

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

STATE OF FLORIDA,

Plaintiff,

v.

CASE NO.: 662025CF000122CFAXMX

QUINN MCCOY ROBERTSON,

Defendant.

MOTION FOR STATEMENT OF PARTICULARS

COMES NOW, the Defendant, QUINN MCCOY ROBERTSON (hereafter “Defendant” or “Robertson”), by and through undersigned counsel and pursuant to the Sixth Amendment of the United States Constitution and Rule 3.140(n), Fla. R. Crim. P., and hereby files this Motion for Statement of Particulars, and in support thereof would state as follows:

1. Robertson enlisted in the Army post 9-11 in 2003, and he served in an expeditionary combat force in Afghanistan until 2005 when he became an officer. Robertson continued to serve in various combat deployments in both Afghanistan and Iraq as an officer, until he transitioned out of the military in 2011. Robertson spent approximately four (4) years in combat zones. During his service, Robertson obtained top secret security clearances and he eventually worked as a civilian at the Pentagon with the Department of Defense, until he took a position as the Town Manager of Colonial Beach, Virginia. In July of 2023, Robertson accepted the position as the Walton County Administrator until he was terminated from that position in January of 2024. Upon his termination, Robertson returned to his home in Henrico, Virginia.

2. On February 26, 2025, Robertson was arrested on a “Direct Issue Capias” that was filed with the Clerk by Assistant State Attorney, Joshua Mitchell. The Direct Issue Capias was

executed without any judicial determination of probable cause or any consideration for bail, as required by Rule 1.131, Florida Rules of Criminal Procedure. As such, Robertson was arrested on February 26, 2025, and held without bail until he was eventually extradited to Walton County on March 5, 2025, and released on bond March 6, 2025.

3. The Direct Issue Capias contains one count of an alleged violation of Section 934.03, Unlawful Intercept of Any Wire, Oral, or Electronic Communication. The alleged unlawful intercept involves “text messages and/or imessages (sic) and/or the like.” Count two alleges a violation of Section 815.06, to wit “**between October 10, 2023, and January 22, 2024,** at and in WALTON County, Florida, did unlawfully, willfully, knowingly and without authorization disrupt or deny or cause the denial of the ability to transmit data to or from an authorized user of a computer, computer system, computer network, **Walton County**, the property of **Walton County.**”

LEGAL MEMORANDUM

Section 934.03 makes it unlawful for a person to intercept an electronic communication. *O’Brien v. O’Brien*, 899 So.2d 1133, 1136 (Fla. 5th DCA 2005). Intercept is defined as being the “acquisition of the contents of any wire, electronic, or oral communication through the use of any electronic, mechanical, or other device.” Section 934.02(3), Florida Statute. However, the unlawful intercept must be shown to have occurred contemporaneously with the transmission of the electronic message and a violation of 934.03 does not occur if the electronic message is “retrieved from storage.” *Id.* (citing *Fraser v. Nationwide Mut. Ins. Co.*, 352 F.3d 107 (3d Cir. 2003); *Theofel v. Farey-Jones*, 359 F.3d 1066 (9th Cir. 2004); *United States v. Steiger*, 318 F.3d 1039 (11th Cir. 2003)). Electronic storage is defined in Florida Statute to mean any temporary intermediate storage of a wire or electronic communication and “any storage of a wire or electronic

communication by an electronic communication service for purposes of back-up protection of such communication.” Section 934.02(17), Florida Statute. As the Court held in *O’Brien*:

There is only a narrow window during which an email interception may occur—the seconds or mili-seconds (sic) before which a newly composed message is saved to any temporary location following a send command. Therefore, unless some type of automatic routing software is used (for example, a duplicate of all an employee’s messages are automatically sent to the employee’s boss), interception of email within the prohibition of [the Wire Tap Act] is virtually impossible.

Id. at 1137 (quoting *Steiger*, 318 F.3d at 1050). Intercept “means to gain control or possession of a communication...through the use of an electronic or mechanical device.”

State v. Tsavaris, 394 So.2d 418, 421 (Fla. 1981) *overturned on other grounds*.

In order to avail oneself of the protections of 934.03 a participant involved in a communication must take all reasonable steps to maintain a reasonable expectation of privacy with regard to the communication at issue. *Paredes v. State*, 760 So.2d 167, 168 (Fla. 3d DCA 2000) (holding that an officer did not illegally intercept a wire communication where one of the participants in the telephonic conversation failed to take reasonable steps to prevent the officer from hearing the conversation).

In order to prove a violation of 934.03 the State must prove that the participants had “an actual subjective expectation of privacy, along with a societal recognition that the expectation is reasonable.” *Silversmith v. State Farm Ins. Co.*, 324 So.3d 517, 518 (Fla. 4th DCA 2021); *Smiley v. State*, 279 So.3d 262 (1st DCA 2019). Additionally, there is no unlawful intercept if a person is acting under the color of law when the intercept of a wire or oral communication occurs. *State v. News-Press Pub. Co.*, 338 So.2d 1313, 1315 (Fla. 2d 1976). Society recognizes that one has a reduced expectation of privacy in an office or place of business and there is no absolute right of privacy in a workspace. *Cohen Brothers, LLC v. M.E. Corp., S.A.*, 872 So.2d 321 (Fla. 3d 2004).

Subjective expectation of privacy can be shown “only when the individual has shown that he seeks to preserve [something] as private.” *Smith v. Maryland*, 442 U.S. 735, 740 (1979) *internal quotations omitted*. As the Court in *Smith* held, a “person has no legitimate expectation of privacy in information he voluntarily turns over to third parties.” *Smith*, 442 U.S. at 743-744. As such, “a party’s claim to a subjective expectation of privacy in a conversation can be rejected when there is no evidence the party ‘made any effort or otherwise took precautions to keep the conversation private.’” *Id.* at 212. A reasonable expectation of privacy cannot be asserted in a public workspace and where the contents of the communications “would likely be subject to public record disclosure.” *Id.* (citing *McDonough v. Fernandez-Rundle*, 862 F.3d 1314 (11th Cir. 2017)).

Section 815.06, Florida Statute, is titled Offenses against users of computers, computer systems, computer networks, and electronic devices. Robertson is charged with violating Section 815.06(2)(a), Florida Statute, which prohibits a person from accessing or causing “to be accessed any computer, computer system, computer network, or electronic device with knowledge that such access is unauthorized or the manner of use exceeds authorization.” Section 815.06(2)(a), Florida Statute. Where the alleged unlawful access involves a work computer, the state must show that the employee acted outside the scope of his or her lawful employment. *Willoughby v. State*, 84 So.3d 1210 (Fla. 3d DCA 2012). However, to prove unauthorized access the state must show that the defendant accessed one of the listed tangible devices without authorization, not that the defendant accessed data or information that was stored on the device without authorization. *Crapps v. State*, 180 So.3d 1125 (Fla. 1st DCA 2015). Unauthorized access cannot be shown where a defendant accessed an employer’s computer network and the employee was authorized to access the computer network irrespective of any data that was accessed. *Id.* As such, the state could not prove a violation of 815.06 where an employee, who was authorized to access his employer’s

computer network, fraudulently adjusted inventory data as part of an organized scheme to defraud. *Rodriguez v. State*, 956 So.2d 1226 (Fla. 4th DCA 2007).

FACTUAL BACKGROUND

Sworn Testimony of Charles Galloway

Charles Galloway filed a criminal complaint against Robertson alleging that Robertson had unlawfully accessed information on his Apple account. On July 26, 2024, Charles Galloway provided sworn testimony in furtherance of that complaint, excerpts of that sworn interview will be attached hereto as **Exhibit D-1**. On October 27, 2025, Mr. Galloway was deposed as part of this prosecution and excerpts from that transcript will be submitted as **Exhibit D-2**. Mr. Galloway was employed with Walton County for approximately four months beginning in late 2021 and ending in early 2022. *Id.*, **13:14-22**. Mr. Galloway describes himself as “a tech guy.” **Exhibit D-1, 8:22**. He likewise testified that he is very familiar with Apple equipment and the various applications associated with Apple electronic devices. **Exhibit D-2, 14-16**. Mr. Galloway denied having any recollection of being assigned an iPad when he worked for Walton County, but he acknowledged that he may have logged into a county iPad at some point. *Id.*, **15:1-9**.

According to Galloway, on December 19, 2023, he learned that his Apple account was logged into an iPad that belonged to Walton County and which was named “Jeremy Rowlands’ iPad.” *Id.*, **16:6-21**. Galloway testified that he learned on December 19, 2023, that some of his text messages were being published at a County Commission meeting which prompted him to access his Apple settings, which is where he learned that his Apple account was logged into the iPad purportedly possessed by Jeremy Rowlands. *Id.* Mr. Galloway googled Jeremy Rowlands and learned that he was employed as a Technology Support Specialist with Walton County. *Id.*

As such, Mr. Galloway filed a criminal complaint with the Walton County Sheriff accusing County Administrators of having illegally accessed his Apple account. *Id.*

According to Mr. Galloway, he had no idea how any Walton County employee could have accessed his Apple account and the information stored in his Apple account. *Id.*, 17:1-3. Mr. Galloway filed a typed sworn complaint wherein he alleged that the iPad at issue was his personal iPad that had been stolen. *Id.*, 20:9-22. Ultimately, Mr. Galloway discovered that the iPad at issue was not an iPad he owned and was indeed property of Walton County. *Id.*, 21-22. According to Mr. Galloway, his false allegation that the iPad at issue had been stolen from him, as he alleged in his sworn complaint, “was a typo.” *Id.*, 22:2.

When asked to explain how his Apple account was logged into the county iPad, Mr. Galloway testified that he believed Jason Cook, a county employee, logged into his Apple account using the county iPad. *Id.*, 24:14-24. According to Mr. Galloway, in approximately May of 2023, Mr. Cook contacted him to inform him that his Apple account was logged into the county iPad and Mr. Cook was requesting Mr. Galloway to come to the office to log out of his Apple account on the county iPad. *Id.*, 27:2-13. Galloway testified that Mr. Cook “reached out and said that there was a device that was—I was logged into and I think he maybe even wanted me to come up here and logout of it because you need the password, and I think I just gave him the password.” *Id.*, 27:9-13. Galloway explained “I think I was away, out of town or something. I just—I couldn’t—I couldn’t do it. And so I just said here’s the password, logout.” *Id.*, 27:22-24. Mr. Galloway testified that he sent the password to Mr. Cook via text but claimed he could not produce a copy of that text message to Mr. Cook as he had deleted it from his phone. *Id.*, 69-70.

Mr. Galloway agreed that by providing Mr. Cook with his password, he consented to Mr. Cook having full access to any data contained in his iCloud account. *Id.*, 72:20-25. Mr. Galloway

further agreed that by providing Mr. Cook access to his Apple account, he likewise consented to Mr. Cook sharing the information in any way he chose. *Id.*, 73:1-3.

Eventually, Mr. Galloway testified “it kind of clicked on December 19th, when I was saying to myself how in the world are they reading my text messages. It’s like, oh, yeah, Jason reached out about some iPad that was syncing all the data.” *Id.*, 28:17-21. Mr. Galloway confirmed that the contact from Mr. Cook occurred approximately six months prior to December 19. *Id.*, 28:12-15. Mr. Galloway testified that he never accessed his settings to confirm that Mr. Cook had logged his Apple account out of the county iPad from May to December. *Id.*, 33-34.

Mr. Galloway was asked to explain why he filed a sworn criminal complaint alleging that county officials could only have accessed his Apple account via his personal iPad that was allegedly stolen given that he was aware at least six months prior to submitting his sworn criminal complaint that his Apple account was synced to the county iPad and he testified “I don’t—I don’t know if I forgot. I just wasn’t thinking.” *Id.*, 78:4-19.

Mr. Galloway was asked to explain his theory on how his Apple account was logged into the county iPad and he testified as follows:

Originally I thought—I mean, as I reported to the sheriff, I thought it was my personal iPad...I was wrong—I was wrong about that. Apparently it was a county iPad...and I don’t know—I mean, I do think Jason Cook had my password. I mean maybe he was just trying to log me out, I’m really not sure.

Id., 59:9-20. Mr. Galloway acknowledged that Mr. Cook sent him several Facebook messages on three consecutive days in May of 2023 requesting Mr. Galloway to come to the office and log his Apple account out of the county iPad, and was asked to explain his theory on how his Apple account became logged into the county iPad and he testified that he believed Mr. Cook logged the iPad into his account. *Id.*, 59-60. At that point, Mr. Galloway was asked “[s]o if that’s the case, then I guess your theory is that he logged your Apple account into the county iPad and then

contacted you multiple times asking you to log it out” and Mr. Galloway responded “yeah.” *Id.*, **60:6-10**. At that point, Mr. Galloway was asked “I mean, why—how does that make sense in any world?” and he responded “I—it doesn’t.” *Id.*, **60:6-13**.

Nonetheless, Mr. Galloway admitted that he was on notice as of May 23, 2023¹, that his Apple account was logged into the County iPad and was syncing his personal data to the county iPad and that he took no steps to ensure that his Apple account was logged out of the county iPad to preserve any privacy with respect to the data. *Id.*, **61-64**. For example, Mr. Galloway admitted that he could have remotely changed his password which would have discontinued any further syncing of his data with the county iPad, but he did not even take that simple step to preserve his privacy. *Id.*, **63-64**. In fact, Mr. Galloway admitted that he did not change his password on his Apple account on December 19, 2023, when he learned that his text messages with Ms. Lowery were being published at the County Commission meeting. *Id.*, **64-65**. Mr. Galloway acknowledged that it was his responsibility to take the necessary steps to protect his data. *Id.*, **67:1-5**.

After swearing or affirming to provide truthful testimony, Mr. Galloway was questioned in reference to his complaint that Walton County employees and/or officials had unlawfully obtained electronic messages exchanged between Mr. Galloway and Teresa Lowery, who serves as an aide to County Commissioner, Danny Glidewell. **Exhibit D-1, pp 3-4**. Mr. Galloway confirmed that the messages that were being accessed were between him and Teresa Lowery, who is a county employee. **Exhibit D-2, 56:4-11**.

Mr. Galloway was asked “[d]o you think that based on everything we’ve gone through here that you had a reasonable expectation of privacy in your messages?” and he answered “yeah, I—I

¹ Undersigned counsel misspoke. Mr. Cook’s first Facebook message was sent to Mr. Galloway on May 24, 2023.

would think that I have a reasonable expectation of privacy just out of human decency. But, I mean, I have to give someone my password. I—I thought so. I’m—I’m—this—this whole case is—I’m realizing that I’m probably wrong on that, that I guess I should not have expected to have privacy.”

Id., 90:8-17.

