10,
22:18, 22:21, 23:9,
23:10, 24:3, 24:5,
24:12, 24:13, 24:23,
25:2, 25:5, 25:7,
25:10, 25:11, 25:13,
25:18, 27:5, 27:6,
27:7, 27:20, 28:15,
30:12, 30:24, 31:23,
32:3, 32:13, 32:16,
33:2, 33:5, 33:19,
34:4, 34:17, 35:4,
35:13, 36:1, 36:6,
36:9, 36:15, 36:18,
36:19, 36:25, 37:2,
37:9, 38:9, 38:15,
38:19, 39:5, 39:11,
39:20, 39:21, 39:22,
39:23, 39:25, 40:1,
41:16, 41:21, 42:19,
42:25, 43:5, 43:20,
43:21, 44:1, 44:11,
44:21, 45:2, 45:8,
45:11, 45:19, 46:1,
46:5, 46:8, 46:9,
46:12, 47:1, 47:2,
47:7, 47:11, 47:17,
47:18, 47:23, 47:24,
48:6, 48:7, 48:11,
48:12, 48:15, 49:7,
49:8, 49:15, 49:17,
49:18, 49:25, 50:4,
50:19, 51:11, 51:12,
51:16, 52:1, 52:3,
52:8, 52:13, 52:15,
52:24, 53:3, 53:6,
53:19, 54:5, 54:10,
54:11, 54:12, 55:7,
55:23, 56:8, 56:10,
56:16, 57:3, 57:4,
57:7, 57:13, 58:11,
58:13, 58:14, 58:16,
58:17, 59:11, 59:21,
59:24, 60:2, 60:14,
60:18, 61:11, 61:13,
61:18, 61:19, 61:24,
62:1, 62:4, 62:5, 62:8,
62:11, 62:16, 62:19,
62:20, 62:22, 63:4,
63:11, 63:16, 63:20,
63:24, 64:1, 64:6,

64:19, 65:4, 65:5,
65:7, 65:10, 65:14,
65:15, 65:21, 65:23,
66:2, 66:5, 66:10,
66:17, 66:21, 66:23,
67:1, 67:5, 67:10,
67:23, 67:25, 68:8,
68:17, 70:3, 70:5,
70:14, 70:18, 70:22,
71:14, 71:19, 72:18,
72:19, 73:7, 73:15,
73:19, 74:8, 74:15,
74:20, 74:21, 74:24,
75:18, 75:22, 76:14,
77:6, 77:8, 77:9,
77:24, 78:13, 79:1,
79:5, 79:14, 79:17,
79:25, 80:5, 80:11,
80:15, 81:14, 81:18,
81:24, 82:10, 82:17,
82:19, 82:21, 82:22,
82:23, 82:25, 83:2,
83:3, 83:6, 83:7, 84:4,
84:11, 85:1, 85:6,
85:12, 85:15, 86:7,
86:8, 86:12, 86:15,
86:23, 87:6, 87:13,
87:21, 88:1, 88:10,
88:16, 89:15, 89:19,
90:22, 91:4, 91:13,
91:19, 91:20, 91:23,
92:9, 92:12, 92:24,
93:2, 93:8, 93:13,
93:24, 94:1, 94:4,
94:8, 94:9, 94:14,
94:18, 94:20, 94:22,
95:1, 95:3, 95:6,
95:11, 95:12, 95:21,
95:22, 96:3, 96:4,
96:14, 97:1, 97:7,
97:10, 98:7, 98:17,
98:25, 99:3, 99:5,
102:6, 102:6, 102:9,
102:13
you'd [3] - 17:3,
29:7, 29:11
You'll [1] - 20:17
You're [6] - 25:11,
28:9, 65:25, 72:4,
83:12, 99:2
you're [31] - 4:5,
5:10, 13:9, 19:21,
23:25, 30:18, 35:5,
35:16, 39:14, 40:9,
41:11, 51:19, 52:7,
55:9, 57:21, 58:11,
58:15, 59:12, 60:8,
62:6, 70:4, 71:23,
75:4, 75:11, 80:5,
80:6, 88:24, 90:1,
91:10

you've [6] - 6:19,
8:20, 19:25, 20:12,
55:25, 96:3
your [66] - 4:2, 4:24,
5:7, 7:14, 12:15,
19:13, 21:15, 21:23,
22:7, 23:9, 23:11,
24:3, 25:10, 28:18,
33:6, 35:2, 40:2, 46:4,
49:22, 53:17, 56:1,
56:3, 56:10, 57:9,
57:18, 57:24, 57:25,
58:1, 58:21, 59:22,
60:10, 62:16, 63:4,
64:5, 64:22, 66:21,
66:22, 66:24, 67:6,
67:11, 67:14, 68:17,
69:4, 69:24, 77:22,
83:15, 83:19, 84:3,
90:14, 91:4, 91:25,
92:20, 92:22, 93:16,
93:23, 94:5, 95:19,
97:12, 98:15, 98:25,
102:6, 102:8, 102:11,
102:13, 102:13
yours [1] - 102:15
yourself [2] - 16:22,
25:11

Z

Z [1] - 4:18
zoom [2] - 79:9,
87:17
Zoom [1] - 1:15

— [24] - 17:21, 18:21,
18:23, 19:8, 19:10,
19:11, 19:24, 20:4,
20:20, 20:21, 20:25,
21:3, 21:22, 23:9,
23:18, 23:22, 24:9,
24:12, 24:14, 24:22,
25:4, 25:5, 25:11,
25:15

— [3] - 91:20, 92:10,
92:23