Declaration of Undersigned Counsel, Stephen G. Webster

At the completion of Mr. Galloway’s deposition, defense counsel for Robertson and Turner adjourned for lunch. See declaration attached hereto as **Exhibit D-3**. Upon returning to the conference room located at the Office of the State Attorney, Assistant State Attorney Josh Mitchell entered and announced, “[w]e are all trying to figure out if there is a crime here.” *Id.* After offering that shocking admission, Assistant State Attorney Mitchell claimed that he had determined Mr. Galloway could not log his Apple account out of the county iPad remotely. *Id.* At that point, counsel for Mr. Turner interjected and demonstrated using her electronic device that Assistant State Attorney Mitchell was incorrect in his assertion that Mr. Galloway could not log out remotely. *Id.* Mr. Turner’s counsel accessed her Apple account to conclusively establish that Mr. Galloway could have logged out remotely as he testified. *Id.*

Sworn Testimony of Jason Cook

Mr. Cook was interviewed by Walton County Detective Miles Marthinsen in response to the criminal complaint filed by Charles Galloway. Excerpts from the transcript of that interview will be attached hereto as **Exhibit D-4**. Mr. Cook voluntarily submitted to the interview by Detective Marthinsen. **Exhibit D-4, 4:1-21**. Mr. Cook became aware in May of 2023 that Mr. Galloway’s Apple account was logged into the county iPad that had been assigned to Jeremy Rowlands. *Id.*, 6:8-19. In response to that discovery, Mr. Cook sent several Facebook messages to Mr. Galloway informing him that his Apple account was logged into the county iPad and

requesting that Mr. Galloway log out of his Apple account from the county iPad. *Id.*, pp 6-7. Mr. Cook contacted Mr. Galloway immediately upon realizing that Mr. Galloway's personal data was being synced to the county iPad and stored on the county server. *Id.*, pp 8-9. Mr. Galloway responded and asked if he should come by the office to log his Apple account out from the county iPad and Mr. Cook responded "yes, can you come by next week," but Mr. Galloway did not respond to that message. *Id.*, 8:22-25. Mr. Cook noted that he continued to check the county iPad intermittently to see if Mr. Galloway had logged out remotely. *Id.*, pp 9-10. Eventually, Mr. Rowlands approached Mr. Cook regarding some of Mr. Galloway's text messages that he exchanged with a county employee, which Mr. Rowlands believed pertained to county business. *Id.*, 10:14-18. Given Mr. Rowlands' discovery of possible information that could qualify as a public record, Mr. Cook took the iPad to Mr. Robertson, as the County Administrator, for guidance on how to proceed. *Id.*, pp 10:14-23. Mr. Cook testified that he informed Mr. Robertson that Mr. Galloway's Apple account was logged into the county iPad and that he told Mr. Galloway "several times to get his stuff off" but Mr. Galloway failed to log his Apple account out of the county iPad. *Id.*, 12:1-6. Mr. Cook testified that he advised Mr. Robertson that Mr. Galloway's text messages contained information that was "county stuff." *Id.*, 12:8-10.

On October 27, 2025, Mr. Cook was deposed as part of this prosecution. Excerpts from that deposition transcript will be attached hereto as **Exhibit D-5**. Mr. Cook works with the Walton County Board of County Commissioners, County Administration, as a Technology and Media Manager. **Exhibit D-5, 5:6-15**. After learning that Mr. Galloway's personal Apple account was logged into the county iPad, he contacted Mr. Galloway via Facebook Messenger to request that Mr. Galloway log his Apple account out of the county iPad. *Id.*, 7:3-20. Originally, Mr. Cook expected that Mr. Galloway would log out remotely as opposed to coming into the office. *Id.*, pp

7-8. Mr. Cook confirmed that Mr. Galloway could have logged out remotely at any point but testified that Mr. Galloway stated he would come to the office to log out. *Id.*, 8:3-21. Mr. Galloway never came to the office to log his Apple account out of the county iPad as he stated that he would. *Id.*, 8:20-25. Mr. Cook denied that he used Mr. Galloway's password to log the Apple account onto the county iPad. *Id.*, 9:11-15. Mr. Cook testified that he could not wipe the data from the county iPad until Mr. Galloway logged his Apple account off of the county iPad. *Id.*, 9:21-25. Mr. Rowlands could not use the county iPad, given that Mr. Galloway continued to allow his Apple account to be logged into the county device, but Mr. Rowlands would check intermittently to determine if Mr. Galloway had logged out remotely. *Id.*, pp 10-11.

Mr. Cook acknowledged that the Walton County personnel policies advise county employees that "email users have no expectation of privacy in the content of their email. All email, whether personal, transitory, or public record is subject to inspection by the Walton County Board of County Commission Administration." *Id.*, pp 19-20. Mr. Cook denied having a close relationship with Mr. Galloway and had no recollection of Mr. Galloway providing him with the password for Mr. Galloway's Apple account. *Id.*, 22:13-21. Mr. Cook advises county employees to refrain from conducting personal business on county equipment. *Id.*, 24:2-5. Mr. Cook testified that he firmly believed he was authorized to access the data on the county iPad, given that the device was the property of Walton County. *Id.*, 25:18-23. Mr. Cook brought the information to Mr. Robertson given his conclusion that Mr. Galloway's Apple account contained county information. *Id.*, pp 25-26. Mr. Cook firmly believed that Mr. Robertson, as the County Administrator, was authorized to access the data stored on the county iPad and did not believe that any laws were violated by his and Mr. Robertson's access of Mr. Galloway's messages and data that was synced from Mr. Galloway's Apple account. *Id.*, 26:4-16. Mr. Cook testified that he took

every reasonable step available to him to have Mr. Galloway log his Apple account out of the county device. *Id.*, 26:17-20. Mr. Cook confirmed that Section 2.8 of the Human Resources Policy Manual informs county employees that their computer activity will be subject to monitoring by the Walton County IT Department. *Id.*, 27:5-12. That admonition includes a warning that “as an employee of a government organization all messages, webpages, files, and other documents accessed using internet services are subject to public records requests.” *Id.*, pp 27-28. The Human Resources policies also include an admonition that county employees are personally responsible to utilize “their computers and their electronic devices in an effective, ethical, and lawful manner.” *Id.*, 28:2-6. Mr. Cook agreed that text messages and iMessages constitute “electronic messages” for purposes of the Walton County Human Resources policies and testified that he believed Mr. Galloway was fairly warned that his personal data that was synced to the county device would be subject to monitoring by county administrators. *Id.*, 30:10-21. Mr. Cook testified that county policies advise county employees to delete any personal or transitory messages that are synced to a county device and Mr. Galloway was responsible for ensuring that his personal messages were not synced to the county device or were deleted from the county device if synced. *Id.*, pp 29-30.

Mr. Cook exchanged Facebook messages with Mr. Galloway regarding Mr. Galloway’s Apple account on May 24, 25, and 26 of 2023. *Id.*, pp 30-31. Mr. Cook confirmed that Mr. Galloway did not take any steps to log his Apple account out of the county device between May and December of 2023, which Mr. Cook described as “a long time.” *Id.*, 32:20-25. Mr. Cook was unaware that he was originally identified as being suspected of unlawfully accessing Mr. Galloway’s Apple account data, based upon Mr. Galloway’s criminal complaint. *Id.*, pp 32-33. Mr. Cook testified that he believed it was his job to access the data on the county device to confirm that all public records were preserved. *Id.*, pp 33-34. Mr. Cook did not have any personal

knowledge of Mr. Robertson actively monitoring text messages that were synced to the county device from Mr. Galloway's iCloud account. *Id.*, 40:14-17. Mr. Cook testified that Mr. Galloway has a reputation for being dishonest. *Id.*, pp 43-44. Mr. Cook testified that he brought the iPad to Mr. Robertson in an attempt to ensure that any public records contained within Mr. Galloway's Apple data were preserved and retained. *Id.*, pp 47-48. According to Mr. Cook, the only way Mr. Robertson could have made that determination was by accessing the data on the county device that was synced with Mr. Galloway's Apple account. *Id.*, 48:5-12.

Stan Sunday replaced Mr. Robertson as the Walton County Administrator and Mr. Cook had Mr. Sunday, as the Walton County Administrator, execute a consent form which authorized FDLE to access and search all of the data that was stored on the county iPad at issue. *Id.*, pp 50-51. Mr. Cook agreed that he believed Mr. Sunday, as the County Administrator, had the full authority to access any and all data that was contained on the county iPad. *Id.*, 51:8-10.

Sworn Testimony of FDLE Inspector Keith Riddick

On November 4, 2025, FDLE Inspector Keith Riddick was deposed as part of this criminal prosecution and the excerpts from that transcript will be attached hereto as **Exhibit D-6**. Inspector Riddick has worked in law enforcement since 1980 and has more than 47 years of experience in law enforcement. **Exhibit D-6, 6:4-5**. Inspector Riddick works with the Florida Department of Law Enforcement Office of Executive Investigations. *Id.*, 6:19-24. Inspector Riddick supervises the Public Corruption Unit. *Id.*, 7:2-6. Inspector Riddick took over the investigation that the Walton County Sheriff's Office began involving the complaint that Mr. Robertson had unlawfully accessed Mr. Galloway's private data. *Id.*, pp 8-9.

In January of 2024, Inspector Riddick met with Assistant State Attorney Josh Mitchell, Sheriff Adkinson, Chief Dustin Cosson, and Investigator Miles Marthinsen. *Id.*, pp 9-10.

Inspector Riddick testified that the General Counsel for the Walton County Sheriff's Office also attended the meeting along with a supervisor of the Walton County Sheriff's Office Criminal Investigation Division. *Id.*, 10:19-25. On February 12, 2024, Inspector Riddick received a phone call from Donald Clark, the Walton County Sheriff's Office Chief Deputy, asking FDLE to assume the investigation given that the investigation identified potential wrongdoing by County Commissioner Donna Johns. *Id.*, 13:8-19. According to Inspector Riddick, "sheriffs don't like investigating the people that vote on their money." *Id.*, 13:16-17. Inspector Riddick retrieved the case file from Detective Marthinsen on February 26, 2024. *Id.*, 15:7-14. According to Inspector Riddick, his sole assignment was to investigate Commissioner Johns and he denied having conducted any investigation involving Defendant Robertson or Defendant Turner. *Id.*, 17:5-18. Inspector Riddick acknowledged that he received a written request from the Walton County Sheriff's Office in which FDLE was asked to assume the investigation into Defendant Robertson and Defendant Turner, but he denied that FDLE conducted any investigation involving Defendant Robertson or Defendant Turner. *Id.*, 17:5-13. According to Inspector Riddick, he was asked in person to investigate Commissioner Johns, and he acknowledged that she was not identified as a potential suspect in the letter from the Walton County Sheriff's Office to FDLE. *Id.*, 17:19-25. According to Inspector Riddick, Chief Deputy Clark personally requested that FDLE investigate Commissioner Johns. *Id.*, 19:2-9.

Inspector Riddick testified that he did not believe criminal charges would be filed against Defendant Robertson or Defendant Turner. *Id.*, pp 20-21. Inspector Riddick testified "I honestly didn't think it would go this—go here." *Id.*, 21:1-3. Inspector Riddick testified that FDLE did not want to obtain a search warrant for the county iPad and instead requested that Walton County provide consent to conduct a forensic examination of the iPad. *Id.*, 33:1-22. Inspector Riddick

confirmed that Stan Sunday, as the Walton County Administrator, provided FDLE with consent to extract all data contained on the county iPad, including any data synced to the county iPad from Mr. Galloway's iCloud account. *Id.*, 33:13-22. Inspector Riddick agreed that it was logical to conclude that the County Administrator had the full authority to authorize a search of the county iPad and could not distinguish how Stan Sunday had that authority to access the county iPad as the County Administrator, but Quinn Robertson did not have the authority to access the county iPad when he served as the County Administrator. *Id.*, 34:4-20. Inspector Riddick was asked if one could reasonably conclude that Quinn Robertson had the same authority as Stan Sunday to authorize a search of the county iPad and he testified "I don't disagree with you." *Id.*, pp 35-36. Immediately thereafter, he was asked "why are we here?" and he replied, "because the prosecutor filed charges." *Id.*, 36:2-3. Inspector Riddick did not ask Mr. Galloway to provide consent to forensically examine the iPad, because the iPad did not belong to Mr. Galloway. *Id.*, pp 37-38. Inspector Riddick was asked "[s]o, based on our conversation here today, you kind of expected this to be no-info'd, right?" and Inspector Riddick testified "[y]es, ma'am. No two ways about it. I even told—honestly, I told Mr. Mitchell that I didn't see it going anywhere. And I know we talked about it here, but I did not see it going anywhere." *Id.*, 39:4-10. Inspector Riddick added "I've worked enough cases in my years that I know that those that are prosecute-worthy...I just didn't think it would go this far. There's no—you know, I'm not going to deny that." *Id.*, 39:17-25.

Inspector Riddick denied having knowledge that Assistant State Attorney Mitchell submitted a *capias* to the clerk without having the *capias* reviewed by a judge prior to being submitted to the clerk's office. *Id.*, 44:1-10. Inspector Riddick testified "it's got to be authorized

by a judge is what I understand. Every warrant I've ever gotten has only been done by a judge or signed—authorized by a judge.” *Id.*, 44:11-17.

Inspector Riddick sent his final report to Assistant State Attorney Mitchell on November 4, 2024, which was followed by a phone call with Assistant State Attorney Mitchell. *Id.*, 52:13-18. It was during that phone call that Inspector Riddick told Assistant State Attorney Mitchell that he did not believe a criminal prosecution of Defendant Robertson or Defendant Turner “was going anywhere.” *Id.*, 52:9-12. Inspector Riddick testified that he did not conduct any additional investigation into Defendant Robertson or Defendant Turner beyond the investigation that was conducted by Detective Marthinsen, given his belief that he “didn’t think it was going anywhere.” *Id.*, pp 58-59. Inspector Riddick acknowledged that Detective Marthinsen, by his own admission, only conducted a cursory investigation into Mr. Robertson and Mr. Turner and agreed that a full and thorough investigation of Mr. Robertson and Mr. Turner was never conducted. *Id.*, pp 61-62. Inspector Riddick admitted that Detective Marthinsen did not believe his investigation was “independent,” and acknowledged that an independent investigation of Robertson and Turner was not completed by FDLE. *Id.*, pp 64-65. According to Inspector Riddick, the letter requesting that FDLE conduct “an independent” investigation into Mr. Turner and Mr. Robertson was drafted solely “to cover” the Sheriff’s Office and was not authored as a sincere request for an independent investigation. *Id.*, 67:10-17. Inspector Riddick agreed that an independent investigation of Mr. Robertson was never conducted. *Id.*, 68:17-20.

Inspector Riddick agreed that the Walton County Custodian of Records would have a duty to inspect the data on the county iPad, including the data synced to the iPad from Mr. Galloway’s iCloud account, to ensure that all public records were preserved and he agreed that any such review would not constitute an unlawful intercept of Mr. Galloway’s data. *Id.*, pp 69-70. Inspector

Riddick testified that he was not aware of any information that would support a conclusion that Mr. Robertson, as the County Administrator, lacked the lawful authority to access the county iPad. *Id.*, 71:14-22. Inspector Riddick denied that Mr. Cook unlawfully intercepted Mr. Galloway's data when he accessed the county iPad and agreed that Mr. Robertson, as the County Administrator, had even greater authority to access the data. *Id.*, pp 72-73. Inspector Riddick testified that he was not aware of any steps Mr. Galloway took to preserve any expectation of privacy of his data that was being synced to the county iPad after Mr. Galloway was informed by Mr. Cook that his iCloud data was being synced to the county iPad. *Id.*, 75:4-20. Inspector Riddick was asked if there was any evidence to support a conclusion that either Robertson or Turner intercepted data from Mr. Galloway's iCloud account contemporaneous with the data being transmitted and he testified "[t]he only thing I would reference there is the comment in Detective Marthinsen's report that one of them made the comment they were looking at live data. But that is the only reference I can recall, sir." *Id.*, 76:8-22. However, Inspector Riddick testified that he was not aware of any independent evidence that corroborates Detective Marthinsen's claim that either Robertson or Turner accessed data from Mr. Galloway's iCloud account as it was being transmitted. *Id.*, 77:4-15.

Inspector Riddick admitted that he is not aware of any evidence to support a conclusion that Defendant Robertson accessed any data outside of the scope of his employment with Walton County. *Id.*, pp 78-79. Inspector Riddick was asked if the investigation revealed any evidence to support a conclusion that Defendant Robertson violated Section 934.03, Florida Statute, and he denied being aware of any evidence to support that conclusion. *Id.*, 79:5-16. Inspector Riddick was asked if there was any evidence to support a conclusion that Mr. Galloway had a reasonable expectation of privacy over the data that was synced to the county iPad from Mr. Galloway's

iCloud account and he testified “[n]one that I can see.” *Id.*, pp 79-80. Inspector Riddick agreed that he was unaware of any evidence to support a conclusion that Defendant Robertson unlawfully accessed any private communication of Mr. Galloway. *Id.*, 80:6-12. Inspector Riddick likewise admitted that the record does not contain any evidence to support a conclusion that Mr. Robertson unlawfully accessed any computer device pursuant to 815.06, Florida Statute. *Id.*, 81:7-18. He likewise admitted that the record does not support a conclusion that Mr. Robertson took any steps to unlawfully disrupt or deny or cause Mr. Galloway to be denied the ability to transmit data, in violation of Section 815.06, Florida Statute. *Id.*, pp 82:1-9. As such, Inspector Riddick was asked “[s]o as you sit here today, you really can’t offer us any insight as to the State’s theory of prosecution of our clients for these two charges, correct?” and Inspector Riddick answered “[c]orrect, sir.” *Id.*, 82:10-14.

Inspector Riddick was asked questions regarding a subpoena that he sent to Walton County as part of the investigation into Robertson and Turner, which sought four discreet categories of records. *Id.*, pp 92-95. Inspector Riddick testified that he believed the records that were being subpoenaed were pertinent to the investigation of Robertson and Turner. *Id.*, 95:18-20. The county responded and produced records for items 1, 2, and 4, but did not provide records responsive to the third request. *Id.*, pp 93-94. The third category commanded the production for “any and all emails in which Walton County government business was conducted by all county commissioners on their personal email addresses for the period November 1st, ’23, through December 31st, ’23.” *Id.*, 93:2-7. Inspector Riddick received a call from a paralegal with Walton County informing him that the County Attorney wanted Inspector Riddick to be advised that the county was under a court decree which prohibited county commissioners from using personal devices or accounts for the transmission of county business. *Id.*, 94:7-13. Thereafter, Inspector

Riddick spoke to County Attorney Clay Adkinson and Mr. Adkinson asked Inspector Riddick how he should proceed with providing response to the documents demanded under the subpoena for the records responsive to category 3, given the court's decree. *Id.*, 94:14-21. Inspector Riddick informed Mr. Adkinson that he expected a truthful response from the Board of County Commissioners, but the records were never provided by the county. *Id.*, pp 94-95.

Inspector Riddick contacted Assistant State Attorney Mitchell with regard to the county's failure to respond to the subpoena and he was informed by Assistant State Attorney Mitchell that the State would not file a motion to compel the production of those records he believed were pertinent to the investigation. *Id.*, 95:10-20. Assistant State Attorney Mitchell advised that the State was not "going to do anything with it; that they were just going to leave it like it is, not worry about it, something to that effect." *Id.*, 95:13-17. Inspector Riddick testified that he has never been involved in another investigation where relevant records were subpoenaed but not produced and where the Office of the State Attorney took no steps to force compliance with a subpoena. *Id.*, 96:3-7.

ARGUMENT

The State's Direct Issue Capias is facially insufficient and fails to provide the Defendant with the constitutionally required notice of the factual basis underlying the two criminal charges. Rule 3.140(n), Florida Rules of Criminal Procedure, requires the State to furnish a statement of particulars when the charging document is so vague that it impairs the defendant's ability to prepare a defense. Here, the State has simply recited statutory language without identifying the conduct it alleges constitutes an unlawful "intercept" under section 934.03 or "unauthorized access" under section 815.06. The omissions are not mere drafting deficiencies. Rather, the record establishes that no meaningful investigation was conducted into Defendant Robertson, that law

enforcement found no evidence supporting the statutory elements, and that even the State's own investigator could not articulate a prosecutable theory of criminal liability. Under these circumstances, the State must be compelled to specify the particular acts it contends give rise to the charged offenses so that the Defendant may prepare an adequate defense and protect his constitutional rights.

With respect to section 934.03, the State has never identified any communication that was allegedly intercepted, any device used to effectuate an intercept, or any moment at which the purported intercept occurred. Florida courts have made clear that an unlawful intercept occurs only when electronic communications are acquired contemporaneously with transmission. *O'Brien v. O'Brien*, 899 So.2d 1133, 1136–37 (Fla. 5th DCA 2005). As *O'Brien* explains, an “intercept” is limited to a “narrow window” of mere milliseconds before a message is saved to storage, and the acquisition of messages already stored on an electronic device is not an intercept as a matter of law. The charging document alleges only that Defendant accessed or viewed “text messages and/or imessages and/or the like,” but it does not identify a single communication purportedly intercepted contemporaneous with transmission. Inspector Keith Riddick, the lead FDLE investigator, confirmed under oath that he was unaware of any evidence that Robertson—or anyone else—accessed communications in real time. The only reference to any “live” access appeared in a hearsay statement in Detective Marthinsen's notes, which was neither corroborated nor supported by any forensic evidence or witness testimony. Notably, Inspector Riddick expressly denied possessing any evidence supporting a violation of section 934.03. The State's failure to identify any specific messages or data that are alleged to have been contemporaneously intercepted, including the time and manner of their acquisition, and the device that was allegedly used to obtain unlawful access to the data, a statement of particulars is necessary.

The State has likewise failed to articulate any factual basis establishing that the purported communications at issue were entitled to statutory protection. To sustain a prosecution under section 934.03, the State must show that the participants had an actual subjective expectation of privacy and the State must also show that the communications were shrouded with an objective expectation of privacy that society would recognize as reasonable. The record demonstrates the State can neither establish that Mr. Galloway possessed a subjective expectation of privacy nor can the State demonstrate that Mr. Galloway's data was shielded by an objective expectation of privacy that society would recognize as reasonable. Mr. Galloway took no steps to shield his data and communications and the Human Resource policies vitiate any objective expectation of privacy that society would recognize as reasonable. Charles Galloway voluntarily provided his Apple password to Jason Cook, thereby granting full access to the data in his iCloud account. Galloway acknowledged that he gave Cook permission to access his information and admitted that he took no steps to prevent any further syncing of his data to the county-owned iPad. He did not change his password when he was notified in May of 2023 that his account was logged into the county device, nor did he take any remedial action when he later learned that his messages were appearing publicly. Galloway freely conceded that he "should not have expected to have privacy" after reviewing the facts. The record also establishes that the communications at issue were synced to a government-owned device subject to explicit Walton County IT policies advising employees that electronic communications on county equipment are subject to monitoring and may constitute public records. Under these circumstances, Galloway could not have maintained a reasonable expectation of privacy. Without identifying the particular communications the State claims were private—and the factual basis for asserting any reasonable expectation of privacy—the State cannot proceed under section 934.03, and the Defendant cannot prepare a defense.

The deficiencies are equally pronounced with respect to the charge under section 815.06. The State alleges that Defendant “disrupted or denied” the ability of an authorized user to transmit data but provides no factual statement describing the act that allegedly accomplished this disruption. Florida courts have repeatedly held that to prove unauthorized access, the State must show that a defendant accessed a computer, computer system, or network without authorization—not merely that the defendant accessed information stored within a system he was authorized to use. *Willoughby v. State*, 84 So.3d 1210 (Fla. 3d DCA 2012); *Crapps v. State*, 180 So.3d 1125 (Fla. 1st DCA 2015). The evidence here demonstrates that Defendant Robertson, as County Administrator, possessed full lawful authority to access county-owned devices and networks. Both IT personnel and FDLE confirmed that the County Administrator—whether Robertson or his successor—had the authority to examine the device to ensure the preservation of public records. Indeed, FDLE obtained a full forensic extraction of the device based solely on the successor County Administrator’s consent. Inspector Riddick testified that he could not distinguish how Stan Sunday had lawful authority to authorize the extraction, while Robertson would not have had the same authority when he held the identical position. Moreover, Inspector Riddick admitted that he was unaware of any evidence showing that Robertson accessed any data outside the scope of his employment or that Robertson took any action that disrupted or denied anyone’s ability to transmit data. Because the State has failed to identify any specific act that allegedly exceeded Defendant’s authorization or impaired another user’s data transmission, a statement of particulars is essential.

The necessity of a statement of particulars is further underscored by the irregular procedural posture of this case. The State issued a Direct Issue Capias without any judicial review or probable cause determination, resulting in Defendant’s arrest and detention without bail, and has since admitted that it is still trying to determine if a crime was committed. This extraordinary

deviation from standard criminal procedure magnifies the need for the State to specify the factual basis of the charges. A defendant who has already been deprived of liberty based on an unreviewed capias is entitled to clarity regarding the allegations he must defend against. The State's failure to articulate a coherent theory of prosecution is exacerbated by the fact that law enforcement anticipated the case would be closed without charges and that no independent investigation of Defendant Robertson was ever completed. Due process requires that the Defendant be informed of the essential facts constituting the offense, and the present charging document does not satisfy that requirement.

In sum, the State cannot rely on broad statutory recitations or speculation to support a criminal prosecution. Where, as here, the State has failed to identify the specific communications, devices, access points, or acts upon which the charges rely, the Defendant cannot meaningfully prepare a defense, challenge the legal sufficiency of the evidence, or file appropriate pretrial motions. Because the capias fails to disclose the factual circumstances upon which the State intends to rely, and because the existing evidentiary record affirmatively contradicts the statutory elements of both offenses, a statement of particulars is not merely appropriate but required under Rule 3.140(n). This Court should compel the State to identify with precision the factual acts it contends constitute an unlawful intercept and unauthorized access so that the Defendant may receive the notice guaranteed to him under the Sixth Amendment and the Florida Constitution.

It is important to note that on November 25, 2025, the State filed an Amended Information which increased the timeframe of the alleged criminal conduct and added allegations of principal/conspiracy without offering any additional information to illuminate the theory of prosecution. The Amended Information was filed after the depositions cited herein were taken, so the State must appreciate a theory of prosecution that its lead investigator cannot discern. Contrary

to Assistant State Attorney Mitchell's claim that "we are all trying to determine if there is a crime here," it is not the role of defense counsel to try and determine the State's theory of prosecution and bases for prosecution. The State has affirmative obligation to inform the Defendant of the alleged criminal conduct and the factual basis supporting the underlying prosecution so that the Defendant's due process rights are guaranteed. Just as the case agent cannot understand the State's theory of prosecution, undersigned counsel cannot appreciate the State's theory of prosecution.

REQUESTED RELIEF

For the reasons set forth above, the Defendant respectfully submits that the State's charging document fails to provide the factual specificity required under Rule 3.140(n), Florida Rules of Criminal Procedure, and the Sixth Amendment guarantee of adequate notice. The allegations in the Direct Issue Capias do not describe the communications allegedly intercepted, the device or method purportedly used to accomplish the unlawful intercept of any data, the timing of any alleged contemporaneous acquisition, or any act by which the Defendant is said to have unlawfully accessed, disrupted, or denied the use of any computer system or electronic device. The absence of such particulars is compounded by the undisputed testimony that no independent investigation of Defendant Robertson was ever conducted, that no evidence supports the statutory elements of either offense, and that even the State's own investigator could not articulate a coherent criminal theory that would justify prosecution. Under these circumstances, fairness, due process, and the orderly administration of justice require the State to articulate with precision the factual basis upon which it intends to proceed.

Accordingly, Defendant respectfully requests that this Court enter an order compelling the State to furnish a statement of particulars identifying the specific conduct it alleges constitutes an unlawful intercept under section 934.03 and unauthorized access or disruption under section

815.06. At minimum, the State should be required to identify the precise communications at issue; the method, timing, and device allegedly used to acquire them; the acts it contends exceeded Defendant's authority as County Administrator; and the factual basis for its assertion that any person's ability to transmit data was disrupted or denied. Defendant further requests any additional relief this Court deems just and proper under the circumstances, including, but not limited to, such clarification as may assist the Court in evaluating the sufficiency of the charges and protecting the Defendant's constitutional right to prepare an adequate defense.

Respectfully submitted,

/s/ STEPHEN G. WEBSTER
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Tallahassee, Florida 32303
T: (850) 597-7142
F: (850) 848-4655
ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by e-mail service to all parties listed in the Florida Courts E-Filing Portal this 16th day of January, 2026.

/s/ STEPHEN G. WEBSTER
ATTORNEY

Exhibit D-1

**UNOFFICIAL
DOCUMENT**

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

STATE OF FLORIDA,

vs. CASE NO. 662025CF000122CFAXMZ

QUINN MCCOY ROBERTSON,
Defendant.

_____ /

INTERVIEW OF CHARLES GALLOWAY

DATE: JULY 26, 2024

REPORTED BY:

CLARA C. ROTRUCK, Court Reporter
For the Record Reporting, Inc.
1500 Mahan Drive - Suite 140
Tallahassee, Florida 32308

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P R O C E E D I N G S

INSPECTOR RIDDICK: All right. Today's date is July the 26th, 2024. It's approximately 1:05 p.m. I am Inspector Keith Riddick from the Office of Executive Investigations. Also present at this time is Special Agent Supervisor John Felchin. The location of this interview is the FDLE-OEI conference room here in Tallahassee, Florida.

I will be questioning Mr. Charles Galloway as a witness in an official FDLE investigation, Case No. EI-14-0196. I am the inspector in charge of this investigation.

Prior to beginning this interview, you should be aware of the following: This interview is being recorded. As a sworn law enforcement officer, I am empowered to administer oaths and take statements. In a moment, I'll be taking a sworn statement from you. You will be under oath, and if you knowingly provide false statements, you can be criminally charged with perjury.

Do you understand each of these items I've just informed you of?

MR. GALLOWAY: I do.

INSPECTOR RIDDICK: All right. Please raise your right hand. Let the record reflect Mr.

1 Galloway has raised his right hand.

2 Mr. Galloway, do you solemnly swear or affirm
3 the information you're about to give today is the
4 truth, the whole truth, and nothing but the truth,
5 so help you God?

6 THE WITNESS: I do.

7 Whereupon,

8 CHARLES GALLOWAY

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

12 EXAMINATION

13 BY INSPECTOR RIDDICK:

14 Q All right. Please state your full name and
15 date of birth for the record.

16 A Charles Gresham Galloway, born May 15th, 1987.

17 Q All right. And where are you currently
18 employed?

19 A I am self-employed. I own a website called
20 waltoncounty.org. I am a blogger, a social media
21 activist, and, you know, that's what I do for a living.
22 Marketing consultant, self-employed.

23 Q Okay, sir. Like I said just before we turned
24 the audio recording on, and as you know, this is an
25 investigation that the Walton County Sheriff's Office

1 has turned over to FDLE regarding a -- regarding,
2 actually, several aspects of the Board of County
3 Commission, two members of which obtained yours and
4 Teresa Lowery's private text message conversations, and
5 the Commissioner Donna Johns reading said text messages
6 out aloud in a county commission meeting. That
7 complaint to Walton County SO was transferred to FDLE,
8 and I was assigned the investigation.

9 As one of the victims in this case, can you
10 tell me -- basically tell me your story, what happened
11 to you, what's going on?

12 A Sure. Little background, I am a public
13 activist, public figure, born and raised Walton County
14 my entire life, love Walton County. I've been
15 politically active, I've helped people get elected, and
16 I'm about 20, 30 years younger than the average
17 political person, so I possess certain skills that they
18 don't have. And so I rose pretty quickly in politics,
19 okay. That's the back story.

20 Long story short, you know, I was targeted by
21 some powerful people while being recruited by them at
22 the same time, you know. It was very clear that, you
23 know, this was a political fight where they wanted me on
24 a certain team, and I guess I -- the people that seemed
25 to target me, I didn't pick their team, and so that

1 supposedly stolen a bunch of email addresses?

2 A Yeah.

3 Q Okay.

4 A And just, hey, I want to put that on record.
5 Yes, I have a very large email database after years and
6 years that's my personal database. It's in a
7 spreadsheet that I titled "Walton County 30K" because
8 they are people from Walton County and there was roughly
9 30,000 of them, you know. And I guess he went sifting
10 through my emails through public records and found where
11 I emailed it to myself, but, yeah, you found it, but it
12 was my database. And I want to --

13 Q And for the record, that allegation has been
14 investigated by the Walton County Sheriff's Office --

15 A Twice.

16 Q -- twice, and they have found it --

17 A Yes, sir. And for the record, because I
18 worked there, they are accusing me of stealing a
19 database that the county does not even possess. It
20 would be like accusing me of stealing a car that was
21 never made. And that's where I understand these things
22 because I'm a tech guy. It's like you can't steal
23 something that the county doesn't even -- the county
24 doesn't keep records of email addresses of citizens, you
25 know. So it's just -- I don't want to get into that.

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C E R T I F I C A T E

STATE OF FLORIDA)
COUNTY OF LEON)

I hereby certify that the foregoing transcript is of a tape-recording taken down by the undersigned, and the contents thereof were reduced to typewriting under my direction;

That the foregoing pages 2 through 47 represent a true, correct, and complete transcript of the tape-recording;

And I further certify that I am not of kin or counsel to the parties in the case; am not in the regular employ of counsel for any of said parties; nor am I in anywise interested in the result of said case.

Dated this 4th day of June, 2025.

Clara C. Rotruck

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2026

Commission NO.: HH 327478

Exhibit D-2

**UNOFFICIAL
DOCUMENT**

In The Matter Of:
State of Florida v.
Quinn McCoy Robertson

Deposition of Charles 'Chaz' Galloway
October 27, 2025



850.737.9071

info@precisionreportingandvideo.com

BAY COUNTY
239 East 4th Street, 2nd Floor
Panama City, Florida 32401

WALTON COUNTY
15416 Business Highway 331, Suite 109
Freeport, Florida 32439

Min-U-Script® with Word Index

1 COURT REPORTER: Do you solemnly swear or
2 affirm to tell the truth, the whole truth, and
3 nothing but the truth?

4 THE WITNESS: I do.

5 CHARLES "CHAZ" GALLOWAY,
6 was called as a witness and, having first been duly
7 sworn, testified as follows:

8 DIRECT EXAMINATION

9 BY MS. BOGENSCHUTZ:

10 Q I'm going to start off because Mr. Webster hit
11 some traffic.

12 A Okay.

13 Q Have you ever done a deposition before?

14 A Huh-uh.

15 Q Okay. That's the first one. If you say
16 huh-uh and shake your head, everybody in this room knows
17 you said no.

18 A Okay.

19 Q But she can only write down U-H-U-H, and in
20 five months we're not going to know if it was a yes or a
21 no.

22 A I understand.

23 Q So I'm going to pipe up and say something like
24 is that a yes. And it sounds really rude, but it's
25 because --

1 all I know is webElect. Like, I was taught -- like,
2 everyone was told, oh, you're -- you're running a
3 campaign, you should subscribe to webElect. It's put
4 out -- it's sponsored by the Republican Party.

5 Q Okay.

6 A It's only available to Republican candidates.
7 And so -- and they have a website. You can -- I'm sure
8 all the information about that is on their website.

9 Q To your recollection the first time you used
10 webElect would've been in 2020?

11 A Yes, ma'am.

12 Q Or for that election cycle?

13 A Yes, ma'am.

14 Q Okay. Now -- and my understanding is at some
15 point you began working for the county commission or --

16 A Yes, ma'am.

17 Q -- you were employed by Walton County.

18 A Uh-huh.

19 Q When did that job start?

20 A Like late 2021 and went through to early 2022.

21 And then I -- I resigned to go run for county
22 commissioner.

23 Q Okay. And to your knowledge would you have
24 been allowed to hold that job while you ran?

25 A Huh-uh, I would not.

1 Q Is that a no?

2 A No, I would not have been allowed to.

3 Q Okay. And that was the purpose of you
4 resigning?

5 A Yes, ma'am.

6 Q Okay. When you began that job in 2021, were
7 you given any kinds of, like, county-issued electronics?

8 A Yes. I was given a computer, a laptop Mac
9 computer like yours.

10 Q Was it a MacBook Pro?

11 A It was.

12 Q And was the MacBook Pro because you were doing
13 these -- like, essentially video edits and stuff like
14 that?

15 A I'm just a Mac person. They -- they asked do
16 you like PC or Mac, and they --

17 Q Clearly.

18 A It was ordered specifically for me. It was a
19 brand-new computer.

20 Q Okay. And were you given an iPhone?

21 A Yes, a county iPhone, yes.

22 Q Okay. And do you have a personal iPhone as
23 well?

24 A Yes. And it's the same -- probably the same
25 one I had then.

1 Q Okay. Were you ever given an iPad?

2 A Not that I recall. I was not issued an iPad.
3 Now, there were -- one of my responsibilities was to --
4 to run the video production of the meetings, BCC
5 meetings. And I think there might've been an iPad that
6 we had to use to do something. So I might've logged into
7 an iPad. But I don't personally use an iPad. I wasn't
8 issued an iPad, you know, that -- that I -- that I
9 recall.

10 Q And you had mentioned you were a Mac person.

11 A Yes.

12 Q That means that all your stuff is Mac stuff?

13 A Yes.

14 Q Okay. You're more comfortable on that than
15 you are with a PC?

16 A I never owned one. Wouldn't even know how to
17 work it.

18 Q Okay. So that -- that would've been my next
19 question. It's not like you had Dells for your job or
20 anything?

21 A No, ma'am.

22 Q Okay. Are you familiar with the Find My app?

23 A Oh, Find My iPhone?

24 Q Yeah.

25 A Yes.

1 Q Okay. And you're pretty familiar with Macs
2 and --

3 A Yep.

4 Q And logging an iCloud account into a Mac?

5 A Yes.

6 Q Okay. On your Find My app did you not notice
7 that there was an iPad that was logged into your account?

8 A I did on December 19th, 2023, when my text
9 messages got read out loud in a meeting and brought to my
10 curiosity how -- how does anyone have my text messages,
11 so I went into my settings and I -- it said Jeremy
12 Rowlands' iPad was logged into my account, a guy named
13 Jeremy Rowlands. I didn't know who that was. I googled
14 Jeremy Rowlands -- Jeremy Rowlands Walton County. It
15 popped up. The -- the county staff directory popped up
16 and said that he was the technology support specialist
17 for Walton County. And so it was saying that basically
18 someone in county administration was logged into my
19 account. So I reported that to the sheriff. And from
20 what I understand that's -- they found an iPad that I was
21 logged into, and that's how this whole thing started.

22 Q Okay.

23 A Because there was -- I mean, there's no way I
24 would've -- like I said, this -- there was an incident at
25 the December 19th meeting where my text messages started

1 getting read out and then I -- we had no idea how anyone
2 had those if I hadn't in my settings seen that Jeremy
3 Rowlands' iPad was logged into my iCloud account.

4 Q You have -- do you -- do you have a personal
5 Mac or a -- like a MacBook Air or a MacBook Pro --

6 A Yes.

7 Q -- something like that?

8 A Uh-huh.

9 Q And you mentioned you had a personal iPad at
10 some point.

11 A At some point. I thought originally because,
12 like -- Macs are amazing. They -- Jeremy Rowlands' iPad,
13 it was a white iPad with a -- with a actual button
14 (indicating).

15 Q And you're making a gesture with your hands.
16 Are you gesturing as though it had a fingerprint button
17 on it?

18 A Yes, ma'am, it did.

19 Q Okay.

20 A And I used to have an iPad like that. So my
21 first thought was maybe I left some personal iPad when I
22 worked here. I think I found out that that was
23 incorrect, that the -- the iPad in question was actually
24 a county-issued iPad. I really don't know about that
25 iPad. I just know someone was logged in, and they

1 Rowlands' iPad.

2 Q Right.

3 A Right there (indicating).

4 Q Okay.

5 A So that's -- that's all I did.

6 Q And what was the serial number for the iPad
7 that was missing that was yours?

8 A I have no earthly idea.

9 Q So what -- what I'm confused by here is that
10 you kind of typed out a formal complaint. Do you
11 remember that?

12 A To the sheriff's office?

13 Q Right.

14 A At the time I thought it was my old iPad. And
15 as -- I think -- I mean, since -- since writing that I
16 have -- like, the sheriff and FDLE told me that, no, it
17 wasn't your iPad. So I -- I apologize. I was -- I was
18 incorrect. When I reported it, I thought it was my iPad.
19 Because -- because at the time, like I said, I didn't --
20 I didn't know how it would've been possible that -- the
21 only iPad I ever had was this old white one, you know,
22 and I didn't know how anyone would've been logged into my
23 account, you know, other than me.

24 Q So --

25 A I would've had to have done it. I was --

1 Q What -- what you're saying is it's -- you
2 weren't lying in here. You believed it to be true --

3 A Yeah.

4 Q -- at the time you wrote it?

5 A I believed that that was my iPad.

6 Q Okay. Why would you write the serial numbers
7 can substantiate this claim if you didn't know that to be
8 true?

9 A I would --

10 Q Would you like to see it?

11 A Yeah. No, I know what you're talking about,
12 and I can -- I know what you're saying. I know that
13 every county device that is purchased, because I worked
14 there -- like, if -- if it was a county iPad, they would
15 have registered the serial numbers. So essentially they
16 could prove that it wasn't a county device. And I think
17 that's how they proved that it was a county device. I
18 don't -- I never had any serial numbers of mine. I was
19 saying that they would be able to prove -- like you'd --
20 you'd be able to prove that it was a county device
21 because the County actually keeps track of serial
22 numbers. I mean, I -- I -- I have never kept track of
23 serial numbers.

24 Q Well, why would you say the serial numbers can
25 substantiate this claim when you're referring to a

1 personal iPad you're alleging was stolen?

2 A I guess it -- it was a typo. I mean, I -- I
3 don't -- I don't know spec- -- what I meant was that the
4 County keeps track of serial numbers. So if they don't
5 have -- if they find the iPad and it's not a county iPad
6 -- because they keep track of that -- then they would be
7 able to prove that it's not -- it's not a county device.

8 Q But you -- the way that I'm reading this is
9 you seem to be saying that the serial numbers would be
10 able to substantiate the claim that it was your personal
11 iPad that had been stolen.

12 A I mean, I -- I guess I was incorrect in saying
13 that. I admit that on the record.

14 Q Did you pull up your information when you
15 bought that iPad?

16 A No. I bought that a long, long time ago, like
17 maybe eight, ten years ago. Like, there's -- and I'm not
18 one that keeps track --

19 Q Where did you buy it from?

20 A I think I probably bought it online or
21 something like that. I -- I don't -- and I'm not a
22 person that keeps track of serial numbers, so I --

23 Q Well, Apple does, don't they?

24 A I'm not -- I don't know. Probably.

25 Q Have there been -- how many prior iPads have

1 A Not that I recall. I -- I -- it's been a long
2 time since I've worked for the County, but I -- I think I
3 created a separate -- I did. I created a separate iCloud
4 account with my county e-mail for county business on my
5 county MacBook Pro.

6 Q Okay.

7 A For obvious reasons.

8 Q To segregate --

9 A Separate, yeah.

10 Q Okay. So why would you log in with your
11 personal info on a county iPad?

12 A I'm not even sure if I'm the one that logged
13 in because -- there -- there was -- Jason --

14 Q Do you have any reason to think that somebody
15 else logged in?

16 A Yes.

17 Q What?

18 A Jason Cook, the IT guy, when he was -- after I
19 had worked for the County he reached out and there was
20 something that I was logged into or something like that,
21 and he -- he needed the password. I -- I -- I gave him
22 the password.

23 Q You gave him your password?

24 A From what I recall.

25 Q To your iCloud account?

1 -- if I recall Jason -- I think I might've wrote that in
2 there. The -- the -- the way I knew there was, like, a
3 device logged in at the County -- about six months before
4 this happened I think Jason --

5 Q But when you say this happened, you mean
6 before the -- the meeting --

7 A December 19th, 2023.

8 Q Okay, before the meeting situation.

9 A Yes. Yeah, he reached out and said that there
10 was a device that was -- I was logged into, and I think
11 he maybe even wanted me to come up here and log out of it
12 because you need the password, and I think I just gave
13 him the password.

14 Q Okay.

15 A So that was how I knew. You know -- I mean,
16 it was a pretty far-fetched thing reporting all this
17 stuff. But the -- the way I knew that there was clearly
18 a device logged in with me and that's how they were
19 getting my text messages, because I remember Jason Cook
20 reaching out and saying there is an iPad up here that
21 you're logged into. Can you come up here and log out of
22 it? And I think I was away, out of town or something. I
23 just -- I couldn't -- I couldn't do it. And so I just
24 said here's the password, log out.

25 Q Okay.

1 A You know, we were -- we were friendly, I mean.
2 And it wasn't -- I'm a trusting guy. And I didn't -- and
3 I had nothing to hide. I just -- I didn't think my
4 personal text messages would, you know, ever be of
5 interest to anybody.

6 Q Okay. And -- I mean, at the time you're
7 saying you trusted Jason Cook?

8 A Yeah.

9 Q Do -- do you think that he used that
10 information to log into the iPad at that time, or?

11 A I am -- I'm not sure what -- what he did with
12 it. I just know that the Walton County Administration
13 was in possession of an iPad that was syncing all my
14 stuff up to it. And that was six months prior to
15 December 19th. So that was --

16 Q Okay.

17 A So that's when it -- it kind of clicked on
18 December 19th when I was saying to myself how in the
19 world are they reading my text messages. It's like, oh,
20 yeah, Jason reached out about some iPad that was syncing
21 all the data.

22 Q Do you recall giving a statement in this case
23 to, like, the Walton Sheriff's office or FDLE?

24 A Uh-huh. Yes.

25 Q Okay. Do you recall saying something to the

1 A Yes.

2 Q Do you have a YouTube account?

3 A Yes, I do.

4 Q Okay. Currently?

5 A I suppose so. I haven't used it in many
6 years, but I'm -- I'm sure if I opened it up, it would --
7 I'd be logged in, yeah.

8 Q Okay. When -- we're going back to this Jeremy
9 Rowlands iPad.

10 A Uh-huh.

11 Q When -- when did you -- did you ever check to
12 see if Jason Cook logged out?

13 A I did not, no.

14 Q You just trusted him to do that with your
15 password?

16 A Yes, I -- like I said, I've never been -- I
17 don't lock the doors of my car or my house either. Yes.

18 Q Okay. And -- now you -- what I'm -- what I'm
19 trying to square here is that you were concerned enough
20 to say I was afraid I was getting set up because I
21 thought there was something on this iPad that they were
22 trying to pin on me, but you'd still give somebody in
23 Walton County government your universal password.

24 A Right.

25 Q And then not check that they did the thing you

1 thought they were going to do.

2 A What -- what is the question again?

3 Q I'm just saying it doesn't quite make sense to
4 me. Can you help me make it make sense?

5 A No, I don't think so.

6 Q Okay. I wasn't sure if there was another
7 explanation that you had.

8 A No.

9 Q Okay.

10 A No.

11 Q And what's your relationship with Teresa
12 Lowery?

13 A She's a friend, good friend of mine.

14 Q How long have you known her?

15 A Since probably 2020.

16 Q Okay. So since you were looking into getting
17 a -- well, since 2020.

18 A Since I became politically active.

19 Q Okay.

20 A She was -- she works for Danny Glidewell. You
21 know, so any -- if you -- you know, if you ever have a
22 meeting with Danny Glidewell, you have to go through her.
23 And her mother --

24 Q She's the gatekeeper?

25 A Correct.

1 Q I understand --

2 A In my opinion that's what I thought was wrong
3 with it.

4 Q Teresa Lowery was a county employee, though,
5 right?

6 A Yes.

7 Q Okay. And were you discussing county
8 business?

9 A I -- I wasn't a county employee at the time,
10 so I don't -- you know, I wasn't -- anything I -- I
11 wasn't discussing county business. Me and her talked a
12 lot. I don't know -- you have to be more specific.

13 Q Well, do you remember what was read?

14 A Pardon?

15 Q Do you remember what was read?

16 A Do I remember what was read?

17 Q At the meeting.

18 A No, it was very short because Donna Johns got
19 cut off from the county attorney and said you can't --
20 you can't read these.

21 Q Okay. But did it have to be with county
22 business or was she just trying to embarrass you?

23 A I don't know. I don't know what she was
24 trying to do.

25 Q Okay. Why would it be read at a county

1 correct?

2 A I don't know specifically. Jason Cook -- I
3 think y'all are deposing him later. He would know more
4 specifics about that because he's the one that issues
5 things. I really don't know. And that's the honest
6 truth. I don't know how that iPad, but Jason would know,
7 I would think.

8 Q Okay. Well, then explain to me your theory on
9 how your Apple account would've been logged into this
10 iPad if you were never assigned one.

11 A Originally I thought -- I mean, as I reported
12 to the sheriff, I thought it was my personal iPad.

13 Q Correct.

14 A I was wrong -- I was wrong about that.
15 Apparently it was a county iPad.

16 Q Right.

17 A And I don't know -- I mean, I do think Jason
18 Cook had my password. I mean, maybe he -- maybe he
19 logged me in or maybe he was just trying to log me out.
20 I'm really not sure.

21 Q Okay. So your testimony -- you don't disagree
22 that Jason Cook sent you messages and Facebook Messenger
23 on May 23rd, 2023, May 24th, 2023, and May 25th, 2023,
24 asking you to log your -- come in and log your Apple
25 account out of the county iPad?

1 A I don't disagree.

2 Q Okay. So your working theory on how your
3 Apple account got logged in to this -- to this county
4 iPad is because Jason Cook had your password?

5 A Yes, working theory, yes.

6 Q Okay. So if that's the case, then I guess
7 your theory is that he logged your Apple account into the
8 county iPad and then contacted you multiple times asking
9 you to log it out?

10 A Yeah.

11 Q I mean, why -- how does that make sense in any
12 world?

13 A I -- it doesn't.

14 Q You said -- you said that Jason Cook was a
15 friend and that's why you trusted him so much that you
16 gave him your password.

17 A Yes, I understand. And all I know is -- all I
18 really truly know is that my account was logged into and
19 people were monitoring it. I don't know how I got the
20 iPad, or I don't know how they got it. I don't know the
21 specifics of how they logged in. It -- it would've made
22 sense if it had been my iPad that I thought I'd lost. It
23 would've all made sense, but I really don't know.

24 Q Okay. So as you sit here today your testimony
25 is that you never logged your Apple account into that

1 county iPad?

2 A Not that I recall.

3 Q Okay.

4 A I mean, I -- I truly do not remember. And
5 like I said, I'm going off because I -- I have a Mac
6 computer and a phone personally. That's how I -- that's
7 my workflow. I don't use iPads.

8 Q All right. And -- so to then your -- I guess
9 your theory is that Jason Cook, I don't know, like,
10 illegally accessed your Apple information, correct?

11 A I -- I -- I mean, he could've, yes. I mean, I
12 -- I mean, he's the -- put it this way. Jason's the
13 custodian of all the tech devices at that place. I don't
14 think Joe and Quinn could've known about, like, this
15 thing being logged into my account without Jason saying,
16 Hey, by the way, there's an iPad over here, you know,
17 with his -- Jason would've been the only one initially
18 that knew that there was an iPad because that's his job
19 to handle all the tech stuff.

20 Q Okay.

21 A So, I mean, would've started -- it would've
22 started with him.

23 Q All right. But you certainly were on notice
24 as of May 23rd, 2023, that your Apple account was logged
25 into an iPad, and the IT personnel were able to see your

1 text messages and your videos?

2 A I knew that I was logged in. I didn't really
3 know how robust syncing happened, you know. And I never
4 have known anyone to, you know, pry into that stuff.
5 But, yes, I -- I knew as of May -- in May that I was
6 logged into.

7 Q I mean, well, Mr. Cook told you --

8 A Yes.

9 Q -- in the messages that you --

10 A From what I -- yeah, from what I recall.

11 Q You have to let me finish asking my question.

12 A Sorry.

13 Q You're going to make her life difficult.

14 Mr. Cook told you in May of 2023 on three separate
15 messages your Apple account is synced up with our county
16 iPad and all of your personal data, text messages,
17 videos, photographs, are being uploaded and viewable on
18 the County's iPad?

19 A Uh-huh.

20 Q That's a --

21 A Yes.

22 Q Okay. And you did nothing to say, well, heck,
23 I don't like the idea of that. Let me take care of that?

24 A I did not do anything.

25 Q You understand -- but you testified -- well,

1 let me ask you this. Could you have just changed your
2 password on your Apple account?

3 A I could've. And usually -- I think that was
4 what I was thinking. Usually I would just change the
5 password and I guess I never -- I never did.

6 Q Okay. But then why would you give him the
7 password for him to change the password if you could've
8 just changed the password?

9 A No, I gave him the password so he could log in
10 and take care of what he needed -- whatever he needed to
11 take care of. Again, I didn't try to get him to change
12 the password.

13 Q So you -- you gave Mr. Cook your Apple account
14 password so he could log in to your Apple account?

15 A Yeah, because he -- he reached out -- he -- he
16 needed -- he needed it for some specific reason. You
17 know, I -- to log me out or something like that. He was
18 trying to get me to come up and do it in person, but I
19 was -- I was unavailable.

20 Q Okay. But you could've just logged -- we just
21 said -- we just --

22 A I should've just change the password, yes.

23 Q Okay. All right. Then why didn't you just do
24 that to try to protect your data?

25 A I -- I don't remember why I did not do that,

1 but I -- I admit that I could have.

2 Q Okay. And when you first learned that your
3 text messages were being published by Commissioner Johns
4 on December 19th, did you log in to your Apple account
5 that same day?

6 A Yes, from this phone. I wanted to know who
7 was -- I wanted to know how in the world did she have
8 those. And like I said, that's when I found the Jeremy
9 Rowlands -- and I -- I mean, at the time I -- I didn't
10 really know, like, Joseph Turner and Quinn Robertson. I
11 mean, Donna -- Donna -- Commissioner Johns is the one
12 that did it, you know, so I -- I -- I -- I wasn't
13 thinking that it was Joe Turner or Quinn Robertson doing
14 this. I just knew someone in the county administration
15 had my iPad, and I knew Jason knew that there was an iPad
16 with my stuff on it, so. And, I mean, I report- -- you
17 know, I reported it to law enforcement. I -- I'm not a
18 law -- I can't go investigate things. I reported it.

19 Q All right. Did you know Mr. Rowlands when you
20 worked at the County?

21 A He wasn't there yet.

22 Q Okay. And did you change your -- did you log
23 into your Apple account on December 19th, 2023, and
24 change your password to make sure there was no further
25 access to your data?

1 A Not that I recall. I don't remember.

2 Q So if this caused you such extraordinary
3 mental anguish, why didn't you immediately take -- I
4 mean, a very quick step to correct the problem and
5 protect your data?

6 A I mean -- I'm -- I'm not sure. I -- or, I
7 mean, I did -- the immediate step was get the iPad. I
8 wanted law enforcement to recover the iPad. If they
9 could recover the iPad, then I knew no one would be
10 stealing it, so.

11 Q But you could do both.

12 A I could've done both, yes.

13 Q Okay. So you found out in May 2023 from three
14 separate messages from Mr. Cook, who's a good friend of
15 yours that you trust --

16 A Yes.

17 Q -- implicitly, I mean, so much so you gave him
18 your password.

19 A Correct.

20 Q He contacts you three separate times saying
21 your Apple account is synced up with this county iPad.
22 You need to come in here and log it out. We can see all
23 of your data, and you took no steps to do that for six
24 months, correct?

25 A Correct.

1 disagree with me. It is your responsibility to protect
2 your data?

3 A Sure.

4 Q Is that a yes?

5 A I do not disagree.

6 Q Okay. Do you recall -- I mean, and this --
7 look, if you didn't read it, I don't -- I don't know that
8 I would've. But did -- do you recall ever reviewing the
9 personnel handbook, like the employee handbook and all
10 the personnel policies they gave you?

11 A Not specifically.

12 Q Okay. Were you aware that in the -- in the
13 handbook it says that all e-mail accounts will be
14 monitored by IT?

15 A I don't recall specifically. I was there for
16 a very short stint four years ago. And then this --
17 these incidents happened two years later, so -- I mean, I
18 wasn't a county employee -- I wasn't even a county
19 employee when Quinn and Joe worked there, you know. So,
20 I mean, my -- my stint as a county employee was very
21 short, and it was a very long time ago, so.

22 Q Okay. Now, you say your memory is foggy about
23 your conversation with Special Agent Riddick, and I
24 understand.

25 A Yeah.

1 the county iPad?

2 A Yes.

3 Q Isn't it true that you did not respond to that
4 request sent to you on May 25th, 2023?

5 A Yes.

6 Q Isn't it true that Jason Cook contacted you on
7 May 26th, 2023, via Facebook Messenger and requested that
8 you come into the office to log your Apple account out of
9 the county iPad?

10 A Yes.

11 Q Isn't it true that you did not respond to that
12 request that was sent to you by Mr. Cook on May 26th,
13 2023?

14 A Yes.

15 Q You said that -- you kind of did your hands
16 when you were testifying, and I believe you testified
17 that you texted Mr. Cook your -- your password, correct?

18 A From my recollection, yes.

19 Q So can you produce a copy of that text
20 message?

21 A No.

22 Q Why not?

23 A It was just a long time ago, and I -- I just
24 don't have it.

25 Q So you deleted --

1 A Just going off memory.

2 Q So you deleted your conversation with Mr. Cook
3 out of your phone?

4 A Yes. Yes, I no longer have it.

5 Q So at some point you would've deleted that?

6 A I mean, I -- I don't delete things. I think
7 things like just kind of -- I don't -- I don't
8 specifically remember deleting it, but I could not find
9 it, if that answers your question. I could not find it.
10 I could not access it. But I'm not -- I don't make a
11 habit of deleting messages or e-mails or anything like
12 that.

13 Q I believe at the beginning of your deposition
14 you testified this is probably the same Apple iPhone that
15 you had when you were working at the County, correct?

16 A Yes.

17 Q So unless you deleted --

18 A Personal -- yeah, personal. They issued me a
19 county phone, and they took that back. And I never even
20 used that.

21 Q So unless you affirmatively deleted that
22 conversation with Mr. Cook, it should be available on
23 your phone that you have with you today, correct?

24 A Correct.

25 Q Okay. Just give me a moment so I can -- now,

1 administration.

2 Q And is it your understanding that how webElect
3 works that any information that is put into the public
4 record is basically public record and can be traded,
5 published, and utilized by third parties?

6 A To my understanding, yes.

7 Q Okay.

8 A I mean, the Republican Party funds it, so
9 yeah, I -- I took their word for it.

10 Q Right. And so basically by inserting items
11 and data into the public record, you waive your privacy
12 interest over that data, correct?

13 A I believe so, yes.

14 MS. BOGENSCHUTZ: If you need a minute, I
15 can --

16 MR. WEBSTER: Go ahead.

17 MS. BOGENSCHUTZ: Okay.

18 REDIRECT EXAMINATION

19 BY MS. BOGENSCHUTZ:

20 Q Is it fair to say that when you gave -- I
21 mean, you're claiming you gave Jason Cook the password to
22 your iCloud account. Is it fair to say that you then
23 consented to him accessing anything in your iCloud
24 account?

25 A It's fair to say, yes.

1 Q Okay. And therefore consenting to anything he
2 would've done with it?

3 A Yes.

4 Q Okay. Was there a situation where you
5 e-mailed yourself an Excel document from your Walton
6 County e-mail address when you were working there to your
7 personal e-mail address that contained thirty thousand
8 e-mails in it?

9 A Possibly.

10 Q Okay. When you say possibly, is it -- I mean,
11 how often would you do something like that? Is it you
12 just don't remember or --

13 A I don't remember.

14 Q -- you do it so often that --

15 A I don't remember.

16 Q Okay. Have you made up any additional e-mail
17 addresses to contact county employees?

18 A Have I made -- sorry, say the question again.

19 Q I did a public records request asking for any
20 e-mails you had exchanged with county employees. What
21 e-mail addresses have you created to do that?

22 A I mean, I have lots of e-mail addresses. I
23 don't -- I don't know -- you mean like private
24 communication between a county employee? Like sending
25 e-mails?

1 circulating were things from my phone. Somehow --
2 somehow they got there, so it only could've originated
3 from an iPad logged into my account.

4 Q Okay. So when you affirmed under oath of
5 perjury that the data could've only have originated from
6 your personal iPad, that wasn't true, right?

7 A As we know now. Like, I didn't knowingly
8 commit perjury. I thought -- I thought at the time that
9 that was, you know.

10 Q Okay. But -- but you knew for at least six
11 months prior to signing this affidavit that your data was
12 being synced up to the county iPad because your good
13 friend, Jason Cook, who you trust implicitly told you
14 three different times that was happening?

15 A Yes.

16 Q Okay. You just forgot about that when you
17 signed this affidavit?

18 A I don't -- I don't know if I forgot. I just
19 wasn't thinking that and I wanted to get the -- I wanted
20 to find the iPad. And that's how I was going to stop the
21 data leak rather than logging out of it.

22 Q You were trying to have people prosecuted,
23 have their liberties stripped away from them when you
24 came in and signed this criminal complaint, correct?

25 A If that's how you see it. I was reporting my

1 until December of '23 when the law enforcement seized it.
2 So I don't -- I don't know if he was monitoring it or
3 not.

4 Q Okay. When you allegedly gave him your
5 password, did you ever say don't share this password with
6 anybody?

7 A No, I didn't say that.

8 Q Okay. Do you think that based on everything
9 we've gone through here that you had a reasonable
10 expectation of privacy in your messages? Based on...

11 A Yeah, I -- I would think that I would have a
12 reasonable expectation of privacy just out of human
13 decency. But, I mean, I have to give someone my
14 password. I -- I thought so. I'm -- I'm -- this -- this
15 whole case is -- I'm realizing that I'm probably wrong on
16 that, that I guess I should not have expected to have
17 privacy.

18 MS. BOGENSCHUTZ: I digress.

19 MR. WEBSTER: I just want to put on the record
20 that the exhibits that I showed to Mr. Galloway, the
21 Walton County website printout for Jeremy Rowlands
22 was -- I have Bates numbers on mine, and it was
23 Bates Number 599. And then the screenshot or
24 whatever of the Walton County website information
25 for Jason Cook bears my Bates Number 600.

CERTIFICATE OF OATH

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STATE OF FLORIDA)
COUNTY OF WALTON)

In my capacity as a Notary Public of the State of Florida, I certify that on the 27th day of October, 2025, CHARLES "CHAZ" GALLOWAY, personally appeared before me and took an oath or affirmation.

WITNESS my hand and official seal this day, the 9th of November, 2025.

Racheal Callahan

Racheal L. Callahan, FPR
Notary Public - State of Florida
Commission # HH 487945
Expires February 1, 2028

Exhibit D-3

**UNOFFICIAL
DOCUMENT**

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

STATE OF FLORIDA,

Plaintiff,

v.

CASE NO.: 662025CF000122CFAXMX

QUINN MCCOY ROBERTSON,

Defendant.

DECLARATION OF STEPHEN G. WEBSTER

I, STEPHEN G. WEBSTER, do hereby certify, declare, and state as follows:

1. I represent the Defendant, QUINN MCCOY ROBERTSON, in the instant case.
2. On October 27, 2025, I took the deposition of Charles Galloway, as part of the prosecution of the Defendant in this case, which took place at the Office of the State Attorney in DeFuniak Springs, FL.
3. Upon completion of Mr. Galloway's deposition, I, along with counsel for Defendant Joe Turner, adjourned for lunch.
4. Upon returning to the conference room located at the Office of the State Attorney, Assistant State Attorney Josh Mitchell entered and announced, "[w]e are all trying to figure out if there is a crime here."
5. After offering that shocking admission, Assistant State Attorney Mitchell claimed that he had determined Mr. Galloway could not log his Apple account out of the county iPad remotely.

6. At that point, counsel for Mr. Turner interjected and demonstrated using her electronic device that Assistant State Attorney Mitchell was incorrect in his assertion that Mr. Galloway could not log out remotely.

7. Mr. Turner's counsel accessed her Apple account to conclusively establish that Mr. Galloway could have logged out remotely as he testified.

I declare under penalty of perjury, the foregoing is true and accurate.

EXECUTED this 16th day of January, 2026.

/s/ STEPHEN G. WEBSTER
STEPHEN G. WEBSTER

UNOFFICIAL
DOCUMENT

Exhibit D-4

**UNOFFICIAL
DOCUMENT**

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

STATE OF FLORIDA,

vs. CASE NO. 662025CF000122CFAXMZ

QUINN MCCOY ROBERTSON,
Defendant.

_____ /

INTERVIEW OF JASON COOK

REPORTED BY:

CLARA C. ROTRUCK, Court Reporter
For the Record Reporting, Inc.
1500 Mahan Drive - Suite 140
Tallahassee, Florida 32308

1 authenticity of things, okay? But real quick, I
2 know I got a gun on my hip and I got a badge, okay,
3 way back here in the corner office. Thank you for
4 inviting me in.

5 MR. COOK: Yes, sir.

6 MR. MARTHINSEN: The moment you want me to
7 leave -- I'm your guest, okay? I emailed you, can
8 I come over and meet with you, blah, blah, blah.
9 The moment you want me to leave, please just say
10 so, okay?

11 If I ask you a question and you're not
12 comfortable answering it, just don't answer it,
13 okay? Tell me, "I'm not comfortable answering
14 that," you know. And -- but all I ask is that we
15 talk about the truth, okay?

16 MR. COOK: Yes, sir.

17 MR. MARTHINSEN: But I'm your guest, and the
18 moment you don't want me here, the moment you'll
19 get busy or whatnot, just tell me and I'm out of
20 here, okay?

21 MR. COOK: Okay.

22 MR. MARTHINSEN: Some people are intimidated
23 by cops, so I just like to make sure we're on the
24 same page, you know, because this case can wait.

25 So that all said, you had mentioned to me

1 longer an argument." So I'm just recapping, okay?
2 So it's definitely yours. I can see where it sat
3 dormant for almost two years, like from the fall of
4 2021 till twenty twenty -- not fall of -- fall of
5 2021 till -- anyway, it sat dormant for a while.

6 MR. COOK: Earlier this year when Jeremy
7 started.

8 MR. MARTHINSEN: Right. Right. So just like
9 you said. And then -- and then it looks like for
10 about a six-month period, somebody accessed it like
11 once a month. And maybe they were -- I thought you
12 said every once in a while, they would check to see
13 if --

14 MR. COOK: Jeremy (inaudible) --

15 MR. MARTHINSEN: -- that crap has been taken
16 off of it, right?

17 MR. COOK: And I actually went back and looked
18 at my Facebook messages on the other profile, and I
19 sent it to Chaz in May that --

20 MR. MARTHINSEN: And I think May is one of the
21 first times it was reaccessed after -- so he had
22 it, I think he realized it then by the way it's
23 powered on, powered off, because that's all I was
24 looking at. I didn't go into the content yet.

25 MR. COOK: Yes, sir.

1 MR. MARTHINSEN: And so that makes sense.
2 so back in May of 2023?

3 MR. COOK: That's correct.

4 MR. MARTHINSEN: Okay. So then you gave it to
5 -- you had it. Where was it when you had it?

6 MR. COOK: It was probably -- well, we've been
7 in a couple offices. We moved around. I mean,
8 it's going to be in this building. Could have been
9 in my office up there or here.

10 MR. MARTHINSEN: But in one of your offices?

11 MR. COOK: That's right.

12 MR. MARTHINSEN: And then -- so then you gave
13 it to Jeremy --

14 MR. COOK: Jeremy when he started.

15 MR. MARTHINSEN: Right. And -- and you're
16 pointing to Jeremy's office a couple doors down?

17 MR. COOK: Right here.

18 MR. MARTHINSEN: Right next door?

19 MR. COOK: Uh-huh.

20 MR. MARTHINSEN: And it was right next door
21 when he started?

22 MR. COOK: Right.

23 MR. MARTHINSEN: Okay. So you give it to
24 Jeremy. Shortly after giving it to Jeremy, he
25 gives it back to you and said -- or at least brings

1 it to your attention that somebody's information,
2 happens to be Galloway's, and that's when -- do you
3 contact him immediately? Do you think he -- do you
4 think Jeremy told you in May? Or do you think he
5 told you two months before and then you finally
6 contacted him?

7 MR. COOK: It wouldn't have been two months
8 before.

9 MR. MARTHINSEN: Okay.

10 MR. COOK: It would have been --

11 MR. MARTHINSEN: Did he remind you a couple
12 times? And none of this really matters, but it
13 does, you know. So just stick with me through the
14 sausage making, if you could.

15 MR. COOK: I think it was -- I think I
16 contacted him pretty quick.

17 MR. MARTHINSEN: Okay. All right.

18 MR. COOK: And on my messages, where I went
19 back, I contacted him -- it was make something, and
20 then he didn't respond, Chaz, (inaudible) --

21 MR. MARTHINSEN: Okay, perfect.

22 MR. COOK: -- (inaudible) next day. And then
23 he finally responded and saying, "Is it best for me
24 to come by," and I said, "Yes, can you come by next
25 week," and he never responded to that.

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1 MR. MARTHINSEN: And you have those messages?

2 MR. COOK: Yes, sir.

3 MR. MARTHINSEN: Would you be able to maybe
4 screenshot them at some point --

5 MR. COOK: Uh-huh.

6 MR. MARTHINSEN: -- and share them and email
7 them to me, however you can do that? I'd
8 appreciate that.

9 So then what did you -- so Jeremy brings it to
10 your attention. Jeremy maintained possession of
11 the iPad?

12 MR. COOK: I think he just turned it back off.

13 MR. MARTHINSEN: He turned it back off, but
14 kept it until --

15 MR. COOK: Right.

16 MR. MARTHINSEN: Okay.

17 MR. COOK: He had possession pretty much the
18 whole time.

19 MR. MARTHINSEN: From that point on?

20 MR. COOK: Yes, sir.

21 MR. MARTHINSEN: Okay, perfect.

22 MR. COOK: And I think he just checked every
23 once in a while to see if Chaz took it off --

24 MR. MARTHINSEN: Right.

25 MR. COOK: -- because I think he could do it

1 remotely on some iPad.

2 MR. MARTHINSEN: Right.

3 MR. COOK: But he said he was going to come in
4 and never come in. I think he kept checking
5 because he wanted to use it --

6 MR. MARTHINSEN: He wanted to use one, yeah,
7 give me an iPad, right.

8 MR. COOK: Right.

9 MR. MARTHINSEN: So walk me through the
10 conversation of how, then, it gets handed back --
11 handed over to Quinn.

12 MR. COOK: Okay.

13 MR. MARTHINSEN: Walk me through that one.

14 MR. COOK: I think he checked to see, I guess,
15 it's still on there. And when he noticed that his
16 stuff was still there, he found some of the text
17 messages that pertained to county business.

18 MR. MARTHINSEN: Right.

19 MR. COOK: And that's whenever I was like,
20 "Okay," I just took it to Quinn --

21 MR. MARTHINSEN: So he brought that to you,
22 and then you took it to Quinn?

23 MR. COOK: Yes, sir.

24 MR. MARTHINSEN: Okay. So you said maybe a
25 couple weeks ago, but does it sound better that

1 MR. MARTHINSEN: You took it to him?

2 MR. COOK: And saying, "Here, we found this."

3 MR. MARTHINSEN: Right. Absolutely. Yeah.

4 MR. COOK: "(Inaudible) this was Chaz's county
5 iPad, told him several times to get his stuff off
6 and never did."

7 MR. MARTHINSEN: Right.

8 MR. COOK: Whenever Jeremy went through it to
9 see if there was still stuff on there, he saw
10 these. I said, "This is county stuff" (inaudible).

11 MR. MARTHINSEN: Okay. And what did he say to
12 you?

13 MR. COOK: He just like just showed me --
14 showed me a text message.

15 MR. MARTHINSEN: Right. So from that point
16 on, did you have any more interaction with that
17 iPad?

18 MR. COOK: I did. Joe brought it -- Joe or
19 Quinn brought it to me, I can't remember who,
20 because they wanted to see if we can back up the
21 iPad.

22 MR. MARTHINSEN: Okay.

23 MR. COOK: And so Jeremy had it to try to back
24 it up, and it tried to format itself on us. So we
25 about messed it up, to be honest, and lost

Exhibit D-5

**UNOFFICIAL
DOCUMENT**

In The Matter Of:
State of Florida v.
Quinn McCoy Robertson

Deposition of Jason Cook
October 27, 2025



850.737.9071

info@precisionreportingandvideo.com

BAY COUNTY
239 East 4th Street, 2nd Floor
Panama City, Florida 32401

WALTON COUNTY
15416 Business Highway 331, Suite 109
Freeport, Florida 32439

Min-U-Script® with Word Index

1 COURT REPORTER: Do you solemnly swear or
2 affirm to tell the truth, the whole truth, and
3 nothing but the truth?

4 THE WITNESS: Yes, ma'am.

5 JASON COOK,
6 was called as a witness and, having first been duly
7 sworn, testified as follows:

8 DIRECT EXAMINATION

9 BY MS. BOGENSCHUTZ:

10 Q Have you ever done a deposition before?

11 A No, ma'am.

12 Q Okay. So this lady's taking down everything
13 that we're saying, but there's no video on you. So if
14 you say uh-huh and nod, we're all going to know you meant
15 yes, but somebody's going to jump up and say was that a
16 yes, because she can only write down what you said. And
17 U-H-U-H could be uh-huh or huh-uh in five months. So
18 just know somebody's going to jump in and be like that.
19 If you nod, we're going to need you to say it.

20 A Yes, ma'am.

21 Q And let's see. If anything is not clear to
22 you, feel free to just tell us to rephrase the question.
23 And if you're not sure about something, it's okay to
24 qualify things, like say, look, I know it must have been
25 in December because the Christmas lights were up and it

1 was cold out. Other than that I can't tell you what the
2 date was. So you're allowed to, like, qualify things if
3 you're not sure about something, but you can kind of give
4 us an idea.

5 A Yes, ma'am.

6 Q So let's see. Where do you work?

7 A I work for Walton County Board of County
8 Commissioners, County Administration.

9 Q And you are in IT, right?

10 A Not necessarily. I'm in technology.

11 Q Okay.

12 A Yeah.

13 Q So you're in technology. What's your position
14 or title?

15 A Technology and media manager.

16 Q Okay. How long have you been holding that
17 position?

18 A This exact position three to four years.

19 Q Okay. So at the time that this occurred, the
20 facts that gave rise to this case, you were holding the
21 same position?

22 A Yes, ma'am.

23 Q Okay. To my understanding this involved an
24 iPad, right?

25 A Yes, ma'am.

1 where you're at. But I believe that in his response he
2 said I'll come down there and sign out.

3 Q Okay. Yeah, that's -- that's -- you brought
4 up something, and I'm going to use mine as a -- I have an
5 iPhone here. So, like, if I go in here and I'm, like --
6 if I want to -- like, my husband's MacBook, I can remove
7 it, erase it, right?

8 A Exactly. And that's what I thought he was
9 going to do.

10 Q Okay. And then -- so he said he would come
11 down and sign out of it?

12 A I believe that's what he said when he
13 responded to me.

14 Q Okay. Did you have to make a couple of
15 different attempts to get him to respond to you?

16 A I can't remember. I just remember the one
17 time.

18 Q Okay.

19 A I don't remember if I did it again.

20 Q Did he ever come down and sign out?

21 A No, ma'am.

22 Q And so what was going on with the iPad if he
23 didn't come down and sign out?

24 A So whenever I asked him to come down -- we put
25 it back on the shelf. He never came. And it was, like

1 -- about one to two weeks later we went to check to see
2 if he signed out. And that's when we noticed that he
3 hadn't signed back out.

4 Q Oh, you were expecting that maybe he would've
5 done it remotely?

6 A Exactly. Like, well, he didn't call me, maybe
7 he did it remotely.

8 Q Okay. Okay. That's good. And did he -- you
9 didn't log in to the iPad for him, did you?

10 A No, ma'am.

11 Q Okay. You didn't, like, access his account
12 and plug in his password or anything like that?

13 A To his iCloud account?

14 Q Yeah.

15 A No, ma'am.

16 Q Okay. So once you realized that he hasn't
17 done this, what do you do from there? Because it's
18 pretty much commandeering an iPad, right? Like, I mean,
19 you can't use it for somebody else.

20 A Right, until he signs out.

21 Q And am I correct in assuming that the reason
22 you didn't just wipe the iPad was because of public
23 records issues, right?

24 A Well, you can't wipe an iPad unless somebody
25 -- unless they sign out of their iCloud account.

1 Q Oh, really?

2 A Uh-huh.

3 Q Okay. So I guess you could've. I mean, was
4 it an option to just wipe the iPad for you or no?

5 A Well, I mean, I didn't try to wipe it.

6 Q Okay.

7 A No, ma'am. But in my experience with iPads,
8 you can't wipe an iPad unless you sign out of it, unless
9 you have a mobile device manager.

10 Q Okay.

11 A And we didn't have one at the time.

12 Q I gotcha. Okay. What's a mobile device
13 manager?

14 A Where you can manage your devices remotely.

15 Q Okay.

16 A Like, you have control over them.

17 Q Gotcha. So like a -- a hub?

18 A You can -- you can erase it then.

19 Q Okay.

20 A Because you're -- they're accessing your
21 mobile device manager.

22 Q So did you allow Jason Rowlands to continue
23 using the iPad with Chaz logged into it?

24 A Jeremy Rowlands, he never -- after we noticed
25 that he -- Jeremy never used it. He put it back on the

1 shelf.

2 Q Uh-huh.

3 A I was, like, well, let's see if he signed out
4 of it. And I went, you know, looking, and that's when I
5 noticed he ain't signed back out of it. Jeremy never
6 used it.

7 Q Oh, okay.

8 A To -- to my knowledge he never used it
9 anymore.

10 Q The reason I'm asking is because I -- I think
11 it was renamed Jeremy Rowlands' iPad, and that's -- but
12 that doesn't necessarily mean he was using it.

13 A Right. I think he might've tried to go to set
14 it up and then he realized that, hey, Chaz was still
15 signed in and that's when he brought it to me.

16 Q Okay. When did you become aware that there
17 was, like, maybe county business being discussed via
18 Chaz's text messages?

19 A When we got the iPad back down to -- and I
20 checked it, I saw the text messages, and then that's when
21 I saw in one of those threads that it had County
22 Administrator Robertson.

23 Q Uh-huh.

24 A Quinn Robertson -- Quinn's name.

25 Q Oh.

1 A And that's how I -- I was like, well, it's got
2 his name, so that's when I took it to Quinn.

3 Q Okay. So there was maybe a text chain between
4 Chaz and Quinn or that his name was in a text message?

5 A His name was in the -- right.

6 Q Okay.

7 A Because I was going back to see if he's still
8 signed in.

9 Q Right.

10 A And that's when I saw that and I -- I took it
11 over -- well, your name's in this text message.

12 Q Okay. So you were basically like I don't know
13 what's going on with this, but he's talking about you?

14 A Exactly.

15 Q Okay. Did you see anything in there that
16 seemed to be like a misuse of county anything or other?

17 A In?

18 Q Or was it just -- was it just his name or did
19 you do any further digging about --

20 A I just saw his name on it. I'm, like, here's
21 the iPad.

22 Q Gotcha. What is your understanding as to how
23 Chaz Galloway became hired for the period of time he was?

24 A My understanding?

25 Q Yeah.

1 any kind of possessory interest over this iPad, that
2 would not have been happening?

3 A No, ma'am.

4 Q Okay. Do you recommend that individuals who
5 have a personal iCloud account use that iCloud account on
6 government devices?

7 A No, you shouldn't do that.

8 Q Why not? It's not a trick question. Why not?

9 A Well, you shouldn't have your personal
10 information on county equipment.

11 Q Is it fair to say that there's no privacy
12 rights on county equipment?

13 A I don't know if I'd be the expert in this kind
14 of stuff.

15 Q Yeah.

16 A I don't have an opinion on that.

17 Q Are you aware that there's part of the County
18 handbook that says that no government employee should
19 consider portions -- I know it's 2.23. It's 2.23, and I
20 can -- "E-Mail users have no expectation of privacy in
21 the content of their e-mail. All e-mail, whether
22 personal, transitory, or public record is subject to
23 inspection by the Walton County Board of County
24 Commission Administration." So basically your personal
25 business could end up on the county computer and then

1 we've got Florida Public Records laws.

2 A Oh, yeah, yeah.

3 Q What is your understanding about what you
4 would see in somebody's, like, Find My app here if you
5 were logged in to another device? Would you be able to
6 see it?

7 A So if I was -- can you clarify that?

8 Q Okay, let's say I was Chaz and I logged in
9 with my personal iCloud account in this iPad. Would I be
10 able to tell that on my phone?

11 A You should be able to see every device that
12 your iCloud is signed into.

13 Q Okay. And what I noticed, and I considered
14 doing it, was that you could essentially -- I could
15 remove this MacBook from my account, right, or I could
16 erase it entirely, right?

17 A That's what it's showing right there, yes,
18 ma'am.

19 Q Okay. Do you know if both of those were
20 options for Mr. Galloway?

21 A I didn't look into the Find My app.

22 Q At all?

23 A On the iPad, no, ma'am.

24 Q Okay. No, I was just wondering if both were
25 -- if there's something that would make one or both of

1 Q So was Walton County paying for Flocksy and
2 Chaz at the same time?

3 A That's what it appears.

4 Q Okay. Do you know if anybody authorized that?

5 A I don't know if anybody did.

6 Q Okay. You know -- that's -- that's not your
7 -- authorizing that would not be in your wheelhouse or
8 your duties?

9 A No, ma'am.

10 Q Okay. Do you have any idea who might've
11 authorized it if they did?

12 A No, ma'am.

13 Q Okay. Let's see. Let me just check my notes
14 here. Did Chaz Galloway ever give you his password and
15 tell you to log out for him or anything like that?

16 A I don't -- I don't think so.

17 Q Are you close friends with Mr. Galloway?

18 A No.

19 Q Okay. How -- I mean, work colleagues, or?

20 A I just know him from whenever he used to come
21 to the board meetings and then he got hired.

22 Q Okay.

23 MS. BOGENSCHUTZ: That's pretty much all I've
24 got so far.

25

DIRECT EXAMINATION

1 A No, sir.

2 Q Okay. So what's the purpose of you telling
3 them to do that that way?

4 A That way it's -- I try to tell people to only
5 do work-related things on county equipment.

6 Q Yes, sir. Okay. So if he had created a
7 county Apple account, it wasn't -- it wasn't logged into
8 that account when you accessed that iPad?

9 A Not the -- I can't remember what the iPad
10 account was that was logged in. I -- I don't think it
11 was a county account.

12 Q Yes, sir. But you didn't see two. You didn't
13 see the one that you saw and then a separate one that was
14 for the County?

15 A No, sir.

16 Q Okay. If I understood you -- and I'm not
17 technologically savvy, so -- but if I understood your
18 testimony, and I don't use Apple, but if I understood
19 your testimony, it seems like there may have been two
20 different ways that Mr. Galloway could've got out --
21 logged out of the iPad with his Apple account remotely,
22 right? Is that fair? He could've erased it or removed
23 it altogether?

24 A I don't know if he could've erased it. I was
25 under the assumption, because I've done it before in my

1 own things, that you could remove -- remove it. Like,
2 you could log into your Apple account online and remove a
3 device.

4 Q Okay.

5 A I'm not sure if he could erase it or not.

6 Q So do you remember if you told him to come
7 down or if you told him just get it out and log out?

8 A I told him he just needed to log out. I don't
9 remember specifically telling him to come to the office
10 to do it. I believe he mentioned that.

11 Q Okay. Is it possible that you did tell him to
12 come down because you thought he might want to delete
13 some of the personal stuff off of the -- the county
14 server?

15 A (Witness shakes head.)

16 Q No?

17 A No, sir.

18 Q Okay. Now, you certainly believed you had the
19 authority to look at the -- view the contents of that
20 iPad?

21 A Well, it was a county iPad.

22 Q Okay.

23 A Yes, sir.

24 Q All right. And then when you saw things that
25 you thought involved -- may involve county information,

1 you went to my client. I represent Quinn Robertson. Is
2 that true?

3 A Yes, sir.

4 Q Okay. And you certainly believed that
5 Mr. Robertson at that time, as the county administrator,
6 had the authority to -- was authorized to look at the
7 contents of that iPad, correct?

8 A Yes, sir.

9 Q Okay. I mean, did you feel like you were
10 illegally eavesdropping on Mr. Galloway's private
11 messages and stuff when you were accessing the iPad?

12 A I didn't think I was, no, sir.

13 Q Okay. Did you think my client was when he
14 looked at the contents?

15 A Not whenever I initially gave it to him, no,
16 sir, when I showed him what I saw.

17 Q Okay. Do you feel like you took every
18 reasonable step that you had available to get
19 Mr. Galloway to log out?

20 A Yes, sir.

21 Q Okay. Now, when that data is uploaded to the
22 iPad, is it also synced to, like, a main server or a
23 county server or anything like that, or does it just stay
24 on that device?

25 A Well, what type of data?

1 Q Like, his -- all of his iCloud information.

2 A It would be on the device and the Cloud
3 server. So you could sign into another device and you
4 could have, like, a replica.

5 Q Okay. And, sir -- I mean, are you familiar
6 with Section 2.8, which is titled Communication and
7 Technology in the human resources policy manual?

8 A I mean, somewhat, yes, sir.

9 Q Okay. Are you familiar that it -- basically
10 the employees are informed that the IT department
11 monitors internet activities?

12 A Yes, sir.

13 Q Okay. Would that be your job, or?

14 A No, sir. That's what I meant earlier when I
15 said technology. We have -- there's an IT department
16 that works for the clerk of courts, and they manage all
17 of our IT for the County.

18 Q Okay. And they're warned that any improper
19 use is reported to the employee's department director,
20 correct?

21 A Yes, sir.

22 Q Okay. And then it says, "As an employee of a
23 government organization all messages, web pages, files,
24 and other documents accessed using internet services are
25 subject to public records requests." Correct?

1 A Yes, sir.

2 Q Okay. They're also warned that it's the
3 responsibility of each individual employee to utilize
4 their computers and their electronic devices in an
5 effective, ethical, and lawful manner, correct?

6 A Yes, sir.

7 Q All right. And do you think it was ethical
8 for Mr. Galloway to have all of his Apple account
9 information being synced to the county iPad?

10 A I don't know if I'd say that's unethical.

11 Q Okay. I mean, were you aware that -- that
12 there were possibly some profane kind of images and
13 videos on -- that were synced to the iPad?

14 A No, sir.

15 Q You weren't aware of that?

16 A No, sir.

17 Q Is it true that the county employees are also
18 advised that they are prohibited to use any of their
19 systems to transmit or receive inappropriate messages, to
20 access inappropriate information or to harass or annoy
21 another party?

22 A Yes, sir.

23 Q Okay. And then they're warned inappropriate
24 messages and information include but are not limited to
25 those that are for personal benefit and those involving

1 discriminatory, hostile, suggestive, obscene, or
2 otherwise unsuitable language? You are familiar with
3 that?

4 A Yes, sir.

5 Q Okay. So if there were, let's say,
6 sexual-type videos or images that Mr. Galloway had in his
7 Apple account that were synced to the iPad, would that
8 have been in violation of this policy?

9 A Yes, sir.

10 Q Okay. Would you agree with me that text
11 messages are electronic messages?

12 A Yes, sir.

13 Q Would you agree with me that iMessages are
14 also electronic messages?

15 A Yes, sir.

16 Q So do you believe that the -- the human
17 resources policy manual fairly warned Mr. Galloway that
18 if he put his personal information on the county device
19 that it was going to be subject to view by county --
20 other county administrators?

21 A Yes, sir.

22 Q Okay. Isn't it true, sir, that the human
23 resources policy manual also advises county employees
24 that they are responsible for the periodic deletion of
25 personal and transitory messages so that the e-mail

1 system is not overburdened?

2 A Yes, sir.

3 Q Okay. So if he had information on that device
4 that he knew was not county business, he could delete it
5 himself, and he actually had a duty to do so; is that
6 fair?

7 A Yes, sir.

8 Q If Mr. Galloway had deleted the information in
9 his -- let's say from home, not from the county iPad, but
10 if he deleted the information from his iCloud, would it
11 have been deleted also from the iCloud account that you
12 were accessing here on the iPad?

13 A It should've and if it's synced up and still
14 connected, yes, sir.

15 Q Okay. And so when you first discovered -- I
16 believe the records show that on May 24th you first sent
17 a Facebook message to Mr. Galloway advising him that his
18 -- the iPad he had was still logged into his Apple
19 account.

20 A I'm trusting you on the time. I don't
21 remember the dates.

22 Q That's -- the records show, I believe, it's
23 May 24th, 2023, was your first message.

24 A Yes, sir.

25 Q And you basically said, Hey, you need to come

1 down here and log out, right?

2 A Yes, sir.

3 Q According to the records we have, May 25th,
4 the very next day, 2023, you sent another message because
5 I think he ghosted you.

6 A Okay.

7 Q Does that sound --

8 A I may have done it twice, yes, sir.

9 Q And actually I think -- then you did it again
10 on the 25th because -- or the 26th -- that's what the
11 records we have suggest.

12 A Okay.

13 Q Kind of three days in a row you sent him
14 messages. And at one point you even said, look, give me
15 a date that works good for you to come down and meet.
16 Does that kind of refresh your recollection of what you
17 may have --

18 A Yeah, I forgot, but you saying that I -- I
19 could have, yeah.

20 Q Okay. And then it -- it appears that maybe
21 Mr. Rowlands would occasionally look at the device after
22 that. But you don't -- it doesn't seem like you had much
23 involvement with it until December and that was -- or
24 November, and I believe that's when you discovered the...

25 A Oh, was it that long? That's a long time.

1 Q Okay. But to your knowledge Mr. Galloway
2 didn't take any steps from when you first contacted him
3 about this problem and until when it blew up in the
4 county commission meeting to log his device out, correct?
5 Or his --

6 A Yes, sir.

7 Q Thank you. And then is it -- am I correct
8 that the human resources policy manual also warns the
9 employees that all e-mail, whether personal, transitory,
10 or public record is subject to inspection by the Walton
11 County Board of County Commissioners Administration?

12 A If that's what it says, yes, sir.

13 Q Okay. Sorry, I had to go over the records.
14 There's a lot of paper. Sir, when did you first learn
15 that -- kind of this -- these things had been referred to
16 the sheriff's office for a criminal investigation?

17 A Which part are you talking about?

18 Q The -- the allegation by Mr. Galloway that
19 people basically were hacking or had stolen his iPad or
20 were accessing his Apple account.

21 A I didn't realize that Jared went to the
22 authorities about the iPad.

23 Q I'm showing you what I Bates stamped as
24 QMR-267. This is like a -- a face page for an
25 investigation. Were you aware that you were originally

1 identified kind of as a suspect?

2 A No, sir.

3 Q All right.

4 A For?

5 Q Mr. Galloway's criminal complaint that his
6 iPad had been stolen and that somebody was using --
7 accessing his stolen iPad and basically invading his
8 privacy and taking his personal text messages.

9 A I wasn't aware of that, no sir.

10 Q Okay. All right. I mean, at any point do you
11 feel like you did anything wrong by accessing the county
12 iPad?

13 A No, sir.

14 Q Did you feel like it was your job to do that?

15 A My job?

16 Q Yes, sir. I mean, is it part of your
17 professional duties when you're -- Mr. Rowlands came to
18 you and said, Hey, somebody's...

19 A Right, to -- ask them to sign out, yes, sir.

20 Q Okay. And kind of consistent with that --
21 that criminal complaint, do you recognize kind of this
22 screen here? This is my Bates Page 600.

23 MR. MITCHELL: Is that Defense Exhibit 2 from
24 earlier?

25 MR. WEBSTER: Yes, it probably is. I think it

1 was 1 because I think I did...

2 MS. BOGENSCHUTZ: You did two pages.

3 MR. WEBSTER: It'll be Mr. Cook's.

4 BY MR. WEBSTER:

5 Q Are you kind of familiar with that screenshot,
6 if you will?

7 A Yeah, that's going to be our website.

8 Q Okay. Where you're identified as an employee?

9 A Yes, sir.

10 Q Okay. Were you aware that Mr. Galloway had
11 sent this to the sheriff's office with that note that he
12 put on there?

13 A Was I aware that he reached out to the
14 Sheriff?

15 Q And sent this to the Sheriff with that note?

16 A No, sir.

17 Q Okay. But this note -- it seems like it's
18 pretty consistent with your -- your recollection of what
19 occurred, that you basically told him six months earlier
20 that his system was logged in?

21 A Yes, sir.

22 Q Okay. And this was produced to us by the
23 State in discovery, Mr. Cook. And it's Bates Number 730
24 in my book, but do you -- do you recognize that document?

25 A Yeah, I think that's -- that was in a e-mail

1 Q All right. Did you ask why or was it this is
2 the county administrator, I'll just tell him I can't and
3 move on?

4 A Oh, we tried to.

5 Q Oh, you tried to?

6 A Yeah, and it didn't -- I can't remember -- it
7 didn't work.

8 Q Okay. Did you ask why you wanted a backup
9 copy or why Mr. Robertson wanted a backup copy?

10 A No, sir.

11 Q Okay. After the backup copy didn't work are
12 you aware of where the iPad went from there?

13 A Back to Quinn.

14 Q Okay. Did you have any information related to
15 whether Quinn was actively reviewing text messages from
16 the iCloud account?

17 A No, sir.

18 Q Okay. Did you ever have any conversations
19 with Mr. Joseph Turner about any of the iCloud account
20 contents that were on that iPad?

21 A Not that I recall.

22 Q Okay. Did anyone from the sheriff's office
23 ever inform you not to be looking at the iCloud contents?

24 A Not that I remember.

25 Q Okay. Did you ever become aware of anyone

1 THE WITNESS: Okay.

2 REDIRECT EXAMINATION

3 BY MS. BOGENSCHUTZ:

4 Q Just to go back. Are you -- you're familiar
5 with this handbook again, the employee handbook?

6 A Yes, ma'am.

7 Q There should be -- there should not be any
8 expectation of privacy with respect to the use of this
9 equipment, referring to computers. Is -- is it common
10 for the county administrator to go through e-mails sent
11 and received by county employees?

12 A Not that I'm aware.

13 Q Do they have the ability to do that?

14 A I believe so.

15 Q They have the right to do that?

16 A According to our handbook, I think, if it's
17 county business.

18 Q What about if they're trying to -- if there's
19 perhaps an investigation into something similar to what
20 Mr. Galloway was accused of?

21 A I mean, I believe they have the right to go
22 through county e-mails.

23 Q Okay. Do you -- well, I'll -- I'll just ask
24 you straight. I don't mean anything by this. But is
25 Chaz Galloway a -- like a trustworthy person? Do you

1 think that he is -- do you think -- no, let me -- let me
2 rephrase this a little bit better. Would you say that he
3 has a reputation in the Walton County community for being
4 honest?

5 A No.

6 Q Would you think that he has the reputation of
7 being the opposite of that, dishonest?

8 A Yes, he has that reputation.

9 Q Okay. Why would you say that? I mean, I just
10 want to know, like, what dataset you're relying on to say
11 that.

12 A Well, I can't factually point to things --

13 Q Yeah.

14 A -- but in the community -- you know, the
15 social medias, you know. So you take that with a grain
16 of salt. That's where you see --

17 Q Did he ever try --

18 A -- both sides.

19 Q Yeah. Did you ever -- did he ever try to add
20 you to any of these listservs where he's sending out
21 these massive e-mails?

22 A I don't think he ever tried to add me.

23 Q You're lucky. Have you seen some of these
24 e-mails that he sent out or --

25 A I don't believe so.

1 A Yes, sir.

2 Q -- you recall things occurring? It goes on to
3 say you testified or you told the investigator that
4 Rowlands kept possession of the iPad in his office and
5 would periodically check to see if Galloway had removed
6 his personal information. Approximately a month or two
7 ago, open paren, middle of November, closed paren,
8 Rowlands showed Cook that Galloway's personal messages
9 contained, quote, county information, period, close
10 quote.

11 What would you have meant by county
12 information?

13 A Must've been Quinn's name.

14 Q Okay. But is it possible there was other
15 information you thought might be county -- related to the
16 County?

17 A I -- I can't...

18 Q If you can't remember, it's fine. It's fine.
19 It's fine.

20 A Yeah.

21 Q But in essence, were you -- are you familiar
22 with the duty to preserve public records?

23 A Oh, yeah. Yes, sir.

24 Q Was that one of the reasons why you also
25 wanted the county administrator to be aware of that, in

1 case there were public records contained within those
2 messages?

3 A Yeah, you don't want to delete them until the
4 retention period is up, yes, sir.

5 Q Okay. And the only way to determine whether
6 or not there's public records is to actually go in and
7 review the materials, correct?

8 A Right. And that's usually done by the legal
9 department, yes, sir.

10 Q But the county administrator would have the
11 authority to do that, correct?

12 A Yes, sir.

13 Q Okay. It says, "Cook took possession of the
14 iPad and gave it to Robertson. Robertson asked Cook to
15 show him the information on the iPad that was of concern,
16 which Cook did. Cook stated Turner or Robertson brought
17 the iPad back to Cook and asked him to back up the iPad."
18 Does that sound so far kind of consistent?

19 A Yes.

20 Q Were you -- did you realize that Mr. Robertson
21 and Mr. Turner had questions about whether or not the use
22 of all these apps was appropriate? Were you -- did you
23 understand that?

24 A No, sir.

25 Q Okay. Do you think --

1 itself."

2 A Yes, sir.

3 Q Okay. "And after approximately four attempts
4 to back up the iPad with no success they were able to
5 restore the iPad. The iPad was given back to Robertson
6 or Turner. Cook had no further actions or conversations
7 concerning the iPad and it was not in his possession."
8 Is that fair?

9 A Yes, sir.

10 Q Okay. Were you working with the County in
11 your current role when the investigators came and asked
12 that the iPad be turned over to them so that they -- the
13 sheriff's office could begin their investigation?

14 A I was working in my current role, but I don't
15 know the time frame that they came and got the iPad.

16 Q Were you aware that -- do you recall when
17 Mr. Sunday came -- became the county administrator after
18 Mr. Robertson left?

19 A I don't recall the time frame, but it was
20 after Quinn.

21 Q You recall that?

22 A Yes, sir.

23 Q Okay. Would you be surprised that -- that
24 Mr. Sunday, as the county administrator, would sign a
25 consent form authorizing the sheriff's office to search

1 the device?

2 A I know that --

3 MS. BOGENSCHUTZ: FDLE.

4 A Yeah, FDLE, Mr. Riddick, got up with me and
5 sent the document to me, and I had Stan go sign it to
6 release the iPad to them.

7 BY MR. WEBSTER:

8 Q So you clearly thought that Mr. Sunday was
9 authorized to give that iPad away for a full search?

10 A Yes, sir.

11 Q Okay. And I think the consent form said it
12 was his property. Do you recall that?

13 A Whose property?

14 Q Mr. Sunday had said my property underneath his
15 signature. Were you aware of that?

16 A I don't -- I don't remember it saying that.

17 Q That's fine. I don't expect you to either.

18 MR. WEBSTER: All right. Thank you. I have
19 nothing further.

20 THE WITNESS: Yes, sir.

21 MR. MITCHELL: All right. Appreciate you
22 coming in early, man.

23 THE WITNESS: No problem.

24 MR. MITCHELL: Thank you.

25 THE WITNESS: Yes, sir.

CERTIFICATE OF OATH

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STATE OF FLORIDA)
COUNTY OF WALTON)

In my capacity as a Notary Public of the State of Florida, I certify that on the 27th day of October, 2025, JASON COOK, personally appeared before me and took an oath or affirmation.

WITNESS my hand and official seal this day, the 9th of November, 2025.

Racheal Callahan

Racheal L. Callahan, FPR
Notary Public - State of Florida
Commission # HH 487945
Expires February 1, 2028

Exhibit D-6

**UNOFFICIAL
DOCUMENT**

D E P O S I T I O N

1

2

THE COURT REPORTER: Please raise your right hand.

3

4

5

6

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

7

THE WITNESS: Yes, ma'am.

8

THE COURT REPORTER: Thank you.

9

Whereupon,

10

KEITH RIDDICK,

11

12

13

14

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

15

EXAMINATION

16

BY MS. BOGENSCHUTZ:

17

18

19

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21

22

23

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

24

I take it this is not your first deposition,

25

right?

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 Adkinson, 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 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. 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 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 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 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. 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. 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 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 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 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. Okay. Why didn't you do what you were asked⁶⁷
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 was⁷¹
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 to be a subjective expectation of privacy and an
2 objective 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 capias. According to the direct capias 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 capias -- quote/unquote, "direct capias,"
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 capias 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 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 you⁹⁴
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 Adkinson 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. Adkinson?

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.

